WHY DOMICILE AND BECOMING A "TAXPAYER" REQUIRE YOUR CONSENT

"If you were of the world, the world would love its own. ***Yet because you are not of [domiciled within] the world, but I [Jesus] chose you [believers] out of the world, therefore the world hates you.*** *Remember the word that I said to you, 'A [public] servant is not greater than his [Sovereign] master.' If they persecuted Me, they will also persecute you. If they kept My word, they will keep yours also [as trustees of the public trust]. But all these things they will do to you for My name's sake, because they do not know Him [God] who sent Me."*
[Jesus in John 15:19-21, Bible, NKJV]

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"The taxpayer-- that's someone who works for the federal government but doesn't have to take the civil service examination."
[President Ronald W. Reagan]

1. Introduction

The purpose of establishing government is solely to provide "protection". Those who wish to be protected by a specific government must expressly consent to be protected by choosing a domicile within the civil jurisdiction of that specific government.

1. Those who have made such a choice and thereby become "customers" of the protection afforded by government are called by any of the following names under the civil laws of the jurisdiction they have nominated to protect them:
   1.1. "citizens", if they were born somewhere within the country which the jurisdiction is a part.
   1.2. "residents" (aliens) if they were born within the country in which the jurisdiction is a part.
   1.3. "inhabitants", which encompasses both "citizens", and "residents" but excludes foreigners.
   1.4. "persons".
   1.5. "individuals".
2. Those who have not become "customers" or "protected persons" of a specific government are called by any of the following names within the civil laws of the jurisdiction they have refused to nominate as their protector and may NOT be called by any of the names in item 1 above:
   2.1. "nonresidents".
   2.2. "transient foreigners".
   2.3. "stateless persons".
   2.4. "in transitu".
   2.5. "transient".
   2.6. "sojourner".
   2.7. "civilly dead".

In law, the process of choosing a domicile within the jurisdiction of a specific government is called "*animus manendi*". Latin is used to describe the process because judges don't want you knowing that you can choose NOT to be protected by the civil statutory law. That choice makes you a consenting party to the "civil contract", "social compact", and "private law" that attaches to and therefore protects all "inhabitants" and things physically situated on or within that specific territory, venue, and jurisdiction. In a sense then, your consent to a specific jurisdiction by your choice of domicile within that jurisdiction is what creates the civil statutory "person", "individual", "citizen", "resident", or "inhabitant" which is the only proper subject of the civil statutory laws enacted by that government. In other words, choosing a domicile within a specific jurisdiction causes an implied waiver of sovereign immunity, because the courts admit that the term "person" does not refer to the "sovereign":

> *"Since in common usage, **the term person does not include the sovereign**, statutes not employing the phrase are ordinarily construed to exclude it."*
> *[United States v. Cooper Corporation, 312 U.S. 600 (1941)]*

> *"**Sovereignty itself is, of course, not subject to law for it is the author and source of law;**"*
> *[Yick Wo v. Hopkins, 118 U.S. 356 (1886)]*

> *"There is no such thing as a power of inherent Sovereignty in the government of the United States. In this country **sovereignty resides in the People**, and Congress can exercise no power which they have not, by their Constitution entrusted to it: All else is withheld."*
> *[Juilliard v. Greenman, 110 U.S. 421 (1884)]*

Those who have become customers of government protection by choosing a civil domicile within a specific government then owe a duty to pay for the support of the protection they demand. The method of paying for said protection is called "taxes". In earlier times this kind of sponsorship was called "tribute".

> *"**TRIBUTE.** Tribute in the sense of an impost paid by one state to another, as a mark of subjugation, is a common feature of international relationships in the biblical world. The tributary could be either a hostile state or an ally. Like deportation, **its purpose was to weaken a hostile state. Deportation aimed at depleting the man-power. The aim of tribute was probably twofold: to impoverish the subjugated state and at the same time to increase the conqueror's own revenues** and to acquire commodities in short supply in his own country. As*

*an instrument of administration it was one of the simplest ever devised: the subjugated country could be made responsible for the payment of a yearly tribute. **Its non-arrival would be taken as a sign of rebellion, and an expedition would then be sent to deal with the recalcitrant.** This was probably the reason for the attack recorded in Gn. 14.*
[New Bible Dictionary. Third Edition. Wood, D. R. W., Wood, D. R. W., & Marshall, I. H. 1996, c1982, c1962; InterVarsity Press: Downers Grove]

Domicile is an EXTREMELY important subject to learn because it defines and circumscribes:

1. The boundary between what is legislatively "foreign" and legislatively "domestic" in relation to a specific jurisdiction. Everyone domiciled OUTSIDE a specific jurisdiction is legislatively and statutorily "foreign" in relation to that civil jurisdiction. Note that you can be DOMESTIC from a CONSTITUTIONAL perspective and yet ALSO be FOREIGN from a legislative jurisdiction AT THE SAME TIME. This is true of the relationship of most Americans with the national government.
2. The boundary between what is POLITICAL speech and LEGAL speech. For everyone not domiciled in a specific jurisdiction, the civil law of that jurisdiction is POLITICAL and unenforceable. Since real constitutional courts cannot entertain political questions, then they cannot act in a political capacity against nonresidents.

So let us begin our coverage of this MOST important subject.

2. Definition

Domicile is legally defined as follows. We also include the definition of "situs" to help clarify its meaning:

*"**domicile**. A person's legal home. That place where a man has his true, fixed, and **permanent home** and principal establishment, and to which whenever he is absent he has **the intention of** returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and **the intention** to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he **intends to** return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. **The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.**"*
[Black's Law Dictionary, Sixth Edition, p. 485]

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*"**Situs**. Lat. Situation; location; e.g. location or place of crime or business. Site; position; the place where a thing is considered, for example, with reference to jurisdiction over it, or the right or power to tax it. It imports fixedness of location. Situs of property, for tax purposes, is determined by whether the taxing state has sufficient contact with the personal property sought to be taxed to justify in fairness the particular tax. Town of Cady v. Alexander Const. Co., 12 Wis.2d. 236, 107 N.W.2d. 267, 270."*

Generally, personal property has its taxable "situs" in that state where owner of it is domiciled. Smith v. Lummus, 149 Fla. 660, 6 So.2d. 625, 627, 628. Situs of a trust means place of performance of active duties of trustee. Campbell v. Albers, 313 Ill.App. 152, 39 N.E.2d. 672, 676."
[Black's Law Dictionary, Sixth Edition, p. 1387]

Notice in the definition of "domicile" above the absence of the word "consent" and replacing it with the word "intent" to disguise the true nature of what they are saying. Lawyers and politicians don't want you to know that they need your consent to make you into a "taxpayer" with a "domicile" within their jurisdiction, even though this is in fact the case. More on this later.

An exhaustive academic treatise on the subject of domicile also candidly admits that there is no all-encompassing definition for "domicile".

§57. Difficulty of Defining Domicil.--

***The difficulty, if not impossibility, of arriving at an entirely satisfactory definition of domicile has been frequently commented upon.** Lord Alvanley, in Somerville v. Somerville, praised the wisdom of Bynkershoek in not hazarding a definition; and Dr. Lushington, in Maltass v. Maltass, speaking of the various attempts of jurists in this direction, considered himself justified in the remarkable language of Hertius: "Verum in iis definiendis mirum est quam sudant doctores." Lord Chelmsford, speaking, as late as 1863, in the case of Moorhouse v. Lord, says: "**The difficulty of getting a satisfactory definition of domicil, which will meet every case, has often been admitted, and every attempt to frame one has hitherto failed.**"*

[Treatise on the Law of Domicil, M.W. Jacobs, 1887; Little Brown and Company, §57, pp. 93-98
SOURCE: http://books.google.com/books?id=MFQvAAAAIAAJ&printsec=titlepage*]*

The above admission is not surprising, given the fact that the main purpose for inventing the concept of domicile is to infer or imply consent of the subject to the civil law that has never expressly been given in writing and cannot be proven to exist. No government or judge is going to give a definition, because then people would use that definition to prove that they DON'T have a domicile and that would destroy the source of all the government's civil and taxing authority over the people who employ the definition to break the chains that bind them to their pagan tyrant rulers.

The concept of domicile we inherit primarily from the feudal Roman law system in which the king or emperor or lord claimed ownership over all territory entrusted to him or her by divine right. Everyone occupying said territory therefore became a "subject" of the king and owed him "allegiance" as compensation for the "privilege" or franchise associated with use of his property. That allegiance expressed itself as "tribute" paid to the king, which we know of today as "taxes". What were once "subjects" of the king in Great Britain and the Roman Empire are now called "citizens", and we fired the King when the Declaration of Independence declared all men equal. At that point, everyone became equal and the sovereign transitioned from the former King of England to "We the People" as individuals. Consequently, we no longer have a landlord and the government that serves us cannot therefore lawfully charge us "rent" for the use of the land or territory that we occupy if we own it.

> *"**The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative. Through the medium of their Legislature they may exercise all the powers which previous to the Revolution could have been exercised either by the King alone**, or by him in conjunction with his Parliament; subject only to those restrictions which have been imposed by the Constitution of this State or of the U.S."*
> *[Lansing v. Smith, 21 D. 89., 4 Wendel 9 (1829) (New York)]*

> *"**In the United States the people are sovereign, and the government cannot sever its relationship to the people by taking away their citizenship.**"*
> *[Afroyim v. Rusk, 387 U.S. 253 (1967)]*

> *"Strictly speaking, in our republican form of government, the absolute sovereignty of the nation is in the people of the nation; and the residuary sovereignty of each state, not granted to any of its public functionaries, **is in the people of the state**. **2 Dall. 471"***
> *[Bouv. Law Dict (1870)]*

> *"The sovereignty of a state does not reside in the persons who fill the different departments of its government, but in the People, from whom the government emanated; and they may change it at their discretion. Sovereignty, then in this country, abides with the constituency, and not with the agent; and this remark is true, both in reference to the federal and state government."*
> *[Spooner v. McConnell, 22 F. 939, 943]*

> *"In Europe, the Executive is almost synonymous with the Sovereign power of a State; and, generally, includes legislative and judicial authority. When, therefore, writers speak of the sovereign, it is not necessarily in exclusion of the judiciary; and it will often be found, that when the Executive affords a remedy for any wrong, it is nothing more than by an exercise of its judicial authority. **Such is the condition of power in that quarter of the world, where it is too commonly acquired by force, or fraud, or both, and seldom by compact. In America, however, the case is widely different. Our government is founded upon compact. Sovereignty was, and is, in the people.** It was entrusted by them, as far as was necessary for the purpose of forming a good government, to the Federal Convention; and the Convention executed their trust, by effectually separating the Legislative, Judicial, and Executive powers; which, in the contemplation of our Constitution, are each a branch of the sovereignty. The well-being of the whole depends upon keeping each department within its limits."*
> *[Glass v. The Sloop Betsey, 3 U.S. 6, 3 Dall. 6, 1 L.Ed. 485 (1794)]*

3. Domicile is a First Amendment choice of political affiliation

Another very important observation is in order at this point, which is that our choice of "domicile" is a strictly *political* and not *legal* matter. It is a matter of our *political* choice and affiliation. The U.S. Supreme Court has ruled that no government may dictate our choice of political affiliations, as revealed in the American Jurisprudence Legal Encyclopedia:

> *"The right to associate or not to associate with others solely on the basis of individual choice, not being absolute, [1] may conflict with a societal interest in requiring one to associate with others, or to prohibit one*

[1] § 539.

from associating with others, in order to accomplish what the state deems to be the common good. ***The Supreme Court, though rarely called upon to examine this aspect of the right to freedom of association, has nevertheless established certain basic rules which will cover many situations involving forced or prohibited associations.*** *Thus, where a sufficiently compelling state interest, outside the political spectrum, can be accomplished only by requiring individuals to associate together for the common good, then such forced association is constitutional.* [2] ***But the Supreme Court has made it clear that compelling an individual to become a member of an organization with political aspects, or compelling an individual to become a member of an organization which financially supports, in more than an insignificant way, political personages or goals which the individual does not wish to support, is an infringement of the individual's constitutional right to freedom of association.*** [3] *The First Amendment prevents the government, except in the most compelling circumstances, from wielding its power to interfere with its employees' freedom to believe and associate, or to not believe and not associate; it is not merely a tenure provision that protects public employees from actual or constructive discharge.* [4] *Thus, First Amendment principles prohibit a state from compelling any individual to associate with a political party, as a condition of retaining public employment.* [5] *The First Amendment protects nonpolicymaking public employees from discrimination based on their political beliefs or affiliation.* 6 *But the First Amendment protects the right of political party members to advocate that a specific person be elected or appointed to a particular office and that a specific person be hired to perform a governmental function.* [7] *In the First Amendment context, the political patronage exception to the First Amendment protection for public employees is to be construed broadly, so as presumptively to encompass positions placed by legislature outside of "merit" civil service. Positions specifically named in relevant federal, state, county, or municipal laws to which discretionary authority with respect to enforcement of that law or carrying out of some other policy of political concern is granted, such as a secretary of state given statutory authority over various state corporation law practices, fall within the political patronage exception to First Amendment protection of public employees.*[8] *However, a supposed interest in ensuring effective government*

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[2] Lathrop v. Donohue, 367 U.S. 820, 81 S.Ct. 1826, 6 L.Ed.2d. 1191 (1961), reh'g denied, 368 U.S. 871, 82 S.Ct. 23, 7 L.Ed.2d. 72 (1961) (a state supreme court may order integration of the state bar); Railway Emp. Dept. v. Hanson, 351 U.S. 225, 76 S.Ct. 714, 100 L.Ed. 1112 (1956), motion denied, 351 U.S. 979, 76 S.Ct. 1044, 100 L.Ed. 1494 (1956) and reh'g denied, 352 U.S. 859, 77 S.Ct. 22, 1 L.Ed.2d. 69 (1956) (upholding the validity of the union shop provision of the Railway Labor Act).

The First Amendment right to freedom of association of teachers was not violated by enforcement of a rule that white teachers whose children did not attend public schools would not be rehired. Cook v. Hudson, 511 F.2d. 744, 9 Empl. Prac. Dec. (CCH) ¶ 10134 (5th Cir. 1975), reh'g denied, 515 F.2d. 762 (5th Cir. 1975) and cert. granted, 424 U.S. 941, 96 S.Ct. 1408, 47 L.Ed.2d. 347 (1976) and cert. dismissed, 429 U.S. 165, 97 S.Ct. 543, 50 L.Ed.2d. 373, 12 Empl. Prac. Dec. (CCH) ¶ 11246 (1976).

Annotation: Supreme Court's views regarding Federal Constitution's First Amendment right of association as applied to elections and other political activities, 116 L.Ed.2d. 997 , § 10.

[3] Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S.Ct. 2729, 111 L.Ed.2d. 52, 5 I.E.R. Cas. (BNA) 673 (1990), reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990) and reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990) (conditioning public employment hiring decisions on political belief and association violates the First Amendment rights of applicants in the absence of some vital governmental interest).

[4] Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S.Ct. 2729, 111 L.Ed.2d. 52, 5 I.E.R. Cas. (BNA) 673 (1990), reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990) and reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990).

Annotation: Public employee's right of free speech under Federal Constitution's First Amendment–Supreme Court cases, 97 L.Ed.2d. 903.

First Amendment protection for law enforcement employees subjected to discharge, transfer, or discipline because of speech, 109 A.L.R. Fed. 9.

First Amendment protection for judges or government attorneys subjected to discharge, transfer, or discipline because of speech, 108 A.L.R. Fed. 117.

First Amendment protection for public hospital or health employees subjected to discharge, transfer, or discipline because of speech, 107 A.L.R. Fed. 21.

First Amendment protection for publicly employed firefighters subjected to discharge, transfer, or discipline because of speech, 106 A.L.R. Fed. 396.

[5] Abood v. Detroit Bd. of Ed., 431 U.S. 209, 97 S.Ct. 1782, 52 L.Ed.2d. 261, 95 L.R.R.M. (BNA) 2411, 81 Lab. Cas. (CCH) ¶ 55041 (1977), reh'g denied, 433 U.S. 915, 97 S.Ct. 2989, 53 L.Ed.2d. 1102 (1977); Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996), cert. denied, 117 S.Ct. 1818, 137 L.Ed.2d. 1027 (U.S. 1997).

[6] LaRou v. Ridlon, 98 F.3d. 659 (1st Cir. 1996); Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996), cert. denied, 117 S.Ct. 1818, 137 L.Ed.2d. 1027 (U.S. 1997).

[7] Vickery v. Jones, 100 F.3d. 1334 (7th Cir. 1996), cert. denied, 117 S.Ct. 1553, 137 L.Ed.2d. 701 (U.S. 1997).

Responsibilities of the position of director of a municipality's office of federal programs resembled those of a policymaker, privy to confidential information, a communicator, or some other office holder whose function was such that party affiliation was an equally important requirement for continued tenure. Ortiz-Pinero v. Rivera-Arroyo, 84 F.3d. 7 (1st Cir. 1996).

[8] McCloud v. Testa, 97 F.3d. 1536, 12 I.E.R. Cas. (BNA) 1833, 1996 Fed.App. 335P (6th Cir. 1996), reh'g and suggestion for reh'g en banc denied, (Feb. 13, 1997).

and efficient government employees, political affiliation or loyalty, or high salaries paid to the employees in question should not be counted as indicative of positions that require a particular party affiliation. [9]"
[American Jurisprudence 2d, Constitutional law, §546: Forced and Prohibited Associations (1999)]

One's choice of "domicile" certainly has far-reaching legal consequences and ramifications, but our choice of domicile is not a legal matter to be decided by any court. No court whether it be a federal or state court, has jurisdiction over ***strictly political*** matters. Below is what the U.S. Supreme Court has to say on this very subject:

> ***"But, fortunately for our freedom from political excitements in judicial duties, this court [the U.S. Supreme Court] can never with propriety be called on officially to be the umpire in questions merely political. The adjustment of these questions belongs to the people and their political representatives, either in the State or general government. These questions relate to matters not to be settled on strict legal principles.*** *They are adjusted rather by inclination, or prejudice or compromise, often.*
>
> *[. . .]*
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> ***Another evil, alarming and little foreseen, involved in regarding these as questions for the final arbitrament of judges would be that, in such an event, all political privileges and rights would, in a dispute among the people, depend on our decision finally. We would possess the power to decide against, as well as for, them, and, under a prejudiced or arbitrary judiciary, the public liberties and popular privileges might thus be much perverted, if not entirely prostrated.*** *But, allowing the people to make constitutions and unmake them, allowing their representatives to make laws and unmake them, and without our interference as to their principles or policy in doing it, yet, when constitutions and laws are made and put in force by others, then the courts, as empowered by the State or the Union, commence their functions and may decide on the rights which conflicting parties can legally set up under them, rather than about their formation itself.* ***Our power begins after theirs [the Sovereign People] ends. Constitutions and laws precede the judiciary, and we act only under and after them, and as to disputed rights beneath them, rather than disputed points in making them. We speak what is the law, jus dicere, we speak or construe what is the constitution, after both are made, but we make, or revise, or control neither. The disputed rights beneath constitutions already made are to be governed by precedents, by sound legal principles, by positive legislation e.g. "positive law"], clear contracts, moral duties, and fixed rules; they are per se questions of law, and are well suited to the education and habits of the bench.*** *But the other disputed points in making constitutions, depending often, as before shown, on policy, inclination, popular resolves and popular will and arising not in respect to private rights, not what is meum and tuum, but in relation to politics, they belong to politics, and they are settled by political tribunals, and are too dear to a people bred in the school of Sydney and Russel for them ever to intrust their final decision, when disputed, to a class of men who are so far removed from them as the judiciary, a class also who might decide them erroneously, as well as right, and if in the former way,* ***the consequences might not be able to be averted except by a revolution, while a wrong decision by a political forum can often be peacefully corrected by new elections or instructions in a single month; and if the people, in the distribution of powers under the constitution, should ever think of making judges supreme arbiters in political controversies when not selected by nor, frequently, amenable to them nor at liberty to follow such various considerations in their judgments as [48 U.S. 53] belong to mere political questions, they will dethrone themselves and lose one of their own invaluable birthrights; building up in this way -- slowly, but surely -- a new sovereign power in the republic, in most respects irresponsible and unchangeable for life, and one more dangerous, in theory at least, than the worst elective oligarchy in the worst of times. Again, instead of controlling the people in political affairs, the judiciary in our system was designed rather to control individuals, on the one hand, when encroaching, or to defend them, on the other, under the Constitution and the laws, when they are encroached upon.*** *And if the judiciary at times seems to fill the important station of a check in the government, it is rather a check on the legislature, who may attempt to pass laws contrary to the Constitution, or on the executive, who may violate both the laws and Constitution, than on the people themselves in their primary capacity as makers and amenders of constitutions."*
> *[Luther v. Borden, 48 U.S. 1 (1849)]*

Law Reviews: Stokes, When Freedoms Conflict: Party Discipline and the First Amendment. 11 JL &Pol 751, Fall, 1995.

Pave, Public Employees and the First Amendment Petition Clause: Protecting the Rights of Citizen-Employees Who File Legitimate Grievances and Lawsuits Against Their Government Employers. 90 NW U LR 304, Fall, 1995.

Singer, Conduct and Belief: Public Employees' First Amendment Rights to Free Expression and Political Affiliation. 59 U Chi LR 897, Spring, 1992.

As to political patronage jobs, see § 472.

[9] Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996), cert. denied, 117 S.Ct. 1818, 137 L.Ed.2d. 1027 (U.S. 1997).

Consequently, no court of law can interfere with your choice of legal domicile, which is a strictly political matter. To do otherwise would constitute compelled association in violation of the First Amendment as well as direct interference in the affairs of a political party, which is YOU. You are your own independent political party and a sovereignty separate and distinct from the federal or state sovereignties. A court of law is certainly ***not*** the proper forum, for instance, in which to question or politically ridicule one's choice of domicile, whether it be in front of a jury or a judge.

> *"Petitioners contend that immunity from suit in federal court suffices to preserve the dignity of the States.* ***Private suits against nonconsenting States, however, present "the indignity of subjecting a State to the coercive process of judicial tribunals at the instance of private parties,"*** *In re Ayers, supra, at 505; accord, Seminole Tribe, 517 U.S., at 58 , regardless of the forum. Not only must a State defend or default but also it must face the prospect of being thrust, by federal fiat and against its will, into the disfavored status of a debtor, subject to the power of private citizens to levy on its treasury or perhaps even government buildings or property which the State administers on the public's behalf.*
>
> *[. . .]*
>
> *"Underlying constitutional form are considerations of great substance.* ***Private suits against nonconsenting States--especially suits for money damages--may threaten the financial integrity of the States. It is indisputable that, at the time of the founding, many of the States could have been forced into insolvency but for their immunity from private suits for money damages. Even today, an unlimited congressional power to authorize suits in state court to levy upon the treasuries of the States for compensatory damages, attorney's fees, and even punitive damages could create staggering burdens, giving Congress a power and a leverage over the States that is not contemplated by our constitutional design. The potential national power would pose a severe and notorious danger to the States and their resources.*** *"*
> *[Alden v. Maine, 527 U.S. 706 (1999)]*

The Supreme Court said that the sovereignty of We The People is every bit as sacred as that of the states, so why should they ***not*** merit the same level of sovereign immunity from suit and dignity, especially in their choice of domicile, as that of the States? To wit:

> *"****The rights of individuals and the justice due to them, are as dear and precious as those of states.*** *Indeed the latter are founded upon the former; and the great end and object of them must be to secure and support the rights of individuals, or else vain is government."*
> *[Chisholm v. Georgia, 2 U.S. (2 Dall.) 419, 1 L.Ed. 440 (1793)]*

"We The People" certainly cannot be "Sovereign" in any sense of the word if legal process can be maliciously and habitually abused by the government at great financial injury and inconvenience to them in the process of questioning or ridiculing their choice of domicile. In spite of this fact, this very evil happens daily in state and federal courts in the context of tax trials. We cannot restore the sovereignty of the people unless and until this chronic malicious abuse of legal and judicial process is ended immediately.

In recognition of the concepts in this section, the following book on the common law starkly admits that being a CIVIL STATUTORY "PERSON" is optional, and implies MEMBERSHIP in the body politic. If only lawyers now were as honest as those back at the founding of this country!:

> *CHAPTER II.*
>
> *CIVIL PERSON.*
>
> ***The state is represented in the person of its chief magistrate, who is at the same time a member of it. Thus the king or president possesses two kinds of rights, a university of rights as a corporation [PUBLIC rights], and individual rights [PRIVATE rights] as a man. As the former become more and more confounded with the latter, so government advances towards some form of monarchy. A bishop also is a sole corporation, but the man holding the office has also his individual rights. The word person neither according to its accurate meaning nor in law is identical with man. A man may possess at the same time different classes of rights.*** *On the other hand, two or more men may form only one legal person, and have one estate, as partners or corporators. Upon this difference of rights between the person and the man, the individual and the partner, corporator, tenant in common, and joint tenant, depends the whole law of these several classes. The same person has perfect power of alienation, of forming contracts, of disposing by last will and testament of his individual estate, but not of the corporate, nor of his own share in it, unless such power be expressed or implied in the contract by which the university of rights and duties is created.* ***The same distinction divides all public from private property, and distinguishes the cases in which the corporation or civil person may sue from those in which the individual alone can be the party ; - although there are instances in which the injury complained of may, in reference to the difference of character, be such as to authorize the suit to be***

instituted either by the civil person or the individual, or by both. Thus, violence to the person may be punished either as a wrong to the state or to the individual.

The true meaning of the word person is also exemplified in the matter of contracts. It is said, generally, that all persons may contract; but that is not true in the sense that all human beings may contract. Thus, a married woman, an infant, a lunatic, cannot contract. Again, a slave of mature age, sound intellect, with the consent of his master, cannot make a contract binding on himself, although as an agent he may bind his master. These matters are important only as they serve clearly to show that the civil person may have rights distinct from those which he possesses as an individual ;- and that his rights or duties as an individual may consequently become opposed to his rights and duties as a civil person. Thus, a partnership of three persons may own, for example, a moiety of a ship, and one of them the other moiety. ***In case of a difference between them as to its use, the rights of the one as a partner, and his right as an individual owner of another moiety, are directly opposed. In order, therefore, in any case, to perceive the application of a rule of law, it must be considered whether the person or the individual, or both, is the possessor of the right. For it may be asserted as absolutely true, that the rights of the man are not recognized by that law which is termed the municipal. It recognizes them only as they grow out of, or are consistent with, his character as a civil person. In other words, this is the distinction between the Common Law and the law of nature. Nor is this a fanciful distinction, inasmuch as the rudest tribes, as well as the most civilized nations, have always distinguished between the rights and duties of their members, and of those who were not members of the body politic. Even after the philosophical jurists of antiquity had polished and improved the jurisprudence of aristocratic republican Rome by the philosophy of the Portico, Cicero, statesman, philosopher, and jurisconsult, exclaims with indignation against the confusion of rights of person that the age witnessed: " In urbem nostrum est infusa peregrinitas; nunc vero etiam braccatis et transalpinis nationibus ut nullum veteris leporis vestigium appareat."***

*The Common Law, as well as the Civil, recognizes as a person an unborn child, when it concerns its interests either as to life or property. " Qui in utero est perinde ac si in rebus humanis esset, custoditur, quotiens de commodis ipsius partus queeritur." And both systems provide the same remedies to protect the child and those with whom its birth may interfere. In case of a limitation to the child of which a woman is now pregnant, if twins should be born, the Common Law gives the estate to the first-born; by our law, they would take moieties. Now, as these rights are acquired before the birth of the child or children, there is a double fiction ; not only in considering the unborn as born, but in distinguishing under the Common Law the eldest from the youngest born. Whilst, therefore, the law regards the unborn as born, yet, to transmit the estate, he must be born as a man, alive and capable of living. The law does not presume the life or death of an individual; when his existence has been established, his death also must be proved. * But the birth of an individual and the commencement of his character as a person do not necessarily concur. Thus, an alien of any age is not a person, in relation to a contract concerning lands, nor in any case is an infant ; so a woman marrying before she attains her legal maturity may die of old age without having become a person.* ***On the other hand, a person may suffer civil death before physical death; totally, where he becomes a monk; partially, as a penalty for the commission of an infamous crime; and perpetually or temporarily, as in case of outlawry.*** ** Where a person has not been heard of for seven years, and under circumstances which contradict the probability of his being alive, a court may consider this sufficient proof of death (Stark. Ev. 4 pl. 457). The presumptions which arise in such cases do not concern the death of the person., but the time of his death, as where several die by one shipwreck or other casualty. On this point the rules are, - 1st. In case of parents and children, that children below the age of puberty died before, and adult children after, their parents. 2d. Persons not being parents and children, and the rights of one being dependent upon the previous death of the other, this precedent condition must be proved. 3d. If a grant is to be delleated by the act of the gramntor, as in case of a don anio inter virun tt uxorem, or a donatio ,ortis causa, the donor is presumed, in the absence of testimony, to have died first. (See Pothier, Obligations, by Evans, Vol. II. p. 300.)*
[The Theory of the Common Law, James M. Walker, 1852, pp. 17-20]

4. You can only have one Domicile and that place and government becomes your main source of CIVIL protection

In this section, we will establish that you can only have a domicile in ONE place at a time and therefore, you can only be a STATUTORY "citizen" of one place at a time. The most instructive case on this point that we have found is the following:

Article IV, Section 2 of the Constitution of South Carolina reads in pertinent part as follows:

> *'Section 2. No person shall be eligible to the office of Governor who . . . shall not have been . . . a citizen and resident of this State for five years next preceding the day of election.'*

[. . .]

The constitutional requirement that a person be both a citizen and a resident, for a period of time, as a prerequisite to being eligible for the office of Governor had its origin in the Constitution of 1790.[10] *Present Article IV, section 2 of the Constitution was adopted in the general election of 1972 and ratified in 1973. The pertinent language therein parallels the language of prior South Carolina Constitutions and is identical with that of the Constitution of 1895. Thus the meaning and intent of the terms 'citizen' and 'resident' as used in those earlier documents is highly persuasive, if not controlling.* ***When the Constitution of 1895 was drafted it is clear that in judicial concept the terms 'citizen' and 'resident' were not the same. Nor did one necessarily include the other.***

Shortly before the ratification of the Constitution of 1895, Justice McIver noted the distinction's existence when, in discussing a statutory requirement that non-resident plaintiffs give security for court costs, he wrote:

> *The provisions relate only to residence, and not to citizenship which are entirely different things. As was said by Mr. Justice Grier in Parker v. Overman, 18 How. 127 [265 S.C. 375] (137) 15 L.Ed. 318: 'citizenship and residence are not synonymous terms.' Cummings v. Wingo, 31 S.C. 427, 10 S.E. 107, 110 (1889).*

The Wingo opinion clearly reflected substantial agreement in the contemporary legal community that 'citizenship' and 'residence' were separate and distinguishable. E.g., Menarde v. Goggan, 121 U.S. 253, 7 S.Ct. 873, 30 L.Ed. 914 (1887); Grace v. American Ins. Co., 109 U.S. 278, 3 S.Ct. 207, 27 L.Ed. 932 (1883); Robertson v. Cease, 97 U.S. 646, 24 L.Ed. 1057 (1878); Holt v. Tennallytown & R. Ry. Co., 81 Md. 219, 31 A. 809 (1895); Robinson v. Oceanic Steam Nav. Co., 112 N.Y. 315, 19 N.E. 625, 2 L.R.A. 636 (1889). See generally, 10 Cent. Dig., Constitutional Law, secs. 625--648, at 2036--2070.

[. . .]

Citizenship in the first instance is founded upon actual residence and thereafter as long as one retains his residence even in a domiciliary sense, he [265 S.C. 377] remains a citizen. If the framers of the particular constitutional provision meant to require nothing more than a domicile they could have stopped after using the word 'citizen' and omitted the words 'and resident'. 'Resident', in the domiciliary sense is embodied within the term 'citizen'. It follows therefore that if the words 'and resident' be construed as meaning anything other than a requirement of actual physical residence such language would be surplusage. Accordingly the language permits of no other construction because we are not at liberty to treat any portion of the Constitution as surplusage. Admittedly Mr. Ravenel does not meet the requirement of actual residence in this State for the necessary five year period, and without more it conclusively follows that he is not eligible to be elected to the office of Governor.

The purpose of requiring actual residence is, we think, plain. By requiring a durational five year actual residency, the people have reserved to themselves the right to scrutinize the person who seeks to govern them. Obviously the people desired such a period to observe a gubernatorial candidate's conduct, to learn of his habits, his strengths, his weaknesses, his ideals, his abilities, his leanings, and his political philosophy--a period of time in which to consider, not only his words, but his acts and activities in community and public affairs. Correspondingly, they wanted a candidate to actually live in the state for five years immediately preceding the election in order that he might become acquainted with the state's problems, its people, its industries, its finances, its institutions, its agencies, its laws and its Constitution, and become acquainted with other officials with whom he must work if he is to serve effectively.

In Chimento v. Stark, 353 F.Supp. 1211 (N.H.D.1973) affirmed, 414 U.S. 802, 94 S.Ct. 125, 38 L.Ed.2d 39, a three judge Federal court dealt with a seven year durational residency provision of the New Hampshire Constitution as a condition of eligibility to serve as [265 S.C. 378] governor of that state. The opinion of the court points out that '29 states require five or more years, 10 states require seven or more years and two states require ten years' residency before one may serve as Governor. In commenting upon the purpose of such a requirement the court said 'it ensures that the chief executive officer of New Hampshire is exposed to the problems, needs, and desires of the people whom he is to govern, and it also gives the people of New Hampshire a chance to observe him and gain firsthand knowledge about his habits and character.'

Ravenel relies in part on Article I, section 6 of the State Constitution that provides, inter alia, '(t)emporary absence from the State shall not forfeit a residence once obtained.' ***Even independent of this constitutional provision, temporary absences normally do not bring about a forfeiture of either citizenship or residency. Under the admitted facts, we do not think that this constitutional provision has any application in this case because we are not convinced that Ravenel's prolonged absence from the State could reasonably be held to***

[10] S.C. Constitution Art. II, sec. 2 (1790) provided:

Sec. 2. No person shall be eligible to the office of governor unless he * * * Hath resided within this State And been a citizen thereof, ten years * * *

S.C. Constitution Art. III, sec. 3 (1868) provided:

Sec. 3. No person shall be eligible to the office of governor who * * * at the time of such election * * * shall not have been a citizen of the United States and a Citizen and Resident of this State for two years next preceding the day of election. . . .

> ***be a temporary absence within the purview of the constitutional provision. If his contention in this respect and his further contention as to only domicile being required be held sound, it would follow that a native born citizen could leave the state and as long as he did not establish a domicile elsewhere, stay away for many years, and not return to the state until after his election as Governor, but still be eligible for such office. Such construction of the constitutional provisions would completely defeat the obvious purpose of the durational residency requirement for eligibility. Another elementary rule of construction is that no construction is permissible which will lead to an absurd result.***
>
> ***Even if we assume, as contended by Ravenel, that the word 'resident' as used in the Constitution should be construed to only require that he have a [265 S.C. 379] domicile for the prerequisite period of time he did not meet this test. As we have already held that the Constitution required him to be an actual resident, and not merely a domiciliary, we need deal only briefly with the law as to domicile**. In Gasque v. Gasque, 246 S.C. 423, 143 S.E.2d 811 (1965) (a divorce case) our Court had occasion to define the word domicile as follows:*
>
> > *'And '(t)he term 'domicile' means the place where a person has his true, fixed and permanent home and principal establishment, to which he has, whenever he is absent, an intention of returning."*
>
> ***Such is a generally accepted definition of the term. It is generally recognized, as we did in Gasque, that intent is a most important element in determining the domicile of any individual. It is also elementary, however, that any expressed intent on the part of a person must be evaluated in the light of his conduct which is either consistent or inconsistent with such expressed intent. Other elementary propositions which require no citation of authority are that a person can have only one domicile at a time; one maintains his prior domicile until he establishes or acquires a new one. A person may have more than one residence, but cannot have more than one domicile or be a citizen of more than one state at the same moment. Despite his sincere intention to return to his native state some day the overwhelming weight of the evidence is to the effect that in November, 1969, the beginning of the crucial period of time, Mr. Ravenel was an actual resident of, domiciled in and a citizen of the State of New York.***
> *[Ravenel v. Dekke, 265 S.C. 364, 218 S.E.2d. 521 (S.C., 1975)]*

Based on the above, we make the following conclusions of law:

1. "Citizenship" is founded upon actual residence and thereafter as long as one retains his residence even in a domiciliary sense, he remains a "citizen" in a statutory sense.
2. "citizenship" and "residence" are not interchangeable terms.
3. "residence" or "resident" used in reference to a "citizen" implies PHYSICAL PRESENCE IN ADDITION to DOMICILE.
4. You can only have a domicile in one place at a time.
5. You can only be a "citizen" of one place at a time.
6. If you are a state citizen as described above, you cannot ALSO be a STATUTORY citizen under the laws of Congress.
7. Temporary absences from the place of one's domicile do NOT automatically bring about a change of "citizenship" or "residency". However, if the absence is also accompanied by other acts that indicate a change in domicile, then a loss of citizenship and residency is automatic and implied.

Now do you know why the Bureau of Immigration Services (B.I.S.) was renamed to the U.S. Citizenship and Immigration Service (USCIS) when the Department of Homeland Security (D.H.S.) was created by Congress? They wanted to create the false presumption that EVERYONE in states of the Union is physically present on federal territory whenever they say they have "citizenship" in the U.S. Remember, "citizenship" implies physical presence in the STATUTORY "United States", meaning federal territory. In effect, they wanted to institutionalize GOVERNMENT IDENTITY THEFT by the abuse of "words of art"! See:

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

Therefore, the reason why government forms will ask you your domicile is explained as follows:

1. A person can only have "allegiance" towards *one* and only one "sovereign". The U.S. Supreme Court confirmed this when it said:

> ***"Citizenship is a political tie; allegiance is a territorial tenure**. [. . .] **The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous, sovereign**…."*

[Talbot v. Janson, 3 U.S. 133 (1795); From the syllabus but not the opinion; SOURCE: http://www.law.cornell.edu/supct/search/display.html?terms=choice%20or%20conflict%20and%20law&url=/supct/html/historics/USSC_CR_0003_0133_ZS.html]

This is also consistent with the Bible, which says on this subject:

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

2. Choosing a "domicile" in a place is what makes a person a STATUTORY "citizen" or "resident" under the laws of that place. Because you can only have a "domicile" in one place at a time, then you can only be a "citizen" in one place at a time. Becoming a statutory "citizen" is what makes you "subject" to the civil laws in that place and is the origin of your authority and privilege to vote, serve on jury duty, and pay income taxes in that place. For instance, Mexicans temporarily visiting the United States and who have not changed their "domicile" to the United States are called "Mexican Nationals" while they are here. When they return to the place of their domicile, they are called "Mexican citizens".
3. A legal means needs to be established to pay for the protection afforded by the sovereign to whom we claim allegiance. "Taxes" are the legal vehicle by which "protection" is paid for. In earlier times, in fact, "taxes" were called "tribute". When we pay "tribute", we are expressing "allegiance" to our personal "sovereign" by offering it our time and money. Below is a very revealing quote from a famous Bible dictionary which explains the meaning of the word "tribute" in a Biblical context:

> *"**TRIBUTE.** Tribute in the sense of an impost paid by one state to another, as a mark of subjugation, is a common feature of international relationships in the biblical world. The tributary could be either a hostile state or an ally. Like deportation, **its purpose was to weaken a hostile state. Deportation aimed at depleting the man-power. The aim of tribute was probably twofold: to impoverish the subjugated state and at the same time to increase the conqueror's own revenues** and to acquire commodities in short supply in his own country. As an instrument of administration it was one of the simplest ever devised: the subjugated country could be made responsible for the payment of a yearly tribute. **Its non-arrival would be taken as a sign of rebellion, and an expedition would then be sent to deal with the recalcitrant.** This was probably the reason for the attack recorded in Gn. 14.*
> *[New Bible Dictionary. Third Edition. Wood, D. R. W., Wood, D. R. W., & Marshall, I. H. 1996, c1982, c1962; InterVarsity Press: Downers Grove]*

Therefore, establishing a "domicile" or "residence" also establishes a voluntary "tax home" as well. There are several problems with the above worldly approach that conflict with Christianity:

1. Luke 16:13 above implies that those who demonstrate allegiance become "servants" of those they demonstrate "allegiance" towards. There is a maxim of law to describe this fraud:

> *"Protectio trahit subjectionem, subjectio projectionem.*
> *Protection draws to it subjection, subjection, protection. Co. Litt. 65."*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm*

2. God said we can serve *only* Him, and therefore we cannot have "allegiance" to anything but Him.

> *"Away with you , Satan! For it is written, 'You shall worship the Lord your God, and Him **ONLY** [NOT the government or its vain laws!] you shall serve.'"*
> *[Matt. 4:10, Bible, NKJV]*

3. Serving anyone but God amounts to idolatry in violation of the first four commandments found in the Ten Commandments. Idolatry is the worst of all sins documented in the Bible. In the Old Testament book of Ezekiel, God killed people and destroyed whole cities whose inhabitants committed idolatry.
4. The government cannot compel us to consent to anything or to demonstrate "allegiance" toward it. Allegiance must always be completely voluntary.
5. It is against the Bible for Christians to claim allegiance to any "man" and by implication a civil ruler. That is why the founding fathers declared us to be a "society of law and not men" as declared by the U.S. Supreme Court in Marbury v. Madison, 5 U.S. 137, 1 Cranch 137, 2 L.Ed. 60 (1803). Christians can ONLY have allegiance to God and His laws, which then gives rise to an INDIRECT obligation to love and therefore protect our "neighbor" as indicated in Matt. 22:36-40.

> *"Thus saith the LORD; **Cursed be the man that trusteth in man [we are a man]**, and maketh flesh his arm, and whose heart departeth from the LORD."*
> *[Jeremiah 17:5, Bible, KJV]*

> *"That **your faith should not stand in the wisdom of men, but in the power of God.**"*
> *[1 Corinthians 2:5, Bible, KJV]*

> *"**It is better to trust in the Lord, than to put confidence in man. It is better to trust in the Lord, than to put confidence in princes [or political rulers, who are but "men"]**."*
> *[Psalm 118:8-9, Bible, NKJV]*

> *"**Trust in the Lord with all your heart, and lean not on your own understanding [because YOU are a "man"].** In all your ways acknowledge Him, And He [RATHER THAN THE winds of political opinion] shall direct your paths. "*
> *[Prov. 3:5, Bible, NKJV]*

> *"The Moloch [socialist] state simply represents the supreme effort of man to command [or PREDICT] the future, to predestine the world, and to be as God [which was Lucifer's original sin]. Lesser efforts, divination, spirit-questing, magic, and witchcraft, are equally anathema to God. **All represent efforts to have the future on other than God's terms, to have a future apart from and in defiance of God. They are assertions that the world is not of God but of brute factuality, and that man can somehow master the world and the future by going directly to the raw materials thereof**. Thus King Saul outwardly conformed to God's law by abolishing all black arts, but, when faced with a crisis, he turned to the witch of Endor (I Sam. 28). Saul knew where he stood with God: in rebellion and unrepentant. Saul knew moreover the judgment of the law and of the prophet Samuel concerning him (I Sam. 15:10-35). Samuel alive had declared God's future to Saul. In going to the witch of Endor, **Saul attempted to reach Samuel dead, in the faith and hope that Samuel dead was now in touch with and informed concerning a world of brute factuality outside of God which could offer Saul a God-free, law-free future. But the word from the grave only underscored God's law-word (I Sam. 28:15-19): it was the word of judgment.**"*
> *[The Institutes of Biblical Law, Rousas Rushdoony, 1973, p. 35]*

Therefore, Christians cannot be expected or required to either accept, consent to, or pay for protection that God says comes ONLY from Him. They cannot allow government to assume an authority equal or superior to God in their lives, including in the area of protection. The only purpose for government is "protection".

> ***"Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance."***
> *[Minor v. Happersett, 88 U.S. (21 Wall.) 162, 166-168 (1874)]*

Any government form that asks us what our "domicile" is indirectly is asking us to whom we have exclusive "allegiance". Any government that passes a law compelling "allegiance" or requiring us to consent to laws or a government or protection that we don't want is:

1. Implementing slavery in violation of the Thirteenth Amendment, 18 U.S.C. §1581, 18 U.S.C. §1583, and 42 U.S.C. §1994.
2. Making themselves into an organized crime syndicate that earns its revenues from "protection". This is called a "protection racket" and it is a federal crime under 18 U.S.C. §1951.
3. Violating the antitrust laws at 15 U.S.C. §2, by making themselves into a monopoly that is the only source of "protection".

The Bible describes such an organized crime syndicate as "the Beast", which Rev. 19:19 defines as "the kings of the earth". In modern times, this would be our political rulers.

5. Domicile and taxation

Both state and federal income taxation is based almost entirely upon what is called "domicile". Domicile is a choice we make that requires our consent and participation, and because it requires our consent, then becoming a "taxpayer" who owes a tax requires our consent. We will explain this shortly. An examination of the Internal Revenue Code and implementing regulations confirms that there are only two proper legal "persons" who are the subject of the I.R.C., and that these two "persons" have a "domicile" in the "United States". By "United States" as used in this document, we mean the government of the "United States" and not the "United States" in the geographical sense as used in 26 U.S.C. §7701(a)(9) and (a)(10) and 4 U.S.C. §110(d):

Table 1: Taxable persons under I.R.C.

#	Proper legal person?[11]	Tax status	Place of inhabitance	Declared domicile	Conditions under which subject to I.R.C. (if they volunteer)?	Notes
1	Yes	"citizen"	United States (government/federal territory)	United States (government/federal territory)	Earnings connected with a "trade or business" within the "United States" (government/federal territory) while abroad.	File using IRS Form 2555. See 26 C.F.R. §1.1-1(c) for imposition of tax. "citizens" living abroad and outside of federal jurisdiction are referred to as "nationals" but not "citizens" under 8 U.S.C. §1101(a)(22)(B).
2	Yes	"resident"	United States (government/federal territory)	United States (government/federal territory)	All income earned within the "United States" (government/federal territory) connected with a "trade or business"	See 26 C.F.R. §1.1-1(c) for imposition of tax. See 26 U.S.C. §7701(b)(1)(A) for definition of "resident"
3	No	"nonresident alien"	Outside of "United States" (government/federal territory)	Foreign country, including states of the Union	Income from within the "United States" (government/federal territory) under 26 U.S.C. §871.	File using form 1040NR. See 26 U.S.C. §871 for taxable sources. 26 U.S.C. §7701(b)(1)(B) for definition of "nonresident alien"
4	No	"alien"	Outside of "United States" (government/federal territory)	Foreign country, including states of the Union	Only subject to income taxes on "income" from foreign country connected with a "trade or business" and coming under an income tax treaty with the foreign country.	Do not file. Not subject to the I.R.C. because not domiciled in the "United States" (federal territory)

Options 1 and 2 above have civil "domicile" within the statutory but not constitutional "United States", meaning federal territory that is no part of any state of the Union, as a prerequisite. People born in and domiciled within states of the Union fall under status 3. If "nationals" (who are not statutory "citizens" under 8 U.S.C. §1401) domiciled in states have no earnings from the "United States" government or federal territory, then even if they choose to volunteer, they cannot be "liable" to pay any of their earnings to the IRS. Note also that the "aliens" mentioned in option 4 above, even if they live in the "United States" (federal territory), are not even mentioned in the I.R.C. They only become subject to the code by either becoming involved in a "trade or business", which is a public office and a voluntary activity involving federal contracts and employment, or by declaring the "United States" (federal territory) to be their legal "domicile". Making the "United States" (federal territory) into their "domicile" or engaging in a "trade or business" (which is defined as a public office) are the only two activities that can transform "aliens" into "residents" subject to the Internal Revenue Code. "Aliens" or "nonresident aliens" may voluntarily elect (choose) to treat the "United States" (government or federal territory) as their domicile and thereby become "residents" in accordance with the following authorities:

1. 26 U.S.C. §6013(g) or (h).
2. 26 U.S.C. §7701(b)(4)(B).
3. 26 C.F.R. §1.871-1(a).
4. The Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. §1605(a)(2), which says that those who conduct "commerce" within the legislative jurisdiction of the United States (in the federal zone) surrender their sovereign immunity.

> *TITLE 28 > PART IV > CHAPTER 97 > § 1605*
> *§ 1605. General exceptions to the jurisdictional immunity of a foreign state*
>
> *(a) **A foreign state shall not be immune from the jurisdiction of courts of the United States** or of the States in any case—*

[11] See 26 C.F.R. §1.6012-1(a): Who is required to file.

> *(2) **in which the action is based upon a commercial activity carried on in the United States by the foreign state; or upon an act performed in the United States in connection with a commercial activity of the foreign state elsewhere; or upon an act outside the territory of the United States in connection with a commercial activity of the foreign state elsewhere and that act causes a direct effect in the United States**;*

We also caution that a "non-resident non-person" or a "nonresident alien" can also unwittingly become a "U.S. person" with an effective domicile in the "United States" (federal territory) by incorrectly declaring his or her citizenship status on a government form as that of either a statutory "U.S. citizen" under 8 U.S.C. §1401 or a statutory "resident alien" under 26 U.S.C. §7701(b)(1)(A), instead of a "non-resident non-person" or "non-resident national" under 8 U.S.C. §1101(a)(21). This results in a surrender of sovereign immunity under 28 U.S.C. §1603(b)(3), which says that "U.S. citizens" and "residents" may not be treated as "foreign states". This is by far the most frequent mechanism that your unscrupulous government uses to maliciously destroy the sovereignty of persons in states of the Union and undermine the Separation of Powers Doctrine: Using ambiguous terms on government forms and creating and exploiting legal ignorance of the people. This process by public servants of systematically and illegally destroying the separation of powers is thoroughly documented below:

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

6. The three sources of government civil jurisdiction

There are THREE sources of government CIVIL protection:

1. Constitutional law. Includes the Bill of Rights. Cannot be surrendered if right is "unalienable".
2. Common law. Does not require consent, but mere physical presence on the land.
3. Civil statutory law (protection franchise). Requires consent by choosing a domicile.

We cover all law systems in:

Four Law Systems, Form #12.039 https://sedm.org/Forms/FormIndex.htm

In the case of item 3 above, even for civil statutory laws that are enacted with the consent of the majority of the governed as the Declaration of Independence requires, we must ***still*** explicitly and individually consent to be subject to them before they can be enforced against us.

> *"When a change of government takes place, from a monarchial to a republican government, the old form is dissolved. Those who lived under it, and did not choose to become members of the new, had a right to refuse their allegiance to it, and to retire elsewhere. By being a part of the society subject to the old government, they had not entered into any engagement to become subject to any new form the majority might think proper to adopt. That the majority shall prevail is a rule posterior to the formation of government, and results from it. It is not a rule upon mankind in their natural state. There, every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowmen without his consent"*
> *[Cruden v. Neale, 2 N.C., 2 S.E. 70 (1796)]*

This requirement for the consent to the protection afforded by government is the foundation of our system of government, according to the Declaration of Independence: consent of the governed. The U.S. Supreme Court admitted this when it said:

> ***"The people of the United States resident within any State are subject to two governments: one State, and the other National; but there need be no conflict between the two. The powers which one possesses, the other does not. They are established for different purposes, and have separate jurisdictions.*** *Together they make one whole, and furnish the people of the United States with a complete government, ample for the protection of all their rights at home and abroad. True, it may sometimes happen that a person is amenable to both jurisdictions for one and the same act. Thus, if a marshal of the United States is unlawfully resisted while executing the process of the courts within a State, and the resistance is accompanied by an assault on the officer, the sovereignty of the United States is violated by the resistance, and that of the State by the breach of peace, in the assault. So, too, if one passes counterfeited coin of the United States within a State, it may be an offence against the United States and the State: the United States, because it discredits the coin; and the State, because of the fraud upon him to whom it is passed. This does not, however, necessarily imply that the two governments possess powers in common, or bring them into conflict with each other. It is the natural consequence of a*

citizenship [92 U.S. 542, 551] which owes allegiance to two sovereignties, and claims protection from both. ***The citizen cannot complain, because he has voluntarily submitted himself to such a form of government.*** ***He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws. In return, he can demand protection from each within its own jurisdiction.*** *"*
[United States v. Cruikshank, 92 U.S. 542 (1875) [emphasis added]

How, then, did you "voluntarily submit" yourself to such a form of government and thereby contract with that government for "protection"? If people fully understood how they did this, many of them would probably immediately withdraw their consent and completely drop out of the corrupted, inefficient, and usurious system of government we have, now wouldn't they? We have spent six long years researching this question, and our research shows that it wasn't your nationality as a "national" of a legislatively but not constitutionally foreign state pursuant to 8 U.S.C. §1101(a)(21) that made you subject to their civil laws. Well then, what was it?

It was your voluntary choice of domicile!

How do we know this? Look at the language above:

"The people of the United States resident within any State are subject to two governments"

There are therefore TWO prerequisites to becoming a "subject" under the civil statutory protection franchise:

1. You must have the civil status of "resident" under the statutes of the state, and that status is VOLUNTARY. If it is coerced, the First Amendment prohibition against compelled association and the prohibition against compelled contracting under the "social compact" is violated.
2. You must be DOMICILED within the state because you can't have a civil status WITHOUT such a domicile. Domicile, like civil statuses, is also voluntary and cannot be compelled.[12]

In fact, the following types of Americans DO have the right to complain if:

1. The government calls "citizen" status voluntary but positively refuses to recognize or protect your right to NOT be a STATUTORY "citizen" while retaining your nationality and "national" status. This:
   1.1. Violates the First Amendment and effectively compels you to contract with the government for civil protection.
   1.2. Makes the statement on their part that "citizen" status is voluntary a FRAUD.
2. The government PRESUMES that domicile and residence are equivalent, in order to:
   2.1. Usurp civil jurisdiction over you that they do not otherwise have.
   2.2. Evade the requirement to satisfy their burden of proving on the record that you were "purposefully" and consensually availing yourself of commerce within their civil jurisdiction with people who wanted to be regarded as protected "citizens" or "residents" in the context of YOUR interactions with them. They aren't required to be "citizens" or "residents" for ALL PURPOSES, but only for those that they want to be.
3. The government refuses to recognize your right to be a STATUTORY "citizen" for some purposes but a statutory "non-resident non-person" for other purposes. Since you have a constitutional right to NOT contract and NOT associate, then you ought to be able to choose in each specific case or service offered by government whether you want that specific service, rather than being forced to be a "customer" of government for EVERYTHING if you sign up for ANYTHING. That's called an unconscionable or adhesion contract. The U.S. Supreme Court has also held that not being able to do this is a violation of what they call the "Unconstitutional Conditions Doctrine".
4. You were treated as a statutory "citizen" without your consent.
5. You were PRESUMED to be a statutory citizen absent your express written consent.
6. You are PRESUMED to have a civil domicile within the jurisdiction of a court you are appearing before. In the case of federal courts, this presumption is usually false.
7. Your government opponent PRESUMES that STATUTORY citizens and CONSTITUTIONAL citizens are equivalent. They are NOT.

[12] See section 11.17.3 of this document.

8. The government PRESUMES that because you are born or naturalized in a place, that you are a STATUTORY "citizen". This presumption is FALSE. Those born or naturalized are CONSTITUTIONAL citizens but not necessarily STATUTORY citizens subject to federal law.
9. The government does not provide a way on ALL of its forms to describe those who do NOT consent to statutory citizen status or ANY civil status subject to government law.
10. The government interferes with or refuses to protect your right to change your status to remove yourself from their civil jurisdiction.

The "citizen" the Supreme Administrative Court is talking about above is a *statutory* "citizen" and not a *constitutional* "citizen", and the only way you can become subject to *statutory* civil law is to have a domicile within the jurisdiction of the sovereign. Below is a legal definition of "domicile":

> *"domicile. A person's legal home. That place where a man has his true, fixed, and **permanent home** and principal establishment, and to which whenever he is absent he has **the intention of** returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and **the intention** to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he **intends to** return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. **The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.**"*
> *[Black's Law Dictionary, Sixth Edition, p. 485]*

> *"This right to protect persons having a domicile, though not native-born or naturalized citizens, rests on the firm foundation of justice, and the **claim to be protected** is earned by considerations which the protecting power is not at liberty to disregard. Such domiciled citizen pays the same price for his protection as native-born or naturalized citizens pay for theirs. **He is under the bonds of allegiance to the country of his residence, and, if he breaks them, incurs the same penalties. He owes the same obedience to the civil laws.** His property is, in the same way and to the same extent as theirs, liable to contribute to the support of the Government. In nearly all respects, his and their condition as to the duties and burdens of Government are undistinguishable."*
> *[Fong Yue Ting v. United States, 149 U.S. 698 (1893)]*

Notice the phrase "civil laws" above and the term "claim to be protected". What they are describing is a contract to procure the protection of the government, from which a "claim" arises. Those who are not party to the domicile/protection contract have no such claim and are immune from the civil jurisdiction of the government. In other words, they have no "civil status" under the laws of that protectorate:

> *"There are certain general principles which control the disposition of this case. They are, in the main, well settled; the difficulty lies in their application to the particular facts of the case in hand. **It is elementary that "every state has an undoubted right to determine the status, or domestic and social condition, of the persons domiciled within its territory, except in so far as the powers of the states in this respect are restrained, or duties and obligations imposed upon them by the constitution of the United States." Strader v. Graham, 10 How. 93. Again, the civil status is governed universally by one single principle, namely, that of domicile, which is the criterion established by law for the purpose of determining the civil status; for it is on this basis that the personal rights of a party, — that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy, — must depend. Udny v. Udny, L.R., 1 H. L. Sc. 457.***
> *[Woodward v. Woodward, 11 S.W. 892, 87 Tenn. 644 (Tenn., 1889)]*

Another implication of the above is that if the STATES have the right to determine civil status, then the people AS INDIVIDUALS from which all their power was delegated have the right to determine their OWN civil status. This right derives from the right to contract and associate and every sovereignty has it. See:

Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008 http://sedm.org/Forms/FormIndex.htm

In fact, there are two categories and four unique ways to become subject to the civil STATUTORY jurisdiction of a specific government. These ways are:

1. Domicile by choice: Choosing domicile within a specific jurisdiction.
2. Domicile by operation of law. Also called domicile of necessity:
   2.1. Representing an entity that has a domicile within a specific jurisdiction even though not domiciled oneself in said jurisdiction. For instance, representing a federal corporation as a public officer of said corporation, even though domiciled outside the federal zone. The authority for this type of jurisdiction is, for instance, Federal Rule of

Civil Procedure 17(b).

2.2. Becoming a dependent of someone else, and thereby assuming the same domicile as that of your care giver. For instance, being a minor and dependent and having the same civil domicile as your parents. Another example is becoming a government dependent and assuming the domicile of the government paying you the welfare check.

2.3. Being committed to a prison as a prisoner, and thereby assuming the domicile of the government owning or funding the prison.

In addition to the above, one can ALSO become subject involuntarily to the COMMON LAW and not CIVIL STATUTORY jurisdiction of a specific court by engaging in commerce on the territory protected by a specific government and thereby waiving sovereign immunity under:

1. The Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. §1605.
2. The Minimum Contacts Doctrine, which implements the Fourteenth Amendment. See International Shoe Co. v. Washington, 326 U.S. 310 (1945) .
3. The Longarm Statutes of the state jurisdiction where you are physically situated at the time. For a list of such state statutes, see:
   3.1. *SEDM Jurisdictions Database*, Litigation Tool #09.003 http://sedm.org/Litigation/LitIndex.htm
   3.2. *SEDM Jurisdictions Database Online*, Litigation Tool #09.004 http://sedm.org/Litigation/LitIndex.htm

We allege that if the above rules are violated then the following consequences are inevitable:

1. A crime has been committed. That crime is identity theft against a nonresident party and it involves using a person's legal identity as a "person" for the commercial benefit of someone else without their express consent. Identity theft is a crime in every jurisdiction within the USA. The *SEDM Jurisdictions Database*, Litigation Tool #09.003 indicated above lists identity theft statutes for every jurisdiction in the USA.
2. If the entity disregarding the above rules claims to be a "government" then it is acting instead as a private corporation and must waive sovereign immunity and approach the other party to the dispute in EQUITY rather than law, and do so in OTHER than a franchise court. Franchise courts include U.S. District Court, U.S. Circuit Court, Tax Court, Traffic Court, and Family Court. Equity is impossible in a franchise court.

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

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

Those who have not chosen a civil domicile within a specific jurisdiction and therefore chosen NOT to become the following in relation to ONLY that jurisdiction:

1. Among those "governed" by the civil laws.
2. Statutory "citizens" or "residents".

3. A "member" of the body politic if they are statutory "citizens". We call the "body politic" by the affectionate term "the club".

. . .are called "exclusively private". Such parties have been acknowledged by the U.S. Supreme Court to be beyond the civil control of the government. Notice they only recognize the right to "regulate" activity of STATUTORY "citizens" and NOT "ALL PEOPLE" or "ALL HUMANS":

> *When one becomes a member of society, he necessarily parts with some rights or privileges which, as an individual not affected by his relations to others, he might retain. **"A body politic," as aptly defined in the preamble of the Constitution of Massachusetts, "is a social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good." This does not confer power upon the whole people to control rights which are purely and exclusively private, Thorpe v. R. & B. Railroad Co., 27 Vt. 143; but it does authorize the establishment of laws requiring each citizen to so conduct himself, and so use his own property, as not unnecessarily to injure another. This is the very essence of government, and 125*125 has found expression in the maxim sic utere tuo ut alienum non lædas. From this source come the police powers, which, as was said by Mr. Chief Justice Taney in the License Cases, 5 How. 583, "are nothing more or less than the powers of government inherent in every sovereignty, . . . that is to say, . . . the power to govern men and things."** Under these powers the government regulates the conduct of its citizens one towards another, and the manner in which each shall use his own property, when such regulation becomes necessary for the public good. In their exercise it has been customary in England from time immemorial, and in this country from its first colonization, to regulate ferries, common carriers, hackmen, bakers, millers, wharfingers, innkeepers, &c., and in so doing to fix a maximum of charge to be made for services rendered, accommodations furnished, and articles sold. To this day, statutes are to be found in many of the States upon some or all these subjects; and we think it has never yet been successfully contended that such legislation came within any of the constitutional prohibitions against interference with private property. With the Fifth Amendment in force, Congress, in 1820, conferred power upon the city of Washington "to regulate . . . the rates of wharfage at private wharves, . . . the sweeping of chimneys, and to fix the rates of fees therefor, . . . and the weight and quality of bread," 3 Stat. 587, sect. 7; and, in 1848, "to make all necessary regulations respecting hackney carriages and the rates of fare of the same, and the rates of hauling by cartmen, wagoners, carmen, and draymen, and the rates of commission of auctioneers," 9 id. 224, sect. 2.*
> *[Munn. v. Illinois, 94 U.S. 113 (1876),*
> *SOURCE: http://scholar.google.com/scholar_case?case=6419197193322400931]*

Below is an explanation by a federal court of how a "nonresident" from a foreign country who is "exclusively private" invokes the protections of the Constitution but NOT the civil statutory laws. This is the approach that state nationals or state citizens not domiciled on federal territory and not subject to federal law would procure protection against the extraterritorial (outside of federal territory, not outside the COUNTRY) enforcement by the national government outside their geographical limitations:

> *The Due Process Clause of the Fourteenth Amendment limits the power of a state court to exert personal jurisdiction over a nonresident defendant. "[T]he constitutional touchstone" of the determination whether an exercise of personal jurisdiction comports with due process "remains whether the defendant purposefully established `minimum contacts' in the 109*109 forum State."* Burger King Corp. *v.* Rudzewicz, *471 U.S. 462, 474 (1985), quoting* International Shoe Co. *v.* Washington, *326 U.S., at 316. **Most recently we have reaffirmed the oft-quoted reasoning of* Hanson *v.* Denckla, *357 U.S. 235, 253 (1958), that minimum contacts must have a basis in "some act by which the defendant purposefully avails itself of the privilege of conducting activities within the forum State, thus invoking the benefits and protections of its laws."* Burger King, *471 U.S., at 475. "Jurisdiction is proper . . . where the contacts proximately result from actions by the defendant* himself *that create a `substantial connection' with the forum State."* Ibid., *quoting* McGee *v.* International Life Insurance Co., *355 U.S. 220, 223 (1957)(emphasis in original).***
> *[Asahi Metal Industry Co. v. Superior Court of Cal., Solana City, 480 U.S. 102 (1987)]*

If you DO NOT want a "substantial connection within the forum state" and wish to avoid the civil statutory protection of that state but not the constitutional protections, then all you have to do is:

1. Identify yourself as a "nonresident".
2. State that you waive the "benefits, privileges, and protections of the civil statutory laws".
3. Ensure that all the people you do business with sign a contract waiving the civil statutory protections and agree ONLY to invoke the Constitution and/or the common law.

Beyond that point, the state, as indicated above, will not be able to assert "personal jurisdiction" for anything OTHER than offenses against the Constitution or the Common law and will have to dismiss the case for lack of personal jurisdiction if a civil statute is invoked in the complaint. The above provisions function somewhat like a "binding arbitration" or a "private membership Association", both of which are perfectly legal. Even churches can use the above tactics within their church to

literally contract the government's civil statutes, taxes, and regulation out of their relationship. See Serbian E. Orthodox Diocese v. Milivojevich, 426 U.S. 696, 708–09, 724–25, 96 S.Ct. 2372, 49 L.Ed.2d. 151 (1976).

The reason the government MUST respect your right to waive the civil statutory protections is not only because of the First Amendment right to politically and legally DISASSOCIATE, and your constitutional right NOT to contract, but also because it is a maxim of the common law that you have a right to NOT receive or pay for a "benefit" and that right is founded upon ownership of yourself and the right to exclude any and all others from using or benefitting from your PRIVATE property. If it REALLY is YOUR property that is absolutely owned, then you and only you get to determine HOW and BY WHAT "laws" it is protected and to exercise your "right to exclude" that is the foundation of ownership itself to EXCLUDE the law systems that injure you or your property.

> 1. *Invito beneficium non datur.*
> *No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent he will be considered as assenting. Vide Assent.*
>
> 2. *Privilegium est beneficium personale et extinguitur cum person.*
> *A privilege is a personal benefit and dies with the person. 3 Buls. 8.*
>
> 3. *Quae inter alios acta sunt nemini nocere debent, sed prodesse possunt.*
> *Transactions between strangers may benefit, but cannot injure, persons who are parties to them. 6 Co. 1.*
>
> 4. *Quilibet potest renunciare juri pro se inducto.*
> *Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83.*
>
> 5. *When the common law and statute law concur, the common law is to be preferred. 4 Co. 71*
>
> 6. *Verba dicta de persona, intelligi debent de conditione personae. Words spoken of the person are to be understood of the condition of the person. 2 Roll. R. 72.*
>
> 7. *"Quod meum est sine me auferri non potest.*
> *What is mine cannot be taken away without my consent. Jenk. Cent. 251. Sed vide Eminent Domain.*
>
> 8. *Id quod nostrum est, sine facto nostro ad alium transferi non potest.*
> *What belongs to us cannot be transferred to another without our consent. Dig. 50, 17, 11. But this must be understood with this qualification, that the government may take property for public use, paying the owner its value. The title to property may also be acquired, with the consent of the owner, by a judgment of a competent tribunal."*
>
> *[Bouvier's Maxims of Law, 1856; SOURCE:*
> *http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

7. The Social Contract/Compact

7.1 Introduction

The end of the previous section referred to what the U.S. Supreme Court called "the social compact". What most judges won't tell you about the above requirement for establishing jurisdiction is that the "social compact" is one means of satisfying the need for a "contract" in order to establish civil jurisdiction over you. In law, the words "compact" and "contract" are equivalent:

> *"**Compact**, n. An agreement or contract between persons, nations, or states. Commonly applied to working agreements between and among states concerning matters of mutual concern. A contract between parties, which creates obligations and rights capable of being enforced and contemplated as such between the parties, in their distinct and independent characters. A mutual consent of parties concerned respecting some property or right that is the object of the stipulation, or something that is to be done or forborne. See also Compact clause; Confederacy; Interstate compact; Treaty."*
> *[Black's Law Dictionary, Sixth Edition, p. 281]*

All civil societies are based on "compact" and therefore "contract". Here is how the U.S. Supreme Court describes this compact and therefore contract.

> *"Yet, it is to be remembered, and that whether in its real origin, or in its artificial state, allegiance, as well as fealty, rests upon lands, and it is due to persons. Not so, with respect to Citizenship, which has arisen from the dissolution of the feudal system and is a substitute for allegiance, corresponding with the new order of things.* ***Allegiance and citizenship, differ, indeed, in almost every characteristic. Citizenship is the effect of compact [CONTRACT!]; allegiance is the offspring of power and necessity. Citizenship is a political tie; allegiance is a territorial tenure. Citizenship is the charter of equality; allegiance is a badge of inferiority. Citizenship is constitutional; allegiance is personal. Citizenship is freedom; allegiance is servitude. Citizenship is communicable; allegiance is repulsive. Citizenship may be relinquished; allegiance is perpetual. With such essential differences, the doctrine of allegiance is inapplicable to a system of citizenship; which it can neither serve to controul, nor to elucidate.*** *And yet, even among the nations, in which the law of allegiance is the most firmly established, the law most pertinaciously enforced, there are striking deviations that demonstrate the invincible power of truth, and the homage, which, under every modification of government, must be paid to the inherent rights of man…..* ***The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous, sovereign****…."*
> *[Talbot v. Janson, 3 U.S. 133 (1795); From the syllabus but not the opinion; SOURCE: http://www.law.cornell.edu/supct/search/display.html?terms=choice%20or%20conflict%20and%20law&url=/supct/html/historics/USSC_CR_0003_0133_ZS.html]*

Note the sentence: "**Citizenship is the effect of compact [CONTRACT!]".** By calling yourself a STATUTORY "citizen" or "person", you:

1. Identify yourself as a consenting party to the social compact/contract.
2. Abandon any claim for damage resulting from the ENFORCEMENT of the social compact/contract.

> *"Volunti non fit injuria.*
> *He who consents cannot receive an injury. 2 Bouv. Inst. n. 2279, 2327; 4 T. R. 657; Shelf. on mar. & Div. 449.*

> *Consensus tollit errorem.*
> *Consent removes or obviates a mistake. Co. Litt. 126.*

> *Melius est omnia mala pati quam malo concentire.*
> *It is better to suffer every wrong or ill, than to consent to it. 3 Co. Inst. 23.*

> *Nemo videtur fraudare eos qui sciunt, et consentiunt.*
> *One cannot complain of having been deceived when he knew the fact and gave his consent. Dig. 50, 17, 145."*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

3. Consent to be "civilly governed" by the sovereignty executing and enforcing that social contract. Those who consent to the compact/contract/franchise are called a statutory "citizen" or "resident", who collectively are called "persons" or "inhabitants".
4. Convey the "force of law" to the civil statutes IN YOUR SPECIFIC CASE. It is private law for everyone else who didn't consent but PUBLIC law for you:

> *"Consensus facit legem. Consent makes the law. A contract is a law between the parties, which can acquire force only by consent."*
> *[Bouvier's Maxims of Law, 1856 Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

5. Make yourself "subject" to the civil statutes that implement the civil protection contract or compact or franchise.

> *"Protectio trahit subjectionem, subjectio projectionem. Protection draws to it subjection, subjection, protection. Co. Litt. 65."*
> *[Bouvier's Maxims of Law, 1856 Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

6. Consent to receive the "benefits" of the civil law protection franchise. Acceptance of the "benefit" of civil statutory franchise protection is what can later be used to obligate you to obey the franchise.

> *"Cujus est commodum ejus debet esse incommodum. He who receives the benefit should also bear the disadvantage."*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

7. Abandon the protections of the common law, because all those who accept a statutory "benefit" or privilege always do so.

> *The words "privileges" and "immunities," like the greater part of the legal phraseology of this country, have been carried over from the law of Great Britain, and recur constantly either as such or in equivalent expressions from the time of Magna Charta. For all practical purposes they are synonymous in meaning, and originally signified a peculiar right or private law conceded to particular persons or places* ***whereby a certain individual or class of individuals was exempted from the rigor of the common law****. Privilege or immunity is conferred upon any person when he is invested with a legal claim to the exercise of special or peculiar rights, authorizing him to enjoy some particular advantage or exemption.*[13]
> *[The Privileges and Immunities of State Citizenship, Roger Howell, PhD, 1918, pp. 9-10;*
> *SOURCE: http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_immunities_of_state_c.pdf]*

Even the author of The Law Of Nations, which is the document upon which the USA Constitution was based by the founding fathers, acknowledged that all civilizations are based upon compact and contract, called this contract the "social compact", and said that when the government fails to be accountable for the protection sought, those being protected have a right to leave said society. Notice that the author, Vattel, refers to the parties to the social compact as "contracting parties".

> ***The Law of Nations, Book I: Of Nations Considered in Themselves***
> ***§ 223. Cases in which a citizen has a right to quit his country.***
>
> *There are cases in which a citizen has an absolute right to renounce his country, and abandon it entirely — a right founded on reasons derived from the very nature of the* ***social compact****.*
>
> *1. If the citizen cannot procure subsistence in his own country, it is undoubtedly lawful for him to seek it elsewhere. For, political or civil society being entered into only with a view of facilitating to each of its members the means of supporting himself, and of living in happiness and safety, it would be absurd to pretend that a member, whom it cannot furnish with such things as are most necessary, has not a right to leave it.*
>
> *2.* ***If the body of the society, or he who represents it, absolutely fail to discharge their obligations [of protection] towards a citizen, the latter may withdraw himself.*** *For, if one of the contracting parties does not observe his engagements, the other is no longer bound to fulfil his; as the contract is reciprocal between the society and its members. It is on the same principle, also, that the society may expel a member who violates its laws.*
>
> *3.* ***If the major part of the nation, or the sovereign who represents it, attempt to enact laws relative to matters in which the social compact cannot oblige every citizen to submission, those who are averse to these laws have a right to quit the society, and go settle elsewhere.*** *For instance, if the sovereign, or the greater part of the nation, will allow but one religion in the state, those who believe and profess another religion have a right to withdraw, and take with them their families and effects. For, they cannot be supposed to have subjected themselves to the authority of men, in affairs of conscience;*[3] *and if the society suffers and is weakened by their departure, the blame must be imputed to the intolerant party; for it is they who fail in their observance of the social compact — it is they who violate it, and force the others to a separation. We have elsewhere touched upon some other instances of this third case, — that of a popular state wishing to have a sovereign (§ 33), and that of an independent nation taking the resolution to submit to a foreign power (§ 195).*
> *[The Law of Nations, Book 1, Section 223, Vattel; SOURCE:*
> *http://famguardian.org/Publications/LawOfNations/vattel_01.htm#§%20224.%20Emigrants]*

7.2 Government violation of the Social Contract/Compact

Item #2 at the end of the previous section, in which a government fails to discharge its obligation of "protection", includes any one or more of the following:

1. Government refuses to protect you from GOVERNMENT abuses or violations of your rights.
2. Government refuses to recognize or protect EXCLUSIVELY PRIVATE rights.
   - 2.1. Confuses NATURAL "rights" with statutory franchise "privileges" by calling them BOTH "rights".
   - 2.2. Interferes with common law protections for private rights and compels ONLY statutory remedies. Hence, they compel all those who are injured to become public officers in the government and surrender all their private rights and private property, because statutory remedies only apply to public officers in the government and not private humans. See:

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

2.3. Makes a business or profitable franchise out of alienating PRIVATE rights that are supposed to be inalienable according to the Declaration of Independence. This is most often done through either offering or enforcing public franchises anywhere, and especially within states of the Union. Franchises, by definition, convert PRIVATE rights into PUBLIC rights, usually WITHOUT the consent of the owner. This causes government to do the OPPOSITE for which it was established, which is the protection of ONLY PRIVATE rights.

2.4. Makes a crime out of exercising PRIVATE or CONSTITUTIONAL rights. For instance, they make it a crime to operate a conveyance WITHOUT PERMISSION from the government in the form of a license. The license in turn is then used to ILLEGALLY make you into a public officer called a "driver" without your consent and often without your knowledge.

3. Government enforces unequal authority or rights to itself that they refuse to recognize that you also have.
   3.1. Absolute equality is the foundation of ALL of your freedom, as held by the U.S. Supreme Court. Gulf, C. & S.F.R. Co. v. Ellis, 165 U.S. 150 (1897).
   3.2. Inequality under the law violates the constitutional requirement for equal protection and equal treatment.
   3.3. Inequality causes government to become a civil religion in which you are the worshipper, and they are the god with superior or supernatural powers.
   3.4. The main method of introducing inequality is offering or enforcing franchises within a constitutional state, which is prohibited by the U.S. Supreme Court. License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866).
   3.5. They will undermine equality by refusing to enforce your equal right to sovereign immunity or their burden of proving that you consensually waived it. In a government of delegated powers, they can have no more rights than you have and if they violate this concept, they are creating a religion in which taxes are tithes.
4. Government lies with impunity about anything, and especially about what the law requires or about their responsibilities under the law.
5. Government refuses to be responsible for the injuries they cause you or abuse sovereign immunity to protect themselves from culpability for said injuries.
6. Government refuses to allow you to stop subsidizing it or stop being a "customer" of its protection called a "citizen" or "resident", and hence indirectly interferes with the ONLY method of peacefully procuring relief from their usurpations. This leaves no option OTHER than violence, and hence anarchy. Hence, they promote violence and anarchy with such policies.

> *"If money is wanted by Rulers who have in any manner oppressed the People, [the People] may retain [their money] until their grievances are redressed, and thus peaceably procure relief, without trusting to despised petitions or disturbing the public tranquility."*
> *[Journals of the Continental Congress, Wednesday, October 26, 1774]*

7. Government refuses to allow you to abandon any and all civil statuses or franchises to which public rights attach. This includes:
   7.1. Hides statuses on government forms that would allow you to NOT be a customer for the specific service they are offering.
   7.2. Hides forms or not offering forms to quit.
   7.3. Says you can't quit.
   7.4. Presumes that any or all people have the civil status that allows them to regulate and control you, and that you can acquire said status WITHOUT your express consent in some form.
   7.5. Calls participation "voluntary" and yet hypocritically refuses to protect your right to NOT volunteer.
8. Government kidnaps your civil legal identity and transports it to a legislatively foreign jurisdiction by enforcing legislatively foreign law upon you. They do this by:
   8.1. Quotes or enforces foreign law not from your domicile against you.
   8.2. Violates Federal Rule of Civil Procedure 17(b).
   8.3. Uses irrelevant law or case law from a foreign jurisdiction as the equivalent of "political propaganda" designed to mislead people into obedience to it.
   8.4. Violates or misrepresents choice of law rules.
9. Government PRESUMES that any or all of the above are a "benefit" and then forces you to pay for it in the form of "taxes", even though YOU identify it as an INJURY and NOT a "benefit". All such "presumptions" are a violation of due process of law.

> *"Cujus est commodum ejus debet esse incommodum.*

He who receives the benefit should also bear the disadvantage."

"Que sentit commodum, sentire debet et onus.
He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433."
[Bouvier's Maxims of Law, 1856;
SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]

7.3 Rousseau's description of the Social Contract/Compact

The terms of the "social compact" at the heart of every civilized society are exhaustively described in the following classic book by Rousseau written just before the U.S. Constitution was written:

The Social Contract or Principles of Political Right, Jean Jacques Rousseau, 1762
HTML: http://famguardian.org/Publications/TheSocialContract-Rousseau/Rousseau%20Social%20Contract.htm
PDF: http://famguardian.org/Publications/TheSocialContract-Rousseau/The_social_contract.pdf

Rousseau is also widely regarded as the father of socialism. In chapter 8 of the above book he even describes all governments as what he calls a "civil religion". Here is the way Rousseau describes the "social compact" that forms the foundation of all societies:

> ***There is but one law which, from its nature, needs unanimous consent. This is the social compact; for civil association is the most voluntary of all acts. Every man being born free and his own master, no one, under any pretext whatsoever, can make any man subject without his consent. To decide that the son of a slave is born a slave is to decide that he is not born a man.***
>
> ***If then there are opponents when the social compact is made, their opposition does not invalidate the contract, but merely prevents them from being included in it. They are foreigners among citizens. When the State is instituted, residence constitutes consent; to dwell within its territory is to submit to the Sovereign.[14]***
>
> ***Apart from this primitive contract, the vote of the majority always binds all the rest.*** *This follows from the contract itself. But it is asked how a man can be both free and forced to conform to wills that are not his own. How are the opponents at once free and subject to laws they have not agreed to?*
>
> *I retort that the question is wrongly put.* ***The citizen gives his consent to all the laws, including those which are passed in spite of his opposition, and even those which punish him when he dares to break any of them.*** *The constant will of all the members of the State is the general will; by virtue of it they are citizens and free[15]. When in the popular assembly a law is proposed, what the people is asked is not exactly whether it approves or rejects the proposal, but whether it is in conformity with the general will, which is their will. Each man, in giving his vote, states his opinion on that point; and the general will is found by counting votes. When therefore the opinion that is contrary to my own prevails, this proves neither more nor less than that I was mistaken, and that what I thought to be the general will was not so. If my particular opinion had carried the day I should have achieved the opposite of what was my will; and it is in that case that I should not have been free.*
>
> ***This presupposes, indeed, that all the qualities of the general will still reside in the majority: when they cease to do so, whatever side a man may take, liberty is no longer possible.***
>
> *In my earlier demonstration of how particular wills are substituted for the general will in public deliberation, I have adequately pointed out the practicable methods of avoiding this abuse; and I shall have more to say of them later on. I have also given the principles for determining the proportional number of votes for declaring that will. A difference of one vote destroys equality; a single opponent destroys unanimity; but between equality and unanimity, there are several grades of unequal division, at each of which this proportion may be fixed in accordance with the condition and the needs of the body politic.*
>
> *There are two general rules that may serve to regulate this relation. First, the more grave and important the questions discussed, the nearer should the opinion that is to prevail approach unanimity. Secondly, the more the matter in hand calls for speed, the smaller the prescribed difference in the numbers of votes may be allowed to become: where an instant decision has to be reached, a majority of one vote should be enough. The first of these*

[14] This should of course be understood as applying to a free State; for elsewhere family, goods, lack of a refuge, necessity, or violence may detain a man in a country against his will; and then his dwelling there no longer by itself implies his consent to the contract or to its violation.

[15] At Genoa, the word *Liberty* may be read over the front of the prisons and on the chains of the galley-slaves. This application of the device is good and just. It is indeed only malefactors of all estates who prevent the citizen from being free. In the country in which all such men were in the galleys, the most perfect liberty would be enjoyed.

> *two rules seems more in harmony with the laws, and the second with practical affairs. In any case, it is the combination of them that gives the best proportions for determining the majority necessary.*
> *[*The Social Contract or Principles of Political Right*, Jean Jacques Rousseau, 1762, Book IV, Chapter 2]*

Note how Rousseau describes those who are not party to the social contract as "foreigners":

> *"If then there are opponents when the social compact is made, their opposition does not invalidate the contract, but merely prevents them from being included in it. They are foreigners among citizens. When the State is instituted,* ***residence constitutes consent; to dwell within its territory is to submit to the Sovereign.****"*

We also clarify the following about Rousseau's comments above:

1. Those who are parties to the social compact are called "citizens" if they were born in the country and "residents" if they were born in a foreign country, who together are called "inhabitants" or "domiciliaries".
2. The "foreigner" he is talking about is either a statutory "alien" (foreign national), a "nonresident", or a "non-resident non-person" in the case of a state domiciled state national.
3. When Rousseau says "**Apart from this primitive contract, the vote of the majority always binds all the rest."**, what he means by "the rest" is "the rest of the inhabitants, citizens, or residents", but NOT "nonresidents" or "transient foreigners". This is implied by his other statement: "**If then there are opponents when the social compact is made, their opposition does not invalidate the contract, but merely prevents them from being included in it. They are foreigners among citizens."**
4. Rousseau says that: "**When the State is instituted, residence constitutes consent; to dwell within its territory is to submit to the Sovereign."** Here are some key points about this statement:
   4.1. What he means by "residence" is a political and voluntary act of association and consent, and NOT physical presence in a specific place.
   4.2. Those who have made this choice of "residence" and thereby politically associated with and joined with a specific political "state" acquire the status under the social contract called "resident" or "citizen". Those who have not associated are called "transient foreigners", "strangers", or "in transitu".
   4.3. The choice of "residence" is protected by the First Amendment right of association and freedom from compelled association. Those who are humans physically on land protected by the Constitution cannot lawfully be FORCED to acquire any civil status under the civil statutes of any government, INCLUDING "resident" or "residence". Note that this prohibition does not affect artificial entities or fictions of law, such as businesses or especially corporations.
5. All rights under the social contract attach to the statuses under the contract called "citizen", "resident", "inhabitant", or "domiciliary". In that sense, the contract behaves as a franchise or what we call a "protection franchise". You are not protected by the franchise unless you procure a civil status under the franchise called "citizen" or "resident".
6. In a legal sense, to say that one is "in the state" or "dwelling in the state" really means that:
   6.1. A human being has consented to the social contract and thereby become a "government contractor".
   6.2. Consent creates the "res" or legal fiction called "person" within the civil statutory codes/franchises.
   6.3. The legal fiction of "person" created by your consent is an officer or public officer within the government corporation. The U.S. Supreme Court associates two civil statuses to all governments: 1. "Body corporate"; 2. Body politic.[16]

[16] "Both before and after the time when the Dictionary Act and § 1983 were passed, **the phrase "bodies politic and corporate" was understood to include the [governments of the] States**. See, e.g., J. Bouvier, 1 A Law Dictionary Adapted to the Constitution and Laws of the United States of America 185 (11th ed. 1866); W. Shumaker & G. Longsdorf, Cyclopedic Dictionary of Law 104 (1901); Chisholm v. Georgia, 2 U.S. (2 Dall.) 419, 447, 1 L.Ed. 440 (1793) (Iredell, J.); id., at 468 (Cushing, J.); Cotton v. United States, 52 U.S. (11 How.) 229, 231, 13 L.Ed. 675 (1851) ("**Every sovereign State is of necessity a body politic, or artificial person**"); Poindexter v. Greenhow, 114 U.S. 270, 288, 5 S.Ct. 903, 29 L.Ed. 185 (1885); McPherson v. Blacker, 146 U.S. 1, 24, 13 S.Ct. 3, 6, 36 L.Ed. 869 (1892); Heim v. McCall, 239 U.S. 175, 188, 36 S.Ct. 78, 82, 60 L.Ed. 206 (1915). See also United States v. Maurice, 2 Brock. 96, 109, 26 F.Cas. 1211 (CC Va.1823) (Marshall, C.J.) ("**The United States is a government, and, consequently, a body politic and corporate**"); Van Brocklin v. Tennessee, 117 U.S. 151, 154, 6 S.Ct. 670, 672, 29 L.Ed. 845 (1886) (same). Indeed, the very legislators who passed § 1 referred to States in these terms. See, e.g., Cong. Globe, 42d Cong., 1st Sess., 661-662 (1871) (Sen. Vickers) ("What is a State? Is *79 it not a **body politic and corporate**?"); id., at 696 (Sen. Edmunds) ("A State is a corporation").

The reason why States are "bodies politic and corporate**" is simple: just as a corporation is an entity that can act only through its agents, "[t]he State is a political corporate body, can act only through agents, and can command only by laws.**" Poindexter v. Greenhow, supra, 114 U.S., at 288, 5 S.Ct. at 912-913. See also Black's Law Dictionary 159 (5th ed. 1979) ("**[B]ody politic or corporate**": "A social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good"). As a "**body politic and corporate**," a State falls squarely within the Dictionary Act's definition of a "person."

While it is certainly true that the phrase "**bodies politic and corporate**" referred to private and public corporations, see ante, at 2311, and n. 9, this fact does not draw into question the conclusion that this phrase also applied to the States. Phrases may, of course, have multiple referents. Indeed, each and every dictionary cited by the Court accords a broader realm-one **2317 that comfortably, and in most cases explicitly, includes the sovereign-to this

6.4. The legal fiction of "person" created by your consent is called the "straw man". [17]
6.5. The legal fiction of "person" created by your consent is legally but not physically "within" that corporation because it represents the corporation.
6.6. The effective domicile of the legal fiction of "person" is the place of incorporation of the state it represents under Federal Rule of Civil Procedure 17.
6.7. The government, as author of the statute conveying the privilege of the statutes, is the creator. It is therefore the OWNER of all those who exercise the privilege by virtue of invoking the status of "person" in pursuit of remedies under the franchise.[18]

7. Your corrupt politicians have therefore written this social contract in such a way that consenting to it makes you a public officer within the government, even though such a corruption of the de jure system is clearly beyond its legislative intent. See:

De Facto Government Scam, Form #05.043 http://sedm.org/Forms/FormIndex.htm

8. It is a violation of due process of law, theft, slavery, and even identity theft to:
8.1. PRESUME that by virtue of physically occupying a specific place, that a person has consented to take up "residence" there and thereby consented to the social contract and the civil laws that implement it.
8.2. Interfere with one's choice of political association and consent to the social compact by refusing to accept any piece of paper that declares one a "nonresident".
8.3. Impose the status of "citizen" or "resident" against those who do not consent to the social contract.
8.4. Enforce any provision of the social contract against a non-consenting party.
8.5. Connect the status of "citizen" or "resident" with a public office in the government or use that unlawfully created office as method to impose any duty upon said party. Why? Because the Thirteenth Amendment forbids "involuntary servitude".

The above considerations are the ONLY reason why Abraham Lincoln could truthfully claim in his famous Gettysburg Address that the United States government is "a government of the people, by the people, and for the people".

7.4 Breaches of the Social Compact subject to judicial remedy

If you are injured and take the party who injured you into a civil court, the judge, in fact, is really acting as a trustee of the social contract/compact in enforcing that contract between you and the other party. All governments in the USA, in fact, are "trustees":

> *"Whatever these Constitutions and laws validly determine to be property, it is the duty of the Federal Government, through the domain of jurisdiction merely Federal, to recognize to be property.*
>
> *"And this principle follows from the structure of the respective Governments, State and Federal, and their reciprocal relations.* ***They are different agents and trustees of the people of the several States, appointed with different powers and with distinct purposes, but whose acts, within the scope of their respective jurisdictions, are mutually obligatory.*** *"*
> *[Dred Scott v. Sandford, 60 U.S. 393 (1856)]*

Both parties to the lawsuit must be parties to the social contract and therefore "citizens" or "residents" within the jurisdiction you are civilly suing. If the defendant you are suing is NOT party to the social contract, they are called a "nonresident" who is therefore protected from being civilly sued by:

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phrase than the Court gives it today. See 1B. Abbott, Dictionary of Terms and Phrases Used in American or English Jurisprudence 155 (1879) ("[T]he term **body politic** is often used in a general way, as meaning the state or the sovereign power, or the city government, without implying any distinct express incorporation"); W. Anderson, A Dictionary of Law 127 (1893) ("**[B]ody politic**": "The governmental, sovereign power: a city or a State"); Black's Law Dictionary 143 (1891) ("**[B]ody politic**": "It is often used, in a rather loose way, to designate the state or nation or sovereign power, or the government of a county or municipality, without distinctly connoting any express and individual corporate charter"); 1A. Burrill, A Law Dictionary and Glossary 212 (2d ed. 1871) ("**[B]ody politic**": "A body to take in succession, framed by policy"; "[p]articularly*80 applied, in the old books, to a Corporation sole"); id., at 383 ("Corporation sole" includes the sovereign in England).

[Will v. Michigan Dept. of State Police, 491 U.S. 58, 109 S.Ct. 2304 (U.S.Mich.,1989)]

[17] See: *Proof That There Is a "Straw Man"*, Form #05.042; http://sedm.org/Forms/FormIndex.htm.

[18] See: *Hierarchy of Sovereignty: The Power to Create is the Power to Tax*, Family Guardian Fellowship; http://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm.

1. The "Foreign Sovereign Immunities Act", codified at 28 U.S.C. Part IV, Chapter 97 starting at section 1602.
2. The "Minimum Contacts Doctrine" elucidated by the U.S. Supreme Court in International Shoe Co. v. Washington, 326 U.S. 310 (1945). This doctrine states that it is a violation of due process to bring a nonresident into a foreign court to be sued unless certain well defined standards are met. Here is how the federal courts describe this doctrine:

> *In International Shoe Co. v. Washington, 326 U.S. 310 (1945), the Supreme Court held that a court may exercise personal jurisdiction over a defendant consistent with due process only if he or she has "certain minimum contacts" with the relevant forum "such that the maintenance of the suit does not offend 'traditional notions of fair play and substantial justice.' " Id. at 316 (quoting Milliken v. Meyer, 311 U.S. 457, 463 (1940)).* ***Unless a defendant's contacts with a forum are so substantial, continuous, and systematic that the defendant can be deemed to be "present" in that forum for all purposes, a forum may exercise only "specific" jurisdiction*** *- that is, jurisdiction based on the relationship between the defendant's forum contacts and the plaintiff's claim.*
>
> *[. . .]*
>
> *In this circuit, we analyze specific jurisdiction according to a three-prong test:*
>
> > *(1) The non-resident defendant must* ***purposefully direct his activities or consummate some transaction with the forum or resident thereof****; or perform some act by which he purposefully avails himself of the privilege of conducting activities in the forum, thereby invoking the benefits and protections of its laws;*
> >
> > *(2) the claim must be one which arises out of or relates to the defendant's forum-related activities; and*
> >
> > *(3) the exercise of jurisdiction must comport with fair play and substantial justice, i.e. it must be reasonable.*
>
> *Schwarzenegger v. Fred Martin Motor Co., 374 F.3d. 797, 802 (9th Cir. 2004) (quoting Lake v. Lake, 817 F.2d. 1416, 1421 (9th Cir. 1987)). The first prong is determinative in this case. We have sometimes referred to it, in shorthand fashion, as the "purposeful availment" prong. Schwarzenegger, 374 F.3d. at 802. Despite its label, this prong includes both purposeful availment and purposeful direction. It may be satisfied by purposeful availment of the privilege of doing business in the forum; by purposeful direction of activities at the forum; or by some combination thereof.*
> *[*Yahoo! Inc. v. La Ligue Contre Le Racisme Et L'Antisemitisme, 433 F.3d. 1199 (9th Cir. 01/12/2006)*]*

Why does all this matter? Because what if you are a nonresident and the U.S. government wants to sue you for a tax liability? They can't take a nonresident (in relation to federal territory) and a "nontaxpayer" into a Federal District Court and must instead sue you in a state court under the above requirements. Even their own Internal Revenue Manual (I.R.M.) says so:

> *Internal Revenue Manual (I.R.M.)*
> *9.13.1.5 (09-17-2002)*
> *Witnesses In Foreign Countries*
>
> *1. Nonresident aliens physically present in a foreign country* ***cannot be compelled to appear as witnesses in a United States District Court*** *since they are beyond jurisdiction of United States officials. Since the Constitution requires confrontation of adverse witnesses in criminal prosecutions, the testimony of such aliens may not be admissible until the witness appears at trial. However, certain testimony for the admissibility of documents may be obtained under 18 USC §3491 et seq. without a "personnel" appearance in the United States. Additionally, 28 USC §1783 et seq. provides limited powers to induce the appearance of United States citizens physically present in a foreign country.*
> *[SOURCE: http://www.irs.gov/irm/part9/ch13s01.html]*

The other great thing about being a nonresident, is that the statute of limitations under civil law DO NOT apply to you and do not limit your rights or the protection of those rights.

1. If you invoke the common law rather than statutory law, you have an unlimited amount of time to sue a federal actor for a tort. All such statutes of limitations are franchises to which BOTH parties to the suit must be contractors under the social contract/compact in order to enforce.
2. If only one party is a "citizen" or a "resident" protected by the social contract, and the other party is protected by the Constitution but not the civil law implementing the social contract, then the Constitution trumps the civil law and

becomes self-executing. Remedies which are "self-executing" need no statute as a basis to sue and cannot be LIMITED by statute.

> *The design of the Fourteenth Amendment has proved significant also in maintaining the traditional separation of powers 524*524 between Congress and the Judiciary. **The first eight Amendments to the Constitution set forth self-executing prohibitions on governmental action, and this Court has had primary authority to interpret those prohibitions.** The Bingham draft, some thought, departed from that tradition by vesting in Congress primary power to interpret and elaborate on the meaning of the new Amendment through legislation. Under it, "Congress, and not the courts, was to judge whether or not any of the privileges or immunities were not secured to citizens in the several States." Flack, supra, at 64. While this separation-of-powers aspect did not occasion the widespread resistance which was caused by the proposal's threat to the federal balance, it nonetheless attracted the attention of various Members. See Cong. Globe, 39th Cong., 1st Sess., at 1064 (statement of Rep. Hale) (noting that Bill of Rights, unlike the Bingham proposal, **"provide[s] safeguards to be enforced by the courts, and not to be exercised by the Legislature"**); id., at App. 133 (statement of Rep. Rogers) (prior to Bingham proposal it "was left entirely for the courts . . . to enforce the privileges and immunities of the citizens"). As enacted, the Fourteenth Amendment confers substantive rights against the States which, like the provisions of the Bill of Rights, are self-executing. Cf. South Carolina v. Katzenbach, 383 U.S., at 325 (discussing Fifteenth Amendment). The power to interpret the Constitution in a case or controversy remains in the Judiciary.*
> *[City of Boerne v. Flores, 521 U.S. 507 (1997)]*

Why do we say these things? Because what you think of as civil law, in most cases, is really only a private law franchise for government officers, agents, instrumentalities, and/or statutory "employees", as exhaustively proven in the following document:

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

Under the concepts in the above document, a "statute of limitations" is an example of a "privilege and immunity" afforded to ONLY government officers and statutory "employees" when the OTHER party they injure is also a government officer or employee in some capacity. If the injured party is not party to the social compact and franchise but is protected by the Constitution, then the statutes of limitations cannot be invoked under the franchise.

7.5 TWO social compacts in America

In the United States (the country), there are, in fact TWO "social contracts" or "social compacts", and each protects a different subset of the overall population.

> *"It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these authorities was the law in question passed?"*
> *[*Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265, 5 L.Ed. 257 (1821)*]*

You can only be a party to ONE of these two social contracts/compacts at a time, because you can only have a domicile in ONE jurisdiction at a time. These two jurisdictions that Congress legislates for are:

1. The states of the Union under the requirements of the Constitution of the United States. In this capacity, it is called the "federal/general government".
2. The U.S. government, the District of Columbia, U.S. possessions and territories, and enclaves within the states. In this capacity, it is called the "national government". The authority for this jurisdiction derives from Article 1, Section 8, Clause 17 of the United States Constitution. All laws passed essentially amount to municipal laws for federal property, and in that capacity, Congress is not restrained by either the Constitution or the Bill of Rights. We call the collection of all federal territories, possessions, and enclaves within the states "the federal zone" throughout this document.

The "separation of powers doctrine" is what created these two separate and distinct social compacts and jurisdictions. Each has its own courts, unique types of "citizens", and laws. That doctrine is described in:

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

The U.S. Supreme Court has identified the maintenance of separation between these two distinct jurisdictions as THE MOST IMPORTANT FUNCTION OF ANY COURT. Are the courts satisfying their most important function, or have they bowed to political expediency by abusing deception and words of art to entrap and enslave you in what amounts to a criminal conspiracy against your constitutional rights? Have the courts become what amounts to a modern day Judas, who sold the truth for the twenty pieces of silver they could STEAL from you through illegal tax enforcement by abusing word games?

> ***"I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism..***
>
> ***[. . .]***
>
> *"The idea prevails with some, indeed it has found expression in arguments at the bar, that* ***we have in this country substantially two national governments; one to be maintained under the Constitution, with all of its restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising such powers [of absolutism] as other nations of the earth are accustomed to..***
>
> ***[. . .]***
>
> ***It will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution.****"*
> *[Downes v. Bidwell, 182 U.S. 244 (1901), Justice Harlan, Dissenting]*

WHICH of the two social compacts are you party to? Your choice of domicile determines that. It CAN'T legally be both because you can only have a domicile in ONE place at a time. Furthermore, if you have been deceived by corrupt politicians and "words of art" into becoming a party to BOTH social compacts, you are serving TWO masters, which is forbidden by the Holy Bible:

> *"No one can serve two masters [two employers, for instance]; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. You cannot serve God and mammon [government]."*
> *[Matt 6:24, Bible, NKJV. Written by a tax collector]*

7.6 The TWO social contracts/compacts CANNOT lawfully overlap and you can't be subject to BOTH at the same time

We might also add that franchises and the right to contract that they are based upon cannot lawfully be used to destroy the separation between these two distinct jurisdictions. Preserving that separation is, in fact, the heart and soul of the United States Constitution. That is why the U.S. Supreme Court held the following:

> *"Thus, Congress having power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes, may, without doubt, provide for* ***granting*** *coasting* ***licenses****, licenses to pilots, licenses to trade with the Indians, and any other* ***licenses*** *necessary or proper for the exercise of that great and extensive power; and the same observation is applicable to every other power of Congress, to the exercise of which the granting of licenses may be incident. All such licenses confer authority, and give rights to the licensee.*
>
> *But very different considerations apply to the* ***internal commerce*** *or* ***domestic trade*** *of the* ***States****. Over this commerce and trade Congress has* ***no power of regulation nor any direct control****. This power belongs* ***exclusively*** *to the States.* ***No interference by Congress with the business of citizens transacted within a State is warranted by the Constitution, except such as is strictly incidental to the exercise of powers clearly granted to the legislature****.* ***The power to authorize [e.g. LICENSE as part of a franchise] a business within a State is plainly repugnant to the exclusive power of the State over the same subject.*** *It is true that the power of Congress to tax is a very extensive power. It is given in the Constitution, with only one exception and only two qualifications. Congress cannot tax exports, and it must impose direct taxes by the rule of apportionment, and indirect taxes by the rule of uniformity. Thus limited, and thus only, it reaches every subject, and may be exercised at discretion. But, it reaches only existing subjects.* ***Congress cannot authorize [e.g. LICENSE] a trade or business within a State in order to tax it.****"*
> *[License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866)]*

Notice the language "***Congress cannot authorize* [e.g. LICENSE] *a trade or business within a State in order to tax it.***". All licensed activities are, in fact, franchises and excise taxes are what implement them and pay for them. The income tax itself, in fact, is such a franchise. See the following for exhaustive proof:

The "Trade or Business" Scam, Form #05.001 http://sedm.org/Forms/FormIndex.htm

On the subject of whether Christians can be party to or consent to what the courts call "the social compact" and contract, God Himself says the following:

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

Why did God warn Christians in this way? Because Rev. 19:19 identifies political rulers as "The Beast", and contracting with them MAKES you an officer of and one of them. And as their officer or public officer participating in their franchises, you can't avoid "serving them", and hence, violating the First Commandment NOT to serve other pagan gods, among which are included civil rulers or governments.

Now let's discuss how the courts treat the issue of the social compact to confirm what we have said in this section. The first federal corporation established outside of federal territory was the original Bank of the United States commissioned by Congress. That bank invaded the state of Ohio and began operating there. The state sought to penalize and tax it out of existence and the bank refused to pay the state penalties and taxes. When the state seized assets of the bank for nonpayment of taxes, the case went before the U.S. Supreme Court. The court held that the bank:

1. Was a federal but not state corporation and therefore NOT a constitutional "person" or "citizen" under the judiciary clauses of the Constitution.
2. Was an office within the national government.
3. Was exempt from state taxes and penalties.

The case also held that the ONLY way that federal law can be enforced within a state of the Union was if EITHER a public office was involved (which is federal government property), OR if the bank had a contract with the government (which is ALSO federal government property).

> *"All the powers of the government [*including ALL of its civil enforcement powers *against the public] must be carried into operation **by individual agency, either through the medium of public officers, or contracts made with [private] individuals.**"*
> *[Osborn v. Bank of U.S., 22 U.S. 738 (1824)]*

The above holding brings up some crucial points about civil jurisdiction in courts of justice:

1. The government can only regulate and control its own agents, officers, and statutory "employees". That control is exercised through the civil statutes it enacts, in fact.
2. Federal corporations, such as the original Bank of the United States that was the subject of the above case, are creations of, agents of, and instrumentalities of the national government.
3. Contracts with the government create agency BUT NOT NECESSARILY PUBLIC OFFICE on behalf of the government.
4. Public offices are also evidence of agency on behalf of the government.
5. If you are not a public officer and have no contracts with the government, they can't civilly regulate or control you because you are PRIVATE and they have no jurisdiction over EXCLUSIVELY private conduct.
6. If a government takes you into civil court seeking to enforce an obligation they claim you have to the government, then they as the moving party MUST satisfy the burden of proving ONE or more of the following two things in order to establish their jurisdiction:
   6.1. That you are lawfully occupying a public office OR…
   6.2. You have a contract with them and therefore are acting as their agent.

7.7 Challenging the enforcement of the Social Contract in a Court of law

The Social Contract is enforced, usually illegally, by judges and government prosecutors in court against unwitting and often unwilling and non-consenting parties. By "Social Compact" in this section, we mean and intend the following. We DO NOT mean the CRIMINAL code or criminal law:

1. Civil statutory "code".
2. Civil franchises.
3. Penal code.
4. Rules of court.

The boundary between what is lawful and unlawful in a civil context is determined solely by whether there is a flesh and blood PHYSICAL injured party.

> *For the commandments, "You shall not commit adultery," "You shall not murder," "You shall not steal," "You shall not bear false witness," "You shall not covet," and if there is any other commandment, are all summed up in this saying, namely, "You shall love your neighbor as yourself."*
>
> ***Love does no harm to a neighbor; therefore love is the fulfillment of the law**.*
> *[Romans 13:9-10, Bible, NKJV]*
>
> ---
>
> *"Do not strive with [or try to regulate or control or enslave] a man without cause, **if he has done you no harm**."*
> *[Prov. 3:30, Bible, NKJV]*
>
> *"With all [our] blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow citizens--**a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.**"*
> *[Thomas Jefferson: 1st Inaugural, 1801. ME 3:320]*
>
> *"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. **They conferred, as against the Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized men.**"*
> *[Olmstead v. United States, 277 U.S. 438, 478 (1928) (Brandeis, J., dissenting); see also Washington v. Harper, 494 U.S. 210 (1990)]*

If there is no injured party, then all of the above types of civil franchises have no "force of law" against a non-consenting party and any legal proceeding to enforce them constitutes an INJUSTICE rather than JUSTICE.

> *PAULSEN, ETHICS (Thilly's translation), chap. 9.*
>
> ***"Justice, as a moral habit, is that tendency of the will and mode of conduct which refrains from disturbing the lives and interests of others, and, as far as possible, hinders such interference on the part of others.** This virtue springs from the individual's respect for his fellows as ends in themselves and as his co equals. The different spheres of interests may be roughly classified as follows: body and life; the family, or the extended individual life; property, or the totality of the instruments of action; honor, or the ideal existence; and finally freedom, or the possibility of fashioning one's life as an end in itself. The law defends these different spheres, thus giving rise to a corresponding number of spheres of rights, each being protected by a prohibition. . . . To violate the rights, to interfere with the interests of others, is injustice. All injustice is ultimately directed against the life of the neighbor; it is an open avowal that the latter is not an end in itself, having the same value as the individual's own life. The general formula of the duty of justice may therefore be stated as follows: Do no wrong yourself, and permit no wrong to be done, so far as lies in your power; or, expressed positively: Respect and protect the right."*
> *[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 2]*

Some questions you can ask to reveal the false presumptions protecting that enforcement and the illegality of that enforcement of the above types of "rules" include the following:

"At this point it behooves us to consider the myth of the "social contract". Many apologists for the status quo assert that we are all born as parties to a contract – and that, as a consequence, we are all subject to liabilities defined by the state or [national] government. In other words, in return for the various benefits, real or imagined, that we receive from the government, we owe the government a portion of whatever resources we derive from our experience of life. We should note that the only people who promote this myth are those who want to spend our money or to exercise power over us through the enforcement of edicts forbidding mala prohibita. They would have us believe that they have a valid claim on the money that we receive in exchange for our creativity and productivity."

Those enforcing the social contract or statutory franchise "benefits" are therefore demanded to answer the following questions on the record to justify and validate the alleged "force of law" they claim to have be exercising:

1. Isn't it a maxim of law that civil law exists for the "benefit" of man?

> *"Hominum caus jus constitutum est. Law is established for the benefit of man."*
> *[Bouvier's Maxims of Law, 1856;*
> *https://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

2. Isn't it true that I have a RIGHT to refuse any and every "benefit"?

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

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

> *"Quilibet potest renunciare juri pro se inducto. Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83."*
> *[Bouvier's Maxims of Law, 1856;*
> *https://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

3. Who gets to decide what a "benefit" is? You or the government? If the people are the "sovereigns" according to the Supreme Court, then aren't they the "customer" who gets to decide if something "benefits" them instead of the state?

4. If I am NOT the one who defines "benefit" in the context of this proceeding, don't we have unconstitutional slavery disguised as government benevolence?

5. What if I define the alleged "consideration" or "benefit" provided by the government as an INJURY? Doesn't that make it IMPOSSIBLE for me to "receive a "benefit" from the government and therefore owe a corresponding "obligation"?

> *"Que sentit commodum, sentire debet et onus. He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433."*
> *[Bouvier's Maxims of Law, 1856;*
> *https://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

6. Shouldn't any government seeking to enforce the provisions of the social compact and/or civil statutes that implement it have the burden of proving to a disinterested third party the existence of a "benefit" AND consent to receive it BEFORE they may commence the enforcement action? Aren't they presumed to be STEALING if they DON'T satisfy this burden of proof?

> *"All rights and property are PRESUMED to be EXCLUSIVELY PRIVATE and beyond the control of government or the CIVIL statutory franchise codes unless and until the government meets the burden of proving, WITH EVIDENCE, on the record of the proceeding that:*
>
> 1. *A SPECIFIC formerly PRIVATE owner consented IN WRITING to convert said property to PUBLIC property.*
>
> 2. *The owner was either abroad, domiciled on, or at least PRESENT on federal territory NOT protected by the Constitution and therefore had the legal capacity to ALIENATE a Constitutional right or relieve a public servant of the fiduciary obligation to respect and protect the right. Those physically present but not*

necessarily domiciled in a constitutional but not statutory state protected by the constitution cannot lawfully alienate rights to a real, de jure government, even WITH their consent.

3. *If the government refuses to meet the above burden of proof, it shall be CONCLUSIVELY PRESUMED to be operating in a PRIVATE, corporate capacity on an EQUAL footing with every other private corporation and which is therefore NOT protected by official, judicial, or sovereign immunity."*

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

7. Isn't it a violation of due process of law to PRESUME that I consented? Aren't all presumptions that prejudice constitutional rights UNCONSTITUTIONAL and a violation of due process of law?

8. When and how did I sign or consent to this so-called contract and the civil statutory code that implements it?

9. Isn't all of my property ABSOLUTELY owned and EXCLUSIVELY PRIVATE if I don't consent to ANYTHING the government offers?

10. Does this social contract promise to give me something that I actually perceive or define as a "benefit"?

11. If so, am I free to acquire that which I want in other ways?

12. Does the government have a monopoly on "protection" and if so, doesn't this violate the Sherman Antitrust Act?

13. Does this contract contain a valid exit clause? If so WHERE?

14. Does this contract specify the quid pro quo that tells me what I am to contribute and what I am to receive in return?

15. Is there any legal limit at all to what I must pay to reimburse the cost of the benefit, and if there isn't, don't we have an unconscionable adhesion contract? For instance, if I decide to limit the SCOPE of my consent to obeying ONLY the civil codes regulating voting and jury service and choose to be a "nonresident" for all other purposes, will the government respect my right to participate in ONLY these two franchises and LEAVE ME ALONE and not make the target of the enforcement of any other civil statute?

16. Does the social contract specify what actions on the part of government constitute a breach of the contract and the penalties that attach thereto? If not, there is no reciprocal obligation so it can't possibly be enforceable against me as a contract as legally defined.

17. Does this contract affirm my absolute right to withdraw from the contract and NOT consent? In other words, do all forms that implement the "benefit" recognize and provide administrative remedies to QUIT without being a "participating", "person", "individual", etc?

18. If the contract does NOT recognize nonparticipants or the right to quit, isn't the requirement for equal protection that is the foundation of all law violated?

19. Am I punished for trying to withdraw participation? If so, how can participation truthfully be called "voluntary"?

For more on the concept of government "benefits" described above and the SCAM that they represent, see:

The Government "Benefits" Scam, Form #05.040 https://sedm.org/Forms/FormIndex.htm

The following legal authorities are useful in establishing that there MUST be consent to the "social compact", what form the consent must take, and why in some cases even consent is insufficient to give it the "force of law" in your specific case:

1. *Unalienable Rights Course*, Form #12.038-establishes that your aren't allowed to consent to give away your rights
   DIRECT LINK: https://sedm.org/LibertyU/UnalienableRights.pdf
   FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
2. *Requirement for Consent*, Form #05.003

DIRCT LINK: http://sedm.org/Forms/05-MemLaw/Consent.pdf
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm

3. SEDM Liberty University Section 2.5: Requirement for Consent
http://sedm.org/LibertyU/LibertyU-SinglePg.htm#2.5._REQUIREMENT_FOR_CONSENT
4. *Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: "consent"
http://famguardian.org/TaxFreedom/CitesByTopic/consent.htm
5. *Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: "voluntary"
http://famguardian.org/TaxFreedom/CitesByTopic/voluntary.htm
6. *"Sovereign"="Foreign"*, Family Guardian Fellowship. Extracted from Great IRS Hoax, section 4.4.7. Establishes that those who don't consent are "foreign".
http://famguardian.org/Subjects/Freedom/Sovereignty/Sovereign=Foreign.htm
7. Unconstitutional Conditions: The Irrelevance of Consent, Philip Hamburger - The article by a law professor concludes that private or state consent cannot justify the federal government in going beyond its legal limits. The Constitution's limits on the government are legal limits imposed with the consent of the people. Therefore, neither private nor state consent can alter these limits or otherwise enlarge the federal government's constitutional power.
   7.1. Local backup copy (OFFSITE LINK)
   http://sedm.org/LibertyU/UnconstitutionalConditions-Hamburger,Philip-SSRN-id2021682.pdf
   7.2. SSRN (OFFSITE LINK)
   http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2021682
8. *CONSENT of the Governed: The Freeman Movement Defined*, Wake Up! Productions (OFFSITE LINK)
https://youtu.be/ArGvrfLFGtU
9. *Manufacturing Consent*, Noam Chomsky (OFFSITE LINK)
https://youtu.be/AnrBQEAM3rE
10. *Slavery by Consent*, Youtube (OFFSITE LINK)
https://www.youtube.com/watch?v=Qaczr9DU3jY&list=PL696E35661E8711BF
11. *The Ethics of Consent*, Franklin G Miller
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1140256
12. *Behavioral Law and Economics: The Assault on Consent, Will, and Dignity*, Mark D. White, CUNY College of Staten Island
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1274444
13. *The Scale of Consent*, Tom W. Bell, Chapman University
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1322180
14. *Problem of Intention*, Mathew Francis Philip, India University
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1162013
15. *The Moral Limits of Consent as a Defense in the Criminal Law*, Dennis J. Baker, King's College London, School of Law
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1973331
16. *Consenting Under Stress*, Hila Keren, Hebrew University of Jerusalem
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2012013
17. *The Social Foundations of Law*, Martha Albertson Fineman
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2132230

8. "Domicile"= "allegiance" and "protection"

The U.S. Supreme Court describes the relationship of domicile to taxation as follows:

> *"**Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes**. Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, **the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter**. Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located."*
> *[Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954)]*

The first thing to notice about the above ruling is that the essence of being a "citizen" is one's domicile, not just their place of birth or naturalization or the NATIONALITY these two things produce. "Domicile" establishes your LEGAL status

within a municipal government while "nationality" (being a "national") establishes your POLITICAL status and association with a specific nation under the law of nations.

> *"Nationality. That quality or character which arises from the fact of a person's belonging to a nation or state. **Nationality determines the political status of the individual, especially with reference to allegiance; while domicile determines his civil status. Nationality arises either by birth or by naturalization. See also Naturalization.**"*
> *[Black's Law Dictionary, Sixth Edition, p. 1025]*

The U.S. Supreme Court admitted that an alien with a domicile in a place is treated as a native or naturalized "citizen" in nearly every respect. We call this type of "citizen" simply a "domiciled citizen" to distinguish it from anything resembling nationality. Note that they use the phrase "This right to protect persons having a domicile", meaning they DON'T have a right to protect people who choose NOT to have a domicile and therefore are UNABLE to render protection because they can ONLY "govern" people who consent to be governed by choosing a domicile within their protection.

> *"**This right to protect persons having a domicile, though not native-born or naturalized citizens, rests on the firm foundation of justice, and the claim to be protected is earned by considerations which the protecting power is not at liberty to disregard. Such domiciled citizen pays the same price for his protection as native-born or naturalized citizens pay for theirs. He is under the bonds of allegiance to the country of his residence, and, if he breaks them, incurs the same penalties. He owes the same obedience to the civil laws. His property is, in the same way and to the same extent as theirs, liable to contribute to the support of the Government. In nearly all respects, his and their condition as to the duties and burdens of Government are undistinguishable.**"*
> *[Fong Yue Ting v. United States, 149 U.S. 698 (1893)]*

Note also the key role of the word "intention" within the meaning of domicile. A person can have many "abodes", which are the place they temporarily "inhabit", but only one legal "domicile". You cannot have a legal "domicile" in a place without also having an intention (also called "consent") to live there "permanently", which implies allegiance to the people and the laws of that place.

> ***"Allegiance and protection [by the government from harm] are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance."***
> *[Minor v. Happersett, 88 U.S. (21 Wall.) 162, 166-168 (1874)]*

What the U.S. Supreme Court essentially is describing above is a contract to procure the civil protection of a specific government, and it is giving that contract a name called "domicile". What makes the contract binding is the fact that each party to the contract both gives and receives specific and measurable "consideration". You manifest your consent to the contract by voluntarily calling yourself a "subject", "inhabitant", "citizen", or "resident", all of which have in common a domicile within the jurisdiction that those terms relate to. You give "allegiance" and the support (e.g. "taxes") that go with that allegiance, and in return, the government has an implied legal duty to protect and serve you. All contracts require both mutual consent and mutual consideration. Without ***both*** demonstrated elements, the contract is unenforceable. The contract is therefore only enforceable if both parties incur reciprocal duties that are enforceable in court as "rights". Below is how the U.S. Supreme Court again describes this "protection contract":

> *The reason why States are "bodies politic and corporate" is simple: just as a corporation is an entity that can act only through its agents, "[t]he State is a political corporate body, can act only through agents, and can command only by laws." Poindexter v. Greenhow, supra, 114 U.S., at 288, 5 S.Ct. at 912-913. See also Black's Law Dictionary 159 (5th ed. 1979) ("**[B]ody politic or corporate": "A social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good"). As a "body politic and corporate," a State falls squarely within the Dictionary Act's definition of a "person.**"*
> *[Will v. Michigan Dept. of State Police, 491 U.S. 58, 109 S.Ct. 2304 (U.S.Mich.,1989)]*

The interesting thing about allegiance is that in every circumstance where you try to document it on a government form, the covetous government tries to create the false impression that it must be PERMANENT, so that you can't choose WHEN and under what circumstances you have it or under what circumstances you want protection and have to pay for protection. In other words, you aren't allowed to request protection for specific circumstances and you have to give them essentially a blank check and make the relationship permanent. Here are some examples:

1. Most government forms ask for your "Permanent address", meaning the place where your allegiance is permanent and not temporary.

2. The term "national of the United States*" is defined in 8 U.S.C. §1101(a)(22) as someone who owes "permanent allegiance" to the "United States**" government. These people include both state nationals (8 U.S.C. §1101(a)(22)(B)), statutory citizens (8 U.S.C. §1101(a)(22)(A)), and those in outlying possessions (8 U.S.C. §1101(a)(22)(B)).

> *8 U.S.C. §1101 Definitions [for the purposes of citizenship]*
>
> *(a) As used in this chapter—*
>
> *(22) The term "national of the United States" means*
>
> *(A) a citizen of the United States, or*
>
> *(B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.*

3. 8 U.S.C. §1436 requires that the only way a resident of an outlying possession may be naturalized to become a STATUTORY "non-citizen national of the United States**" is to have "permanent allegiance".

We must remember, however, that for the purposes of Title 8, even the word "permanent" is not really permanent and can be withdrawn by you on a whim.

> *8 U.S.C. §1101 Definitions [for the purposes of citizenship]*
>
> *(a) As used in this chapter—*
>
> *(31) The term "permanent" means a relationship of continuing or lasting nature, as distinguished from temporary, but a relationship may be permanent even though it is one that **may be dissolved eventually at the instance either of the United States[**] or of the individual**, in accordance with law.*

When might you want to withdraw your allegiance and the CIVIL statutory protection that goes with it? How about if you are going abroad and DO NOT want Uncle Sam's protection or the bill (taxes) that go with that protection. Some people, including us, even fill out their DS-11 Passport Application to indicate that they waive any and all claim to protection of the national government while they are abroad and thereby temporarily WITHDRAW their allegiance while abroad. Why would they do this? Because they don't want to be "privileged" or in receipt of any government "benefit" that could lead essentially to them having to hand Uncle a blank check to steal ANYTHING they have. What gives them the right to demand "taxes" of a STATUTORY "citizen" while they are abroad? The answer is that such "citizen" is an officer of the government managing government property. THAT property is ALL of his/her property! Here is the proof:

> ***The Law of Nations, Book II: Of a Nation Considered in Her Relation to Other States***
> ***§ 81. The property of the citizens is the property of the nation, with respect to foreign nations.***
>
> ***Even the property of the individuals is, in the aggregate, to be considered as the property of the nation, with respect to other states**. It, in some sort, really belongs to her, from the right she has over the property of her citizens, because it constitutes a part of the sum total of her riches, and augments her power. She is interested in that property by her obligation to protect all her members. In short, it cannot be otherwise, since nations act and treat together as bodies in their quality of political societies, and are considered as so many moral persons. All those who form a society, a nation being considered by foreign nations as constituting only one whole, one single person, — all their wealth together can only be considered as the wealth of that same person. And this is to true, that each political society may, if it pleases, establish within itself a community of goods, as Campanella did in his republic of the sun. Others will not inquire what it does in this respect: its domestic regulations make no change in its rights with respect to foreigners nor in the manner in which they ought to consider the aggregate of its property, in what way soever it is possessed.*
>
> *[The Law of Nations, Book II, Section 81, Vattel;*
> *SOURCE: http://famguardian.org/Publications/LawOfNations/vattel_02.htm#§ 81. The property of the citizens is the property of the nation, with respect to foreign nations.]*

The above document is the document upon which the Founding Fathers wrote the Constitution. It is even mentioned in Article I of the Constitution. The implications of the above document are that calling yourself a "citizen" makes you a presumed officer of the government holding temporary title to government property, which is ALL of your property while you are abroad and being protected by the nation you are a "member" or STATUTORY "citizen" of. The implication is that:

1. If you want to own property at all while abroad and have it protected by the national government, you must consent to become an officer of the government called a "citizen" and effectively convert or transmute all your property to PUBLIC property. The U.S. Supreme Court, in fact, has defined such a "citizen" as an officer of the government:

> *"Under our own systems of polity, the term 'citizen', implying the same or similar relations to the government and to society which appertain to the term, 'subject' in England, is familiar to all. Under either system, the term used is designed to apply to man in his individual character and to his natural capacities --* ***to a being or agent [of government, also called a PUBLIC OFFICER!] possessing social and political rights and sustaining social, political, and moral obligations****.* ***It is in this acceptation only, therefore, that the term 'citizen', in the article of the Constitution, can be received and understood.*** *When distributing the judicial power, that article extends it to controversies between 'citizens' of different states.* ***This must mean the natural physical beings composing those separate communities, and can by no violence of interpretation be made to signify artificial, incorporeal, theoretical, and invisible creations. A corporation, therefore, being not a natural person, but a mere creature of the mind, invisible and intangible, cannot be a citizen of a state, or of the United States, and cannot fall within the terms or the power of the above mentioned article, and can therefore neither plead nor be impleaded in the courts of the United States."***
> *[Rundle v. Delaware & Raritan Canal Company, 55 U.S. 80, 99 (1852) from dissenting opinion by Justice Daniel]*

2. You must share ownership with the government if you want to be a STATUTORY "citizen" and receive the "benefit"/franchise of the government's CIVIL STATUTORY protection WHILE ABROAD.
3. You aren't allowed by law to ABSOLUTELY own ANY private property while abroad. The essence of ownership is "the right to exclude", according to the U.S. Supreme Court. See Nollan v. California Coastal Comm'n, 483 U.S. 825 (1987) and Kaiser Aetna v. United States, 444 U.S. 164 (1979).[19] That means you aren't allowed to exclude the government from using or benefitting from the use of the property and the government is the REAL owner. Would you hire a security guard called "government" if the cost of the protection was to transfer ownership TO the security guard? NOT! Hence, this is what we call a "supernatural power" that makes the government literally a pagan deity over all property.
4. The GOVERNMENT gets to determine how much of the property you want protected THEY own or control, and how much is left over for you. That is because they write the laws that regulate the use of all PUBLIC property. You are a mere equitable rather than absolute owner of the property.

The sharing of ownership in legal terms is called a "moiety". With these factors in mind, why the HELL would anyone want to call themselves a STATUTORY "citizen"? Isn't the purpose of forming government to protect PRIVATE property and PRIVATE rights? Isn't the ability to own property the essence of "happiness" itself according to the Declaration of Independence? How can you be "happy" if you have to share ownership of EVERYTHING with the government and turn EVERYTHING you own essentially into PUBLIC property to have any protection at all? For details on sharing ownership with the government, see:

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

Obviously, the "price" of government protection is too high, and therefore a rational and informed person would have to conclude that having "allegiance" and requesting "protection" from the government as a security guard over their property is something that they should NOT want. So how do we withdraw that allegiance and our request for protection? A good place to start is studying the laws on passports.

On the other hand, when obtaining a USA passport, one only needs "allegiance" and no requirement for permanence is mandated, other than, of course, the Address field on the DS-11 Form, which asks for a "permanent address". If you don't fill out anything in that field because your allegiance is temporary and you DO NOT WANT their protection, then you can make your allegiance temporary and changeable.

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[19] "We have repeatedly held that, as to property reserved by its owner for private use, "the right to exclude [others is] `one of the most essential sticks in the bundle of rights that are commonly characterized as property.' " Loretto v. Teleprompter Manhattan CATV Corp., 458 U.S. 419, 433 (1982), quoting Kaiser Aetna v. United States, 444 U.S. 164, 176 (1979). " [Nollan v. California Coastal Comm'n, 483 U.S. 825 (1987)]

"In this case, we hold that the "right to exclude," so universally held to be a fundamental element of the property right,[11] falls within this category of interests that the Government cannot take without compensation." [Kaiser Aetna v. United States, 444 U.S. 164 (1979)]

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

> *"No passport shall be granted or issued to or verified for any other persons than those owing **allegiance**, whether citizens or not, to the United States."*
> *[22 U.S.C. §212]*

See the following for details on how to WITHDRAW allegiance when abroad in the passport application process:

Getting a USA Passport as a "State National", Form #10.013 http://sedm.org/Forms/FormIndex.htm

Now let's look at the domicile "protection contract" or "protection franchise" a little closer. Does it meet all the requisite legal elements of a legally enforceable contract? In fact, after you declare your exclusive allegiance to the "state" by declaring a "domicile" within that state so that you can procure "protection", ironically, the courts continue to forcefully insist that your public SERVANTS STILL have NO LEGAL OBLIGATION to protect you! This is what Franklin Delano Roosevelt, the traitor, calls "The New Deal", and what we call "The RAW Deal". Below is the AMAZING truth right from the horse's mouth, the courts, proving that police officers cannot be sued if they fail to come to your aid after you call them when you have a legitimate need for their protection:

Do You Have a Right to Police Protection?, Family Guardian Fellowship http://famguardian.org/Subjects/Crime/Articles/PoliceProtection.htm

Consequently, the "protection contract" is unenforceable as a duty upon you because it imposes no reciprocal duty upon the government. On the one hand, the government throws people in jail for failing to pay for protection in the form of "taxes", while on the other hand, it refuses to prosecute police officers for failing to provide the protection that was paid for, even though their willful or negligent refusal to protect us could have far more injurious and immediate effects than simply failing to pay for protection. This is a violation of the equal protection of the laws. If it is a crime to not pay for protection, then it ought to equally be a crime to not provide it! Who would want to live in a country or be part of a "state" that would condone such hypocrisy? That is why we advocate "divorcing the state". It is precisely this type of hypocrisy that explains why prominent authorities will tell you that taxes are not "contractual": because the courts treat it like a contract and a criminal matter to not pay taxes for "taxpayers", but refuse to hold public servants equally liable for their half of the bargain, which is protection:

> *"A tax is not regarded as a debt in the ordinary sense of that term, for the reason that a tax does not depend upon the consent of the taxpayer and there is no express or implied contract to pay taxes. Taxes are not contracts between party and party, either express or implied; but they are the positive acts of the government, through its various agents, binding upon the inhabitants, and to the making and enforcing of which their personal consent individually is not required."*
> *[Cooley, Law of Taxation, Fourth Edition, pp. 88-89]*

The above is a deception at best and a LIE at worst. A "taxpayer" is legally defined as a person liable, and it is true that for such a person, taxes are not consensual and in no way "voluntary". HOWEVER, the choice about whether one wishes to BECOME a "taxpayer" as legally defined in 26 U.S.C. §7701(a)(14) is based on domicile and the excise taxable activities one voluntarily engages in, both of which in fact ARE voluntary actions and choices. By their careful choice of words, they have misrepresented the truth so they could get into your pocket. What else would you expect of greedy LIARS, I mean "lawyers"? We would also like to take this opportunity to clarify for whom taxes are "voluntary" in order to further clarify the title of this document:

1. Income taxes under I.R.C. Subtitle A are ***not*** voluntary for "taxpayers".
2. Income taxes under I.R.C. Subtitle A are ***not*** voluntary for ***everyone***, because some subset of everyone are "taxpayers".
3. Income taxes under I.R.C. Subtitle A are voluntary for those who are "nontaxpayers", who we define here as those persons who are NOT the "taxpayer" defined in 26 U.S.C. §§7701(a)(14) and 1313.

> *"Revenue Laws relate to taxpayers [officers, employees, instrumentalities, and elected officials of the Federal Government] and not to non-taxpayers [American Citizens/American Nationals not subject to the exclusive jurisdiction of the Federal Government]. The latter are without their scope. No procedures are prescribed for non-taxpayers and no attempt is made to annul any of their Rights or Remedies in due course of law."*
> *[Economy Plumbing & Heating v. U.S., 470 F.2d. 585 (1972)]*

Some other points to consider about this "Raw Deal" scam:

1. You can't be a statutory "citizen" or a "resident" without having a legally enforceable right to protection.
2. Since the government won't enforce the rendering of the ONLY consideration required to make you a "citizen" or a "resident", then the protection contract is unenforceable and technically, you can't lawfully therefore call yourself a "citizen".
3. Since you can't be a member of a "state" without being a "citizen", then technically, there is no de jure "state", no de jure government that serves this "state", and no "United States". It's just "US", friends, cause there ain't no "U.S."!
4. The implication is that your government has legally abandoned you and you are an orphan, because they didn't complete their half of the protection contract bargain. Without a government, God is back in charge. The Bible says He owns the earth anyway, which leaves us as "nonresidents" and "transient foreigners" in respect to any jurisdiction that claims to be a "government" because we know they're lying.
5. The Bible says of this "Raw Deal" the following: You've been HAD, folks!

> *For thus says the LORD: " You have sold yourselves for nothing, And you shall be redeemed without money."*
> *[Isaiah 52:3, Bible, NKJV]*

The U.S. Supreme Court has also held that "allegiance" is completely incompatible with any system of "citizenship" in a republican form of government, and that it is "repulsive". Ironically, allegiance is exactly what we currently base our system of citizenship on in this country. Apparently, this is yet one more symptom that the U.S. government has become corrupted.

> *"Yet, it is to be remembered, and that whether in its real origin, or in its artificial state, allegiance, as well as fealty, rests upon lands, and it is due to persons. Not so, with respect to Citizenship, which has arisen from the dissolution of the feudal system and is a substitute for allegiance, corresponding with the new order of things.* ***Allegiance and citizenship, differ, indeed, in almost every characteristic. Citizenship is the effect of compact [CONTRACT!]; allegiance is the offspring of power and necessity. Citizenship is a political tie; allegiance is a territorial tenure. Citizenship is the charter of equality; allegiance is a badge of inferiority. Citizenship is constitutional; allegiance is personal. Citizenship is freedom; allegiance is servitude. Citizenship is communicable; allegiance is repulsive. Citizenship may be relinquished; allegiance is perpetual. With such essential differences, the doctrine of allegiance is inapplicable to a system of citizenship; which it can neither serve to controul, nor to elucidate.*** *And yet, even among the nations, in which the law of allegiance is the most firmly established, the law most pertinaciously enforced, there are striking deviations that demonstrate the invincible power of truth, and the homage, which, under every modification of government, must be paid to the inherent rights of man…..****The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous, sovereign****…."*
> *[Talbot v. Janson, 3 U.S. 133 (1795); From the syllabus but not the opinion; SOURCE: http://www.law.cornell.edu/supct/search/display.html?terms=choice%20or%20conflict%20and%20law&url=/supct/html/historics/USSC_CR_0003_0133_ZS.html]*

Consequently, we must conclude that allegiance to anything but God is therefore to be avoided at all costs. Notice also that they say that citizenship is the effect of "compact", which is a type of contract. If "domicile" is the basis of citizenship, and citizenship is the effect of "compact", then "domicile" amounts to the equivalent of a "contract". This leads us right back to the conclusion that the voluntary choice of one's "domicile" is a "contract" to procure man-made protection and fire God as our protector:

> *"****Compact****, n. An agreement or contract between persons, nations, or states. Commonly applied to working agreements between and among states concerning matters of mutual concern. A contract between parties, which creates obligations and rights capable of being enforced and contemplated as such between the parties, in their distinct and independent characters. A mutual consent of parties concerned respecting some property or right that is the object of the stipulation, or something that is to be done or forborne. See also Compact clause; Confederacy; Interstate compact; Treaty."*
> *[Black's Law Dictionary, Sixth Edition, p. 281]*

The Bible is consistent with the Supreme Court above in its disdain for "allegiance". It has a name for those expressing "allegiance": It is called an "oath". When a person becomes a naturalized citizen of the United States, he must by law (see 8 U.S.C. §1448) take an "oath" of "allegiance" and be "sworn in". When a person signs an income tax return, he must swear a perjury oath. Jesus, on the other hand, commanded believers not to take "oaths" to anything but God, and especially not to earthly Kings, and said that doing otherwise was essentially Satanic:

> *"Again you have heard that it was said to those of old, "You shall not swear falsely, but shall perform your oaths to the Lord.'* ***But I say to you, do not swear at all: neither by heaven, for it is God's throne; nor by the earth, for it is His footstool; nor by Jerusalem, for it is the city of the great King.*** *Nor shall you swear by your head, because you cannot make one hair white or black. But let your "Yes' be "Yes,' and your "No,' "No.'* ***For whatever is more than these is from the evil one [Satan]."***

[Matt. 5:33-37, Bible, NKJV]

God also commanded us to take oaths ONLY in His name and no others:

> *"You shall fear the LORD your God and serve [only] Him, and shall take **oath**s in His name."*
> *[Deut. 6:13, Bible, NKJV]*

> *"If a man makes a vow to the LORD, or swears an **oath** to bind himself by some agreement, he shall not break his word; he shall do according to all that proceeds out of his mouth."*
> *[Numbers 30:2, Bible, NKJV]*

Israel's first King, Saul, in fact, distressed the people because one of his first official acts was to try to put the people under oath to him instead of God.

> *"And the men of Israel were distressed that day, for Saul had placed the people under oath"*
> *[1 Sam. 14:24, Bible, NKJV]*

God's response to the Israelites electing a King/protector to whom they would owe "allegiance", in fact, was to say that they sinned:

> *Then all the elders of Israel gathered together and came to Samuel at Ramah, and said to him, "Look, you are old, and your sons do not walk in your ways. **Now make us a king to judge us like all the nations** [and be OVER them]".*

> *But the thing displeased Samuel when they said, "**Give us a king to judge us."** So Samuel prayed to the Lord. **And the Lord said to Samuel, "Heed the voice of the people in all that they say to you; for they have rejected Me [God], that I should not reign over them.** According to all the works which they have done since the day that I brought them up out of Egypt, even to this day—**with which they have forsaken Me and served other gods [Kings, in this case]—so they are doing to you also** [government becoming idolatry]. Now therefore, heed their voice. **However, you shall solemnly forewarn them, and show them the behavior of the king who will reign over them.**"*

> *So Samuel told all the words of the LORD to the people who asked him for a king. And he said, "**This will be the behavior of the king who will reign over you: He will take [STEAL] your sons and appoint them for his own chariots and to be his horsemen, and some will run before his chariots. He will appoint captains over his thousands and captains over his fifties, will set some to plow his ground and reap his harvest, and some to make his weapons of war and equipment for his chariots. He will take [STEAL] your daughters to be perfumers, cooks, and bakers. And he will take [STEAL] the best of your fields, your vineyards, and your olive groves, and give them to his servants. He will take [STEAL] a tenth of your grain and your vintage, and give it to his officers and servants. And he will take [STEAL] your male servants, your female servants, your finest young men, and your donkeys, and put them to his work [as SLAVES]. He will take [STEAL] a tenth of your sheep. And you will be his servants. And you will cry out in that day because of your king whom you have chosen for yourselves, and the LORD will not hear you in that day.**"*

> *Nevertheless the people refused to obey the voice of Samuel; and they said, "No, but we will have a king over us, that we also may be like all the nations, and that our king may judge us and go out before us and fight our battles."*
> *[1 Sam. 8:4-20, Bible, NKJV]*

Notice above the repeated words "He [the new King] will take...". God is really warning them here that the King they elect will STEAL from them, which is exactly what our present day government does! Some things never change, do they?

Since God clearly states that it violates His law to have a king ABOVE you, then by implication, Christians are FORBIDDEN by His sacred law from becoming a "subject" under any civil statutory law system that allows any government or civil ruler to engage in any of the following types of anarchy, lawlessness, or superiority:

1. Are superior in any way to the people they govern UNDER THE LAW.
2. Are not directly accountable to the people or the law. They prohibit the PEOPLE from criminally prosecuting their own crimes, reserving the right to prosecute to their own fellow criminals. Who polices the police? THE CRIMINALS.
3. Enact laws that exempt themselves. This is a violation of the Constitutional requirement for equal protection and equal treatment and constitutes an unconstitutional Title of Nobility in violation of Article 1, Section 9, Clause 8 of the United States Constitution.

4. Only enforce the law against others and NOT themselves, as a way to protect their own criminal activities by persecuting dissidents. This is called "selective enforcement". In the legal field it is also called "professional courtesy". Never kill the goose that lays the STOLEN golden eggs.
5. Break the laws with impunity. This happens most frequently when corrupt people in government engage in "selective enforcement", whereby they refuse to prosecute or interfere with the prosecution of anyone in government. The Department of Justice (D.O.J.) or the District Attorney are the most frequent perpetrators of this type of crime.
6. Are able to choose which laws they want to be subject to, and thus refuse to enforce laws against themselves. The most frequent method for this type of abuse is to assert sovereign, official, or judicial immunity as a defense in order to protect the wrongdoers in government when they are acting outside their delegated authority, or outside what the definitions in the statutes EXPRESSLY allow.
7. Impute to themselves more rights or methods of acquiring rights than the people themselves have. In other words, who are the object of PAGAN IDOL WORSHIP because they possess "supernatural" powers. By "supernatural", we mean that which is superior to the "natural", which is ordinary human beings.
8. Claim and protect their own sovereign immunity, but refuse to recognize the same EQUAL immunity of the people from whom that power was delegated to begin with. Hypocrites.
9. Abuse sovereign immunity to exclude either the government or anyone working in the government from being subject to the laws they pass to regulate everyone ELSE'S behavior. In other words, they can choose WHEN they want to be a statutory "person" who is subject, and when they aren't. Anyone who has this kind of choice will ALWAYS corruptly exclude themselves and include everyone else, and thereby enforce and implement an unconstitutional "Title of Nobility" towards themself. On this subject, the U.S. Supreme Court has held the following:

> *"**No man in this country [including legislators of the government as a legal person] is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it**. It is the only supreme power in our system of government, and every man who by accepting office participates in its functions is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives," 106 U.S., at 220. "Shall it be said... that the courts cannot give remedy when the Citizen has been deprived of his property by force, his estate seized and converted to the use of the government **without any lawful authority**, **without any process of law**, and without any compensation, because the president has ordered it and his officers are in possession? **If such be the law of this country, it sanctions a tyranny which has no existence in the monarchies of Europe, nor in any other government which has a just claim to well-regulated liberty and the protection of personal rights**," 106 U.S., at 220, 221.*
> *[United States v. Lee, 106 U.S. 196, 1 S. Ct. 240 (1882)]*

10. Have a monopoly on anything, INCLUDING "protection", and who turn that monopoly into a mechanism to force EVERYONE illegally to be treated as uncompensated public officers in exchange for the "privilege" of being able to even exist or earn a living to support oneself.
11. Can tax and spend any amount or percentage of the people's earnings over the OBJECTIONS of the people.
12. Can print, meaning illegally counterfeit, as much money as they want to fund their criminal enterprise, and thus to be completely free from accountability to the people.
13. Deceive and/or lie to the public with impunity by telling you that you can't trust anything they say, but force YOU to sign everything under penalty of perjury when you want to talk to them. 26 U.S.C. §6065.

Jesus Himself agreed that we cannot allow civil rulers to be ABOVE us in any way, when He said:

> *"You know that the **rulers of the Gentiles lord it over them**, and **those who are great** exercise **authority over** them. Yet it shall not be so among you; but whoever desires to become great among you, let him be your servant. And whoever desires to be first among you, let him be your slave— just as the Son of Man did not come to be served, but to serve, and to give His life a ransom for many."*
> *[Matt. 20: 25-28, Bible, NKJV. See also Mark 10:42-45]*

Jesus' words above are very descriptive of the RESULT of allowing rulers to be ABOVE those they serve:

1. He identifies his reference as referring to civil rulers.
2. "Authority over" refers to authority ABOVE that possessed by mere natural humans. In other words, the powers exercised are "supernatural". "Super" means ABOVE and "natural" means above you, who are a natural human being.
3. The phrase "Lord it over" means that they in effect are "gods" who are OVER or ABOVE those who "worship" them by obeying their man-made STATUTES or CIVIL CODES. The source of law in any society is, in fact, the god of that society.

The nature and substance of any government that violates the above admonition of Jesus is described in the following:

Socialism: The New American Civil Religion, Form #05.016 http://sedm.org/Forms/FormIndex.htm

ONLY when the people are in deed EQUAL in every way to those in the government can anyone be truly FREE in any sense of the word. The U.S. Supreme Court confirmed this when it held:

> *"No duty rests more imperatively upon the courts than the enforcement of those constitutional provisions intended to secure that equality of rights which is the foundation of free government."*
> *[Gulf, C. & S.F.R. Co. v. Ellis, 165 U.S. 150 (1897)]*

If you would like to watch an entire training video on why you can only be FREE if you are EQUAL to government in authority, rights, and power, see:

Foundations of Freedom Course, Form #12.021, Video 1: Introduction http://sedm.org/Forms/FormIndex.htm

9. Choice of Domicile is a voluntary and SERIOUS choice

> *"**The rights of the individual are not derived from governmental agencies**, either municipal, state or federal, or even from the Constitution. They exist inherently in every man, by endowment of the Creator, and are merely reaffirmed in the Constitution, and **restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government.** The people's rights are not derived from the government, but the government's authority comes from the people.*946 The Constitution but states again these rights already existing, and when legislative encroachment by the nation, state, or municipality invade these original and permanent rights, it is the duty of the courts to so declare, and to afford the necessary relief. The fewer restrictions that surround the individual liberties of the citizen, except those for the preservation of the public health, safety, and morals, the more contented the people and the more successful the democracy."*
> *[City of Dallas v Mitchell, 245 S.W. 944 (1922)]*

The law and government that a person voluntarily consents or "intends" to be subject to determines where their "legal home" is under this concept. This choice must be completely voluntary and not subject to coercion or intimidation because all just powers of any free government derive from the "consent of the governed", as the Declaration of Independence indicates.

> *§ 143. Id. Actual Choice. - Third. There must be actual choice. In order to effect a change of domicil a person must not only be capable of forming the proper intention and free to do so, but he must actually form such intention.*
> *[A Treatise on the Law of Domicil, National, Quasi-National, and Municipal, M.W. Jacobs, Little, Brown, and Company, 1887, p. 208]*

This form of consent is called "allegiance" in the legal field. A voluntary choice of allegiance to a place amounts to a choice to join or associate with a group of people called a "state" and to respect, be subject to, and obey all positive laws passed by the citizens who dwell there. The First Amendment guarantees us a right of free association, and therefore, only we can choose the group of people we wish to associate with and be protected by as a result of choosing a "domicile". The First Amendment also guarantees us a right of freedom from "compelled association", which is the act of forcing a person to join or be part of any group, including a "state".

> *Just as there is freedom to speak, to associate, and to believe, so also there is freedom not to speak, associate, or believe "**The right to speak and the right to refrain from speaking [on a government tax return, and in violation of the** Fifth Amendment **when coerced, for instance] are complementary components of the broader concept of 'individual freedom of mind.**" Wooley v. Maynard, [430 U.S. 703] (1977). Freedom of conscience dictates that no individual may be forced to espouse ideological causes with which he disagrees:*

> *"[A]t the heart of the First Amendment is the notion that the individual should be free to believe as he will, and that in a free society one's beliefs should be shaped by his mind and by his conscience rather than coerced by the State [through illegal enforcement of the revenue laws]." Abood v. Detroit Board of Education [431 U.S. 209] (1977)*

> ***Freedom from compelled association is a vital component of freedom of expression.** Indeed, freedom from compelled association illustrates the significance of the liberty or personal autonomy model of the First*

> Amendment. ***As a general constitutional principle, it is for the individual and not for the state to choose one's associations and to define the persona which he holds out to the world.***
> *[First Amendment Law, Barron-Dienes, West Publishing, ISBN 0-314-22677-X, pp. 266-267]*

The California FTB Publication 1031, Guidelines for Determining Resident Status, Year 2013 confirms that the government CANNOT determine the status for you and that only you can determine the status:

> *"The FTB will not issue written opinions on whether you are a California resident for a particular period of time because residency is a question of fact, not law. The information included in this publication is provided to help you with this determination."*
> *[Guidelines for Determining Resident Status, Publication 1031 (2013), p. 1, California Franchise Tax Board (FTB)]*

Therefore, no government has lawful authority to compel us to choose a "domicile" that is within its legislative jurisdiction or to have allegiance towards it, because that would be compelled association. The right to choose what political group or country we wish to join and have allegiance to and protection from also implies that we can reject all the earthly options and simply elect to join God's followers and be subject ONLY to His laws. This type of government would be called a "theocracy". This, in fact, is the goal of this entire publication: Establishing an ecclesiastical state separate from the corrupted governments that plague our land. It is a stark reality that what you define as protection might amount to its *opposite* for someone else. Therefore, each person is free to:

1. Define what "protection" means to them.
2. Choose to join a political group or country that agrees most with their definition of "protection". This makes them into "nationals" of that country who profess "allegiance" to the "state" and thereby merit its protection.
3. Choose a "domicile" within that country or group, and thereby become subject to its laws and a benefactor of its protection.

The notion of freedom to choose one's allegiances and protectors is a natural consequence of the fact that a "state" can consist of any number of people, from one person to millions or even billions of people. The political landscape constantly changes precisely because people are constantly exercising their right to change their political associations. A single person is free to create his own "state" and pass his own laws, and to choose a domicile within that created state. The boundaries of that created "state" might include only himself, only his immediate family, or encompass an entire city, county, or district. He might do this because he regards the society in which he lives to be so corrupt that it's laws, morality, and norms are *injurious* rather than *protective*. Such a motive, in fact, is behind an effort called the "Free State Project", in which people are trying to get together to create a new and different type of state within the borders of our country. The U.S. Supreme Court, in fact, has ruled that when the laws of a society become more injurious than protective to us personally, then we cease to have any obligation to obey them and may lawfully choose *other* allegiances and domiciles that afford better protection. To wit:

> *"By the surrender, the inhabitants passed under a temporary allegiance to the British government and were bound by such laws and such only as it chose to recognize and impose.* ***From the nature of the case, no other laws could be obligatory upon them, for where there is no protection or allegiance or sovereignty, there can be no claim to obedience.****"*
> *[Hanauer v. Woodruff, 82 U.S. (15 Wall.) 439 (1872)]*

If a person decides that the laws and the people of the area in which he lives are injurious of his life, liberty, and property, then he is perfectly entitled to withhold his allegiance and shift his domicile to a place where better protection is afforded. When a person has allegiance and domicile to a place or society *other* than where he lives, then he is considered "foreign" in that society and all people comprising that society become "foreigners" relative to him in such a case. He becomes a "transient foreigner" and the only laws that are obligatory upon him are the criminal laws and the common law and no other. Below is what the U.S. Supreme Court said about the right of people to choose to disassociate with such "foreigners" who can do them harm. Note that they say the United States government has the right to exclude foreigners who are injurious. This authority, it says, comes from the Constitution, which in turn was delegated by the Sovereign People. The People cannot delegate an authority they do not have, therefore they must individually ALSO have this authority within their own private lives of excluding injurious peoples from their legal and political life by changing their domicile and citizenship. This act of excluding such foreigners becomes what we call a "political divorce" and the result accomplishes the equivalent of "disconnecting from the government matrix":

> *"The government, possessing the powers which are to be exercised for protection and security, is clothed with authority to determine the occasion on which the powers shall be called forth; and its determinations, so far as*

> *the subjects affected are concerned, are necessarily conclusive upon all its departments and officers.* ***If, therefore, the government of the United States, through its legislative department, considers the presence of foreigners of a different race in this country, who will not assimilate with us, to be dangerous to its peace and security, their exclusion is not to be stayed because at the time there are no actual hostilities with the nation of which the foreigners are subjects.*** *The existence of war would render the necessity of the proceeding only more obvious and pressing. The same necessity, in a less pressing degree, may arise when war does not exist, and the same authority which adjudges the necessity in one case must also determine it in the other. In both cases its determination is conclusive upon the judiciary. If the government of the country of which the foreigners excluded are subjects is dissatisfied with this action, it can make complaint to the executive head of our government, or resort to any other measure which, in its judgment, its interests or dignity may demand; and there lies its only remedy.*
>
> *The power of the government to exclude foreigners from the country whenever, in its judgment, the public interests require such exclusion, has been asserted in repeated instances, and never denied by the executive or legislative departments.*
>
> *[. . .]*
>
> ***The power of exclusion of foreigners being an incident of sovereignty belonging to the government of the United States as a part of those sovereign powers delegated by the constitution, the right to its exercise at any time when, in the judgment of the government, the interests of the country require it, cannot be granted away or restrained on behalf of any one.*** *The powers of government are delegated in trust to the United States, and are incapable of transfer to any other parties. They cannot be abandoned or surrendered. Nor can their exercise be hampered, when needed for the public good, by any considerations of private interest. The exercise of these public trusts is not the subject of barter or contract."*
> *[Chae Chan Ping v. U.S.,* 130 U.S. 581 *(1889)]*

Notice above the phrase:

> *"If the government of the country of which the foreigners excluded are subjects is dissatisfied with this action, it can make complaint to the executive head of our government, or resort to any other measure which, in its judgment, its interests or dignity may demand; and there lies its only remedy."*

The court is tacitly admitting that there is NO legal remedy in the case where a foreigner is expelled because the party expelling him has an absolute right to do so. This inalienable right to expel harmful foreigners is just as true of what happens on a person's private property as it is to what they want to do with their ENTIRE LIFE, property, and liberty. This same argument applies to us divorcing ourselves from the state where we live. There is absolutely no legal remedy in any court and no judge has any discretion to interfere with your absolute authority to divorce not only the state, but HIM! This is BIG, folks! You don't have to prove that a society is injurious in order to disassociate from it because your right to do so is absolute, but if you want or need a few very good reasons why our present political system is injurious that you can show to a judge or a court, read through chapters 2 and 5 of the Great IRS Hoax, Form #11.302 book:

Great IRS Hoax, Form #11.302
http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm

The following authority establishes that a change in domicile is a SERIOUS choice that can have drastic effects upon people:

> *"§ 124. A Change of Domicil a Serious Matter, and presumed against –*
>
> ***But in any case a change of domicil, whether domicil of origin or of choice, national or quasi-national, is a very serious matter, involving as it may, and as it frequently does, an entire change of personal [CIVIL] law****. The validity and construction of a man's testamentary acts and title disposition of his personal property in case of intestacy; his legitimacy in some cases and, if illegitimate, his capacity for legitimation; the rights and (in the view of some jurists) the capacities of married women; jurisdiction to grant divorces, and, according to the more recent English view, capacity to contract marriage, all these and very many other legal questions depend for their solution upon the principle of domicil; 1 so that upon the determination of the question of domicil it may depend oftentimes whether a person is legitimate or illegitimate, married or single, testate or intestate, capable or incapable of doing a variety of acts and possessing 8 variety of rights. To the passage quoted .. in the last section Kindersley, V. C., adds: "In truth, to bold that a man has acquired a domicil in a foreign country is a most serious matter, involving as it does the consequence that the validity or invalidity of his testamentary acts and the. disposition of his personal property are to be governed by the laws of that foreign country. No doubt the evidence may be so strong and conclusive as to render such a decision unavoidable. But the consequences of such a decision may be, and generally are, so serious and so injurious to the welfare of families ,that it can only be justified by the clearest and most conclusive evidence."*

[A Treatise on the Law of Domicil, National, Quasi-National, and Municipal, M.W. Jacobs, Little, Brown, and Company, 1887, p. 186]

Lastly, we emphasize that there is *no method OTHER than domicile* available in which to **consent** to the civil laws of a specific place. None of the following conditions, for instance, may form a basis for a prima facie presumption that a specific human being consented to be civilly governed by a specific municipal government:

1. Simply being born and thereby becoming a statutory "national" (per 8 U.S.C. §1101(a)(21)) of a specific country is NOT an exercise of personal discretion or an express act of consent.
2. Simply living in a physical place WITHOUT choosing a domicile there is NOT an exercise of personal discretion or an express act of consent.

10. Theological significance of Domicile

10.1 Domicile in the Bible

Throughout the Bible, the terms "dwell", "dwelling", "abode", or "refuge" are used as a synonym for the legal concept of CIVIL DOMICILE. Below are some examples:

1. Numbers 35:29: The "statutes" are God's law, meaning that God's law takes precedence over the local man-made laws wherever the Israelites went.

> *'And these* things *shall be a statute of judgment to you throughout your generations in all your* ***dwelling****s [domiciles].*
> *[Numbers 35:29, Bible, NKJV]*

2. Deut. 12:5: The place God chooses is the Kingdom of Heaven, and we are to take THAT instead of a civil ruler as our "dwelling" or "domicile".

> *"But you shall seek the place where the Lord your God chooses, out of all your tribes, to put His name for His* ***dwelling*** *place; and there you shall go.*
> *[Deut. 12:5, Bible, NKJV]*

3. Nehemiah 1:6-11: When the people restore God's law to its proper role above man's law, God gathers them together in ONE place and under ONE law. In a legal sense, this means that they all share the same civil domicile in the Kingdom of Heaven. The below scripture describes the reestablishment of a theocracy that put God in charge and King instead of a heathen King. Those who don't have a domicile in God's jurisdiction are not REQUIRED to keep His laws or "fear him", which this scripture describes as "acting corruptly".

> *"Both my father's house and I have sinned. [7] We have acted very corruptly against You, and have not kept the commandments, the statutes, nor the ordinances which You commanded Your servant Moses. [8] Remember, I pray, the word that You commanded Your servant Moses, saying, 'If you are unfaithful, I will scatter you among the nations; but* if *you return to Me, and keep My commandments and do them, though some of you were cast out to the farthest part of the heavens,* yet *I will gather them from there, and bring them to the place which* ***I have chosen as a dwelling for My name****.' Now* ***these*** **are** ***Your servants*** *[officers] and Your people, whom You have redeemed by Your great power, and by Your strong hand. O Lord, I pray, please let Your ear be attentive to the prayer of* ***Your servant****, and to the prayer of* ***Your servants*** *who desire to fear Your name; and let Your servant prosper this day, I pray, and grant him mercy in the sight of this man."*
> *[Neh. 1:6-11, Bible, NKJV]*

4. Job 8:22: The dwelling place (domicile) of the wicked will bring them shame. That dwelling place is under an earthly King RATHER than under God. It is a SIN to have an Earthly King above:

> *"Those who hate you will be clothed with shame, And the dwelling place of the wicked will come to nothing."*
> *[Job 8:22, Bible, NKJV]*

5. Psalm 33:13-15: God's domicile is the Kingdom of Heaven:

> ***"The LORD looks from heaven;***
> *He sees all the sons of men.*
> ***From the place of His dwelling He looks***

On all the inhabitants of the earth;
He fashions their hearts individually;
He considers all their works."
[Psalm 33:13-15, Bible, NKJV]

6. Joel 3:17: God "dwells" in a holy mountain. Mountains are symbol of political kingdoms in the bible.

> *"So you shall know that I* am *the Lord your God,* ***Dwelling in Zion My holy mountain****. Then Jerusalem shall be holy, And no aliens shall ever pass through her again."*
> *[Joel 3:17, Bible, NKJV]*

7. Jude 1:5-7: Those who abandon a domicile in the Kingdom of Heaven are cursed. An example would be those who abandon a civil domicile in God's kingdom in exchange for the protection of an earthly King:

> ***Old and New Apostates***
>
> *But I want to remind you,* ***though you once knew this, that the Lord, having saved the people out of the land of Egypt, afterward destroyed those who did not believe. And the angels who did not keep their proper domain, but left their own abode, He has reserved in everlasting chains under darkness for the judgment of the great day;*** *as Sodom and Gomorrah, and the cities around them in a similar manner to these, having given themselves over to sexual immorality and gone after strange flesh, are set forth as an example, suffering the vengeance of eternal fire.*
> *[Jude 1:5-7, Bible, NKJV]*

8. John 14: The phrase "in my Father" means being LEGALLY WITHIN God as a "person" and as His AGENT under the laws of agency. In other words, Jesus is God's representative, officer, and agent and are joined together LEGALLY but not PHYSICALLY to be within one corporate body. That corporate body is called "The Kingdom of Heaven". "make our abode with him" in the following scripture means that God is LEGALLY PRESENT with you as a protector when you obey His commandments.

> *At that day ye shall know that* ***I am in my Father, and ye in me, and I in you****.*
>
> *He that hath my commandments, and keepeth them, he it is that loveth me: and he that loveth me shall be loved of my Father, and I will love him, and will manifest myself to him.*
>
> *Judas saith unto him, not Iscariot, Lord, how is it that thou wilt manifest thyself unto us, and not unto the world?*
>
> *Jesus answered and said unto him,* ***If a man love me, he will keep my words: and my Father will love him, and we will come unto him, and make our abode with him****.*
> *[John 14:20-23, Bible, KJV]*

9. Psalm 90:1: Devout Christians make God their domicile and "dwelling place" throughout all time no matter where they physically are:

> *"Lord, You have been our* ***dwelling place*** *in all generations."*
> *[Psalm 90:1, Bible, NKJV]*

10. Psalm 91: To have Heaven as your domicile means you are "abiding in the shadow of the Almighty" and taking "refuge" under the protection of his civil laws.

> *He who* ***dwells in the secret place of the Most High***
> *Shall* ***abide*** *under the shadow of the Almighty.*
>
> *[. . .]*
>
> ***Because you have made the LORD, who is my refuge,***
> **Even *the Most High, your dwelling place,***
> *No evil shall befall you,*
> *Nor shall any plague come near your* ***dwelling****;*
> *For He shall give His angels charge over you,*
> *To keep you in all your ways.*
> *In* their *hands they shall bear you up,*
> *Lest you dash your foot against a stone.*

You shall tread upon the lion and the cobra,
The young lion and the serpent you shall trample underfoot.

"Because he has set his love upon Me, therefore I will deliver him;
I will set him on high, because he has known My name.
He shall call upon Me, and I will answer him;
I will be *with him in trouble;*
I will deliver him and honor him.
With long life I will satisfy him,
And show him My salvation."
[Psalm 91:1-2, 9-16, Bible, NKJV]

Your DOMICILE is the "dwelling place" of your LEGAL NAME. That name in legal parlance is called "person". Your PROPERTY attaches legally to your birth name. Two things were created when you were born: 1. Your physical body; 2. Your identity as a "person" under a system of laws:

*"They have set fire to Your sanctuary; They have defiled the **dwelling place of Your name** to the ground."*
[Psalm 74:7, Bible, NKJV]

Since you can only have ONE civil domicile, then if your CIVIL domicile is in "The Kingdom of Heaven", then it BY DEFINITION IS NOT within any man-made government. Here is an example:

*"**For our citizenship [domicile] is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ,** who will transform our lowly body that it may be conformed to His glorious body, according to the working by which He is able even to subdue all things to Himself."*
[Phil. 3:20-21, Bible, NKJV]

Since John 14 above says our "dwelling" as Christians must be with the Lord in the Kingdom of Heaven, then it by definition CANNOT be in any man-made government or any earthly political entity. This is the essence of what it means to be "sanctified" as a Christian: We are not joined legally through consent or contract with any part of the corrupt governments of the world. That concept is the foundation of separation of church and state, in fact:

"Pure and undefiled religion before God and the Father is this: to visit orphans and widows in their trouble, and ***to keep oneself unspotted from the world [and the governments and corruption of the world]**."*
[James 1:27, Bible, NKJV]

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

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

So it was, when the Angel of the LORD spoke these words to all the children of Israel, that the people lifted up their voices and wept.
[Judges 2:1-4, Bible, NKJV]

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

10.2 Biblical criteria for a civil domicile in the Kingdom of Heaven

It may surprise the reader to learn that there is a specific biblical criteria by which people may lawfully claim a civil domicile in the Kingdom of Heaven. Below is the scripture, which is one of our favorites. We include this scripture in our

Statement of Faith, in fact.[20] We have boldfaced the important words to show the connection with domicile and a government or theological or political kingdom.

> ***The Character of Those Who May Dwell with the Lord***
>
> *Lord, who may abide **in Your tabernacle**?*
> *Who may **dwell** in Your **holy hill**?*
> *He who walks uprightly,*
> *And works righteousness,*
> *And speaks the truth in his heart;*
> *He who does not backbite with his tongue,*
> *Nor does evil to his neighbor,*
> *Nor does he take up a reproach against his friend;*
> *In whose eyes a vile person is despised,*
> *But he honors those who fear the Lord;*
> *He who swears to his own hurt and does not change;*
> *He who does not put out his money at usury,*
> *Nor does he take a bribe against the innocent.*
> *He who does these things shall never be moved.*
> *[Psalm 15, Bible, NKJV]*

We established in the previous section that the word "dwell" means a civil domicile. The Kingdom of Heaven is represented by the phrases "Your tabernacle" and "holy hill". The words "hill" or "mountain" in the bible are equated many times as a metaphor for a political kingdom. Below is an article on the subject of Mystery Babylon from our Pastor's Corner that shows us this:

> ***Revelation 17:9 And here is the mind which hath wisdom. The seven heads are seven mountains, on which the woman sitteth.***
>
> *The concept of seven hills would be unmistakably identified as Rome by the seven churches. Identifying the seven hills as the city of Rome was a substantial fact known to all in the first century. The detail sounded a note of authenticity to John's readers. They knew from firsthand experience the cruelty of Rome. Rome was the center of world trade in that part of the globe. She was rich in merchandise. Everything you can imagine was bought, sold, or traded in the city of Rome. At the hub of the chariot wheel, Rome joined Europe, Asia, and the Middle East. From Rome came legislation and executive orders. The armies of the world took their marching orders from Rome. Rome's politics was the subject at every tavern and grill in the Mediterranean. Her mountains were known to the world.*
>
> ***Others interpret the "mountain" to refers to other nations. This concept of mountains as representing powers or kingdoms also has merit (Psalm 30:7; Jeremiah 51:25; and Daniel 2:35). It is easy to understand the seven hills to represent seven empires and the kings who ruled them. Possibly, John is referring to the great empires that threatened God's people in Biblical times before the arrival of Rome on the map of history.***
>
> *[Revelation 17: Mystery Babylon and The Great Whore, Nike Insights;*
> *SOURCE: http://nikeinsights.famguardian.org/forums/topic/revelation-17-the-great-whore/]*

Back in the time that Apostle John wrote Rev. 17:9, many governments were theocracies and there was no separation between church and state. Hence, "hills" and "mountains" were synonymous with either churches or governments or civil or papal rulers that presided over them.

The phrase "dwell in" is a term synonymous with JOINING or ASSOCIATING with. Obviously, "hill" does NOT mean a physical hill, because you can't realistically live inside a physical hill. This is the same symbology the present de facto government uses when they say you are "in this State" or are a "resident" within "this State". "resident" means a contractor or covenant member:

> *26 C.F.R. §301.7701-5 Domestic, foreign, resident, and nonresident persons.*
>
> *A domestic corporation is one organized or created in the United States, including only the States (and during the periods when not States, the Territories of Alaska and Hawaii), and the District of Columbia, or under the law of the United States or of any State or Territory. A foreign corporation is one which is not domestic. A domestic corporation is a resident corporation even though it does no business and owns no property in the United States. A foreign corporation engaged in trade or business within the United States is referred to in the*

[20] See: https://sedm.org/statement-of-faith/.

regulations in this chapter as a resident foreign corporation, and a foreign corporation not engaged in trade or business within the United States, as a nonresident foreign corporation. A partnership engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident partnership, and a partnership not engaged in trade or business within the United States, as a nonresident partnership. Whether a partnership is to be regarded as resident or nonresident is not determined by the nationality or residence of its members or by the place in which it was created or organized.

[Amended by T.D. 8813, Federal Register: February 2, 1999 (Volume 64, Number 21), Page 4967-4975]

[IMPORTANT NOTE!: Whether a "person" is a "resident" or "nonresident" has NOTHING to do with the nationality or residence, but with whether it is engaged in a "trade or business"]

CALIFORNIA REVENUE AND TAXATION CODE - RTC
DIVISION 2. OTHER TAXES [6001 - 60709] (Heading of Division 2 amended by Stats. 1968, Ch. 279.)
PART 1. SALES AND USE TAXES [6001 - 7176] (Part 1 added by Stats. 1941, Ch. 36.)

CHAPTER 1. General Provisions and Definitions [6001 - 6024] (Chapter 1 added by Stats. 1941, Ch. 36.)

6017.

"In this State" or "in the State" means within the exterior limits of the State of California and includes all territory within these limits owned by or ceded to the United States of America.

Now that we know what a "hill" or "mountain" is, we have a whole new perspective on the following statement by Jesus:

*So Jesus answered and said to them, "Have faith in God. For assuredly, I say to you, **whoever says to this mountain, 'Be removed and be cast into the sea,' and does not doubt in his heart, but believes that those things he says will be done, he will have whatever he says**. Therefore I say to you, whatever things you ask when you pray, believe that you receive them, and you will have them.*
[Mark 11:22-24, Bible, NKJV]

Then the disciples came to Jesus privately and said, "Why could we not cast it out?"

*So Jesus said to them, "Because of your unbelief; for assuredly, I say to you, **if you have faith as a mustard seed, you will say to this mountain, 'Move from here to there,' and it will move; and nothing will be impossible for you**. However, this kind does not go out except by prayer and fasting."*
[Matt. 17:19-21, Bible, NKJV]

Jesus indirectly was referencing a prayer that would bring an evil political kingdom down and destroy it. Obviously, He wasn't referring to a righteous government, because elsewhere in the Bible, we are told to submit ourselves ONLY to political rulers WHO ARE OBEYING GOD'S LAWS. Those rulers or governments who are NOT obeying God's laws or who write laws in CONFLICT with God's laws we are commanded to rebel against:

Submission to Government

Therefore submit yourselves to every ordinance of man [which is ONLY] for the Lord's sake, whether to the king as supreme, or to governors, as to those who are sent by him for the punishment of evildoers and for the praise of those who do good. *For this is the will of God, that by doing good you may put to silence the ignorance of foolish men— as free, yet not using liberty as a cloak for vice, but as bondservants of God. Honor all people. Love the brotherhood. Fear God. Honor the king.*
[1 Peter 2:13-17, Bible, NKJV]

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*Then the captain went with the officers and brought them without violence, for they feared the people, lest they should be stoned. And when they had brought them, they set them before the council. And the high priest asked them, saying, "**Did we not strictly command you not to teach in this name? And look, you have filled Jerusalem with your doctrine, and intend to bring this Man's blood on us!**"*

*But Peter and the other apostles answered and said: "**We ought to obey God rather than men.** The God of our fathers raised up Jesus whom you murdered by hanging on a tree. Him God has exalted to His right hand to be Prince and Savior, to give repentance to Israel and forgiveness of sins. And we are His witnesses to these things, and so also is the Holy Spirit whom God has given to those who obey Him."*

[Acts 5:26-32, Bible, NKJV]

An example of the prayer Jesus is talking about in Mark 11:22-24 to punish an unrighteous government or civil ruler is described in the following sermons:

1. *Imprecatory Prayer, Part 1*, Pastor John Weaver
   https://youtu.be/WN1R9Z6HqCE
2. *Imprecatory Prayer, Part 2*, Pastor John Weaver
   https://youtu.be/z-mfOiccq68
3. *Imprecatory Prayer, Part 3*, Pastor John Weaver
   https://youtu.be/05oPRgNePbw
4. *Imprecatory Prayer, Part 4*, Pastor John Weaver
   https://youtu.be/OhcVIaA_cJI

To summarize the criteria for a civil domicile in the Kingdom of Heaven INSTEAD of in Caesar's kingdom, you must:

1. Walk uprightly. By this, we believe it means walk confidently and derive your confidence and trust from ONLY faith in God.
2. Work righteousness.
3. Speak the truth in your heart. Brutally honest to yourself about everything.
4. Not backbite with your tongue. By this we believe it means you don't gossip or insult anyone.
5. Do no evil to your neighbor.
6. Not take up a reproach against your friend. In other words, do not seek revenge.
7. Despise vile or evil people.
8. Honor those who fear the Lord.
9. Swear to your own hurt and do not change.
10. Not put out your money at usury,
11. Take no bribe against the innocent.

10.3 Biblical mandate of equal treatment REQUIRES no civil statutes and only common law and criminal law

In his wonderful course on justice and mercy that we highly recommend, Pastor Tim Keller analyzes the elements that make up "justice" from both a legal and a biblical perspective.

Doing Justice and Mercy-Pastor Tim Keller
http://sedm.org/doing-justice-and-mercy-timothy-keller/

At 19:00 he begins covering biblical justice and introduces the subject by quoting Lev. 24:22:

> *"You shall have the same law for the stranger and for one from your own country; for I* am *the* LORD *your God.'"*
> *[Lev. 24:22, Bible, NKJV]*

The above scripture may seem innocuous at first until you consider what a biblical "stranger" is. In legal terms, it means a "nonresident". A "nonresident", in turn, is a transient wanderer who is not domiciled in the physical place that he or she is physically located. To have the SAME law for both nonresident and domiciliary means they are BOTH treated equally by the government and the court. This scripture therefore advocates equality of protection and treatment between nonresidents and domiciliaries. We cover the subject of equality of protection and treatment in:

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

The legal implications of Lev. 24:22 is the following:

1. A biblical "stranger" is called a "nonresident" in the legal field.
2. A biblical stranger is therefore someone WITHOUT a civil domicile in the place he is physically located.

3. The Bible says in Lev. 24:22 that you must have the SAME "law" for both the stranger and the domiciliary.
4. The civil statutory code acquires the "force of law" only upon the consent of those who are subject to it. Hence, the main difference between the nonresident and the domiciliary is consent.
5. The only type of "law" that is the SAME for both nonresidents and domiciliaries is the common law and the criminal law, because:
   5.1. Neither one of these two types of law requires consent of those they are enforced against.
   5.2. Neither one requires a civil domicile to be enforceable. A mere physical or commercial presence is sufficient to enforce EITHER.

The conclusion is therefore inescapable that the only way the nonresident and the domiciliary can be treated EXACTLY equally in a biblical sense is if:

1. The only type of "law" God authorizes is the criminal law and the common law. This means that God Himself defines "law" as NOT including the civil statutes or protection franchises.
2. Anything OTHER than the criminal law and common law is not "law" but merely a compact or contract enforceable only against those who individually and expressly consent. Implicit in the idea of consent is the absence of duress, coercion, or force of any kind. This means that the government offering civil statutes or "protection franchises" MUST:
   2.1. NEVER call these statutes "law" but only an offer to contract with those who seek their "benefits".
   2.2. Only offer an opportunity to consent to those who are legally capable of lawfully consenting. Those in states of the Union whose rights are UNALIENABLE are legally incapable of consenting.
   2.3. RECOGNIZE WHERE consent is impossible, which means among those whose PRIVATE or NATURAL rights are unalienable in states of the Union.
   2.4. RECOGNIZE those who refuse to consent.
   2.5. Provide a way administratively to express and register their non-consent and be acknowledged with legally admissible evidence that their withdrawal of consent has been registered..
   2.6. PROTECT those who refuse to consent from retribution for not "volunteering".
3. The civil statutory code may NOT be created, enacted, enforced, or offered against ANYONE OTHER than those who LAWFULLY consented and had the legal capacity to consent because either abroad or on federal territory, both of which are not protected by the Constitution. Why? Because it is a "protection franchise" that DESTROYS equality of treatment of those who are subject to it. We cover this in *Government Instituted Slavery Using Franchises*, Form #05.030.
4. Everyone in states of the Union MUST be conclusively presumed to NOT consent to ANY civil domicile and therefore be EQUAL under ALL "laws" within the venue.
5. Both private people AND those in government, or even the entire government are on an equal footing with each other in court. NONE enjoys any special advantage, which means no one in government may assert sovereign, official, or judicial immunity UNLESS PRIVATE people can as well.
6. Anyone who tries to enact, offer, or enforce ANY civil statutory "codes" and especially franchises is attempting what the U.S. Supreme Court calls "class legislation" that leads inevitably to strife in society:

> ***"The income tax law under consideration is marked by discriminating features which affect the whole law. It discriminates between those who receive an income of $4,000 and those who do not. It thus vitiates, in my judgment, by this arbitrary discrimination, the whole legislation.*** *Hamilton says in one of his papers (the Continentalist): 'The genius of liberty reprobates everything arbitrary or discretionary in taxation. It exacts that every man, by a definite and general rule, should know what proportion of his property the state demands; whatever liberty we may boast of in theory, it cannot exist in fact while [arbitrary] assessments continue.' 1 Hamilton's Works (Ed. 1885) 270.* ***The legislation, in the discrimination it makes, is class legislation. Whenever a distinction is made in the burdens a law imposes or in the benefits it confers on any citizens by reason of their birth, or wealth, or religion, it is class legislation, and leads inevitably to oppression and abuses, and to general unrest and disturbance in society.*** *It was hoped and believed that the great amendments to the constitution which followed the late Civil War had rendered such legislation impossible for all future time."*
> *[Pollock v. Farmers' Loan and Trust Co., 157 U.S. 429 (1895)]*

7. Any attempt to refer to the civil code as "law" in a biblical sense by anyone in the legal profession is a deception and a heresy. They are LYING!
8. The only proper way to refer to the civil statutory code is as "PRIVATE LAW" or "SPECIAL LAW", but not merely "law". Any other description leads to deception.

> *"Private law. That portion of the law which defines, regulates, enforces, and administers relationships among individuals, associations, and corporations. As used in contradistinction to public law, the term means all that part of the law which is administered between citizen and citizen, or which is concerned with the definition, regulation, and enforcement of rights in cases where both the person in whom the right inheres and the person upon whom the obligation is incident are private individuals. See also Private bill; Special law. Compare Public Law."*
> *[Black's Law Dictionary, Sixth Edition, p. 1196]*

> ***"special law.** One relating to particular persons or things; one made for individual cases or for particular places or districts; one operating upon a selected class, rather than upon the public generally. A private law. A law is "special" when it is different from others of the same general kind or designed for a particular purpose, or limited in range or confined to a prescribed field of action or operation. A "special law" relates to either particular persons, places, or things or to persons, places, or things which, though not particularized, are separated by any method of selection from the whole class to which the law might, but not such legislation, be applied. Utah Farm Bureau Ins. Co. v. Utah Ins. Guaranty Ass'n, Utah, 564 P.2d. 751, 754. A special law applies only to an individual or a number of individuals out of a single class similarly situated and affected, or to a special locality. Board of County Com'rs of Lemhi County v. Swensen, Idaho, 80 Idaho 198, 327 P.2d. 361, 362. See also Private bill; Private law. Compare General law; Public law."*
> *[Black's Law Dictionary, Sixth Edition, pp. 1397-1398]*

9. Anyone who advocates creating, offering, or enforcing the civil statutory code in any society corrupts society, usually for the sake of the love of money. In effect, they seek to turn the civil temple of government into a WHOREHOUSE. Justice is only possible when those who administer it are impartial and have no financial conflict of interest. The purpose of all franchises is to raise government revenue, usually for the "benefit" mainly of those in the government, and not for anyone else.

> *"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer.* [21] ***Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts.*** [22] ***That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves.*** [23] ***and owes a fiduciary duty to the public.*** [24] ***It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual.*** [25] *Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual rights is against public policy.*[26]*"*
> *[63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)]*

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

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

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

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

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

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

QUESTION FOR DOUBTERS: If the analysis in this section is NOT accurate, then why did God say the following about either rejecting or disobeying His commandments and law or replacing them with man-made commandments and statutes, such as we have today?:

> ***Israel Carried Captive to Assyria***
>
> *5 Now the king of Assyria went throughout all the land, and went up to Samaria and besieged it for three years.*
> *6 In the ninth year of Hoshea, the king of Assyria took Samaria and carried Israel away to Assyria, and placed them in Halah and by the Habor, the River of Gozan, and in the cities of the Medes.*
>
> *7* ***For so it was that the children of Israel had sinned against the Lord their God, who had brought them up out of the land of Egypt, from under the hand of Pharaoh king of Egypt; and they had feared other gods, 8 and had walked in the statutes of the nations whom the Lord had cast out from before the children of Israel, and of the kings of Israel, which they had made.*** *9 Also the children of Israel secretly did against the Lord their God things that were not right, and they built for themselves high places in all their cities, from watchtower to fortified city. 10 They set up for themselves sacred pillars and wooden images[a] on every high hill and under every green tree. 11 There they burned incense on all the high places, like the nations whom the Lord had carried away before them; and they did wicked things to provoke the Lord to anger, 12 for they served idols, of which the Lord had said to them, "You shall not do this thing."*
>
> *13 Yet the Lord testified against Israel and against Judah, by all of His prophets, every seer, saying,* ***"Turn from your evil ways, and keep My commandments and My statutes, according to all the law which I commanded your fathers, and which I sent to you by My servants the prophets." 14 Nevertheless they would not hear, but stiffened their necks, like the necks of their fathers, who did not believe in the Lord their God. 15 And they rejected His statutes and His covenant that He had made with their fathers, and His testimonies which He had testified against them; they followed idols, became idolaters, and went after the nations who were all around them, concerning whom the Lord had charged them that they should not do like them. 16 So they left all the commandments of the Lord their God****, made for themselves a molded image and two calves, made a wooden image and worshiped all the host of heaven, and served Baal. 17 And they caused their sons and daughters to pass through the fire, practiced witchcraft and soothsaying, and sold themselves to do evil in the sight of the Lord, to provoke Him to anger. 18 Therefore the Lord was very angry with Israel, and removed them from His sight; there was none left but the tribe of Judah alone.*
>
> *19* ***Also Judah did not keep the commandments of the Lord their God, but walked in the statutes of Israel which they made. 20 And the Lord rejected all the descendants of Israel, afflicted them, and delivered them into the hand of plunderers, until He had cast them from His sight.*** *21 For He tore Israel from the house of David, and they made Jeroboam the son of Nebat king. Then Jeroboam drove Israel from following the Lord, and made them commit a great sin. 22 For the children of Israel walked in all the sins of Jeroboam which he did; they did not depart from them, 23 until the Lord removed Israel out of His sight, as He had said by all His servants the prophets. So Israel was carried away from their own land to Assyria, as it is to this day.*
>
> *[2 Kings 17:5-23, Bible, NKJV]*

The above analysis is EXACTLY the approach we take in defining what "law" is in the following memorandum:

What is "law"?, Form #05.048
http://sedm.org/Forms/FormIndex.htm

10.4 It is idolatry for a Christian to have a domicile within a man-made government or anything other than God's Kingdom

Note also the use of the word "permanent home" in the definition of "domicile". According to the Bible, "earth" is NOT permanent, but instead is only temporary, and will eventually be destroyed and rebuilt as a new and different earth:

> *"But the heavens and the earth which are now preserved by the same word, are reserved for fire until the day of judgment and perdition of ungodly men."*
> *[2 Peter 3:7, Bible NKJV]*

The legal definition of "permanent" also demonstrates that it can mean any length of time one wants it to mean:

> *8 U.S.C. §1101*

> *(a)(31) **The term "permanent" means a relationship of continuing or lasting nature, as distinguished from temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the instance either of the United States or of the individual, in accordance with law.***

We believe what they are really describing above is the equivalent of a "protection contract" between you and the government, because the way it functions is that it is terminated when either you or the government insist, which means that while it is in force, your consent is inferred and legally "presumed". Below is how another author describes it, and note that the real meaning of "indefinitely" is "as long as he consents to a protector":

> *"One resides in one's domicile indefinitely, that is, with no definite end planned for the stay. While we hear 'permanently' mentioned, the better word is 'indefinitely'. This is best seen in the context of a change of domicile."*
> *[*Conflicts in a Nutshell *by David D. Siegel and Patrick J. Borchers, ISBN 0-314-160669-3, 3rd Edition, West Group, p. 16]*

Christians define "permanent" the same way God does. God is eternal so His concept of "permanent" means "eternal". Therefore, no place on earth can be "permanent" in the context of a Christian:

> *"Do not love [be a permanent inhabitant or resident of] the world or the things in the world. **If anyone loves the world, the love of the Father is not in him.** For all that is in the world--the lust of the flesh, the lust of the eyes, and the pride of life--is not of the Father but is of the world. **And the world is passing away [not permanent]**, and the lust of it; but he who does the will of God abides forever."*
> *[1 John 2:15, Bible, NKJV]*

Christians are only allowed to be governed by God and His laws found in the Bible. Man's laws are simply a vain substitute, but God's laws are our only true and *permanent* source of protection, and the only type of protection we can consent to or intend to be subject to without violating our covenant and contract with God found in the Holy Bible.

> *"Away with you , Satan! For it is written, 'You shall worship the Lord your God, and Him **ONLY** [NOT the government or man's vain laws or an atheistic democratic socialist "state"] you shall serve.'"*
> *[Matt. 4:10, Bible, NKJV]*

The main allegiance of Christians is exclusively to Him, and not to any man or earthly law or government. We are citizens of Heaven, and not earth. The most we can be while on earth is "nationals", because "nationals" are not subject to man's laws and only "citizens" are. See:

Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006 http://sedm.org/Forms/FormIndex.htm

Therefore, the Kingdom of Heaven on Earth can be our only "legal home" or "domicile" or "residence".

> *"**For our citizenship is [not WAS or WILL BE, but PRESENTLY IS] in heaven**, from which we also eagerly wait for the Savior, the Lord Jesus Christ"*
> *[Philippians 3:20, Bible, NKJV]*

> *"These all died in faith, not having received the promises, but having seen them afar off were assured of them, embraced them **and confessed that they were strangers and pilgrims on the earth**."*
> *[Hebrews 11:13, Bible, NKJV]*

> *"Beloved, I beg you **as sojourners and pilgrims [temporarily occupying the world]**, abstain from fleshly lusts which war against the soul..."*
> *[1 Peter 2:1, Bible, NKJV]*

> *"**Do you not know that friendship [and citizenship] with the world is enmity with God? Whoever therefore wants to be a friend [or "resident"] of the world makes himself an enemy of God.** "*
> *[James 4:4, Bible, NKJV]*

> *"And do not be conformed to this world, but be transformed by the renewing of your mind, that you may prove what is that good and acceptable and perfect will of God. "*
> *[Romans 12:2, Bible, NKJV]*

The above scriptures say we are "sojourners and pilgrims", meaning we are perpetual travelers while temporarily here as God's ambassadors. Legal treatises on domicile also confirm that while a person is "in transitu", meaning travelling and

sojourning temporarily, he cannot choose a domicile and that his domicile reverts to his "domicile of origin". The domicile of origin is the place you were created and existed before you came to Earth, which is Heaven:

> ***§ 114. Id. Domicil of Origin adheres until another Domicil is acquired.*** –
>
> *But whether the doctrine of Udny v. Udny be or be not accepted, the law, as held in Great Britain and America, is beyond all doubt clear that domicil of origin clings and adheres to the subject of it until another domicil is acquired. This is a logical deduction from the postulate that "every person must have a domicil somewhere." For as a new domicil cannot be acquired except by actual residence cum animo manendi, **it follows that the domicil of origin adheres while the subject of it is in transitu, or, if he has not yet determined upon a new place of abode, while he is in search of one,--"quarens quo se conferat atque ubi constituat."** Although this is a departure from the Roman law doctrine, yet it is held with entire unanimity by the British and American cases. It was first announced, though somewhat confusedly, by Lord Alvanley in Somerville v. Somerville: "The third rule I shall extract is that the original domicil . . . or the domicil of origin is to prevail until the party has not only acquired another, but has manifested and carried into execution an intention of abandoning his former domicil and taking another as his sole domicil." The same idea has been expressed by Lord Wensleydale in somewhat different phrase in Aikman v. Aikman: "Every man's domicil of origin must be presumed to continue until he has acquired another sole domicil by actual residence with the intention of abandoning his domicil of origin. This change must be animo et facto, and the burden of proof unquestionably lies upon him who asserts the change." Lord Cranworth observed in the same case: "It is a clear principle of law that the domicil of origin continues until another is acquired; i.e., until the person has made a new home for himself in lieu of the home of his birth." In America similar language has been used.*
> *[Treatise on the Law of Domicil, M.W. Jacobs, 1887; Little Brown and Company, pp. 174-175;*
> *SOURCE: http://books.google.com/books?id=MFQvAAAAIAAJ&printsec=titlepage]*

Even the U.S. Supreme Court has held that while a person temporarily occupies a place and is "in transitu" or "in itinere", he or she is not subject to the civil laws of that place.

> *"It is generally agreed by writers upon international law, and the rule has been judicially applied in a great number of cases, that wherever any question may arise concerning the status of a person, it must be determined according to that law which has next previously rightfully operated on and fixed that status. **And, further, that the laws of a country do not rightfully operate upon and fix the status of persons who are within its limits in itinere, or who are abiding there for definite temporary purposes, as for health, curiosity, or occasional business; that these laws, known to writers on public and private international law as personal statutes, operate only on the inhabitants of the country.** Not that it is or can be denied that each independent nation may, if it thinks fit, apply them to all persons within their limits. But when this is done, not in conformity with the principles of international law, other States are not understood to be willing to recognize or allow effect to such applications of personal statutes. "*
> *[Dred Scott v. Sandford, 60 U.S. (19 How.) 393,595 (1857)]*

To "consent" or "choose" to be governed by anything but God and His sacred Law is idolatry in violation of the first four Commandments of the Ten Commandments.

> *"It is better to trust the Lord*
> *Than to put confidence in man.*
> *It is better to trust in the Lord*
> *Than to put confidence in princes [or government, or the 'state']."*
> *[Psalm 118:8-9, Bible, NKJV]*

If you can't put confidence in "princes", which we interpret to mean political rulers or governments, then we certainly can't have allegiance to them or put that allegiance above our allegiance to God. We can therefore have no "legal home" or "domicile" or "residence" anywhere other than exclusively within the Kingdom of Heaven and not within the jurisdiction of any corrupted earthly government. Our only law is God's law and Common law, which is based on God's law. Below is an example of how the early Jews adopted this very attitude towards government from the Bible.

> *"Then Haman said to King Ahasuerus, "There is a certain people [the Jews, who today are the equivalent of Christians] scattered and dispersed among the people in all the provinces of your kingdom; their laws are different from all other people's [because they are God's laws!], and they do not keep the king's [unjust] laws. Therefore it is not fitting for the king to let them remain. If it pleases the king, let a decree be written that they be destroyed, and I will pay ten thousand talents of silver into the hands of those who do the work, to bring it into the king's treasuries."*
> *[Esther 3:8-9, Bible, NKJV]*
>
> *"Those people who are not governed [ONLY] by GOD and His laws will be ruled by tyrants."*
> *[William Penn (after whom Pennsylvania was named)]*

"A free people [claim] their rights as derived from the laws of nature [God and His laws], and not as the gift of their chief magistrate [or any government law]."
[Thomas Jefferson: Rights of British America, 1774. ME 1:209, Papers 1:134]

Our acronym for the word BIBLE confirms the above conclusions:

B-Basic
I -Instructions
B-Before
L-Leaving
E-Earth

We are only temporarily here and Heaven is where we intend to return and live permanently. Legal domicile is based only on ***intent***, not on physical presence, and it is only "domicile" which establishes one's legal and tax "home". No one but us can establish our "intent" and this is the express intent. Neither can we as Christians permit our "domicile" to be subject to change under any circumstances, even when coerced. To admit that there is a "permanent home" or "place of abode" anywhere on earth is to admit that there is no afterlife, no God, and that this earth is as good as it gets, which is a depressing prospect indeed that conflicts with our religious beliefs. The Bible says that while we are here, Satan is in control, so this is definitely not a place we would want to call a permanent home or a domicile:

*"We know that we are of God, and **the whole world lies under the sway of the wicked one.**"*
[1 John 5:19, Bible, NKJV]

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*"Again, the devil took Him [Jesus] up on an exceedingly high mountain, and showed Him all the kingdoms of the world and their glory. And he said to Him, "**All these things I will give You if You will fall down and worship me. [Satan]**"*

Then Jesus said to him, "Away with you, Satan! For it is written, 'You shall worship the LORD your God, and Him only you shall serve.'"

"Then the devil left Him, and behold, angels came and ministered to Him."
[Matt. 4:8-11, Bible, NKJV]

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*"I [Jesus] will no longer talk much with you, **for the ruler of this world [Satan] is coming, and he has nothing in Me**. But that the world may know that I love the Father, and as the Father gave Me commandment, so I do. Arise, let us go from here."*
[Jesus in John 14:30-31, Bible, NKJV]

Satan could not have offered the kingdoms of the world to Jesus and tempted Him with them unless he controlled them to begin with. Satan is in control while we are here. Only a fool or an atheist would intend to make a wicked earth controlled by Satan into a "permanent place of abode".

*"He who loves his life will lose it, and **he who hates his life in this world [on earth] will keep it for eternal life**."*
[John 12:25, Bible, NKJV]

Only a person who hates this life and the earth as they are and who doesn't want to make it a "permanent place of abode" or "domicile" can inherit eternal life.

*"If you were of the world [had a permanent home here], the world would love its own. Yet **because you [Christians] are not of the world, but I chose you out of the world, therefore the world hates you [who are a "stranger" and a "foreigner"].**"*
[John 15:19, Bible, NKJV.
QUESTION: How can you be "chosen out of the world" as Jesus says and yet still have a domicile here?*]*

*"**Pure and undefiled religion before God and the Father is this**: to visit orphans and widows in their trouble, and **to keep oneself unspotted from the world [and the governments, laws, taxes, entanglements, and sin in the world]**."*
[James 1:27, Bible, NKVJ]

*"So we are always confident, knowing that **while we are at home in the body [the physical body] we are absent from the Lord.** For we walk by faith, not by sight. **We are confident, yes, well pleased rather to be absent from the body and to be present with the Lord [in the Kingdom of Heaven].**"*
[2 Cor. 5:6-8, Bible, NKJV]

Even Jesus Himself admitted that Earth was not his "domicile" when he said:

*Then a certain scribe came and said to Him, "Teacher, I will follow You wherever You go." And Jesus said to him, "Foxes have holes and birds of the air have nests, but **the Son of Man has nowhere to lay His head.**"*
[Matt. 8:19-20, Bible, NKJV]

When we become believers, we, like Jesus Himself, become God's "ambassadors" on a foreign mission from the Kingdom of Heaven according to 2 Cor. 5:20. Our house is a foreign embassy:

*"Now then, **we are ambassadors for Christ, as though God were pleading through us**: we implore you on Christ's behalf, be reconciled to God."*
[2 Cor. 5:20, Bible, NKJV]

The Corpus Juris Secundum (C.J.S.) Legal Encyclopedia says that ambassadors have the domicile of those who they represent, which in the case of Christians is the Kingdom of Heaven.

PARTICULAR PERSONS
4. Public Officials and Employees; Members of the Armed Services
§31 Public Officials and Employees

Ambassadors, consuls, and other public officials residing abroad in governmental service do not generally acquire a domicile in the country where their official duties are performed, but retain their original domicile," although such officials may acquire a domicile at their official residence, if they engage in business or commerce inconsistent with, or extraneous to, their public or diplomatic character.
[Corpus Juris Secundum (C.J.S.), Domicile, §31 (2003);
SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf]

Another interesting aspect of domicile explains why the Bible symbolically refers to believers as the "children of God". Below are examples:

*"But as many as received Him, to them He gave the right to become **children of God**, to those who believe in His name"*
[John 1:2, Bible, NKJV]

*"The Spirit Himself bears witness with our spirit that we are **children of God**"*
[Romans 8:16, Bible, NKJV]

*"That is, those who are the children of the flesh, these are not the **children of God**; but the children of the promise are counted as the seed."*
[Romans 9:8, Bible, NKJV]

*"Behold what manner of love the Father has bestowed on us, that we should be called **children of God!** "*
[1 John 3:1, Bible, NKJV]

*"In this the **children of God** and the children of the devil are manifest: Whoever does not practice righteousness is not of God, nor is he who does not love his brother."*
[1 John 3:10, Bible, NKJV]

*"By this we know that we love the **children of God**, when we love God and keep His commandments."*
[1 John 5:2, Bible, NKJV]

The Corpus Juris Secundum (C.J.S.) Legal Encyclopedia says that those who are children, dependents, minors, or of unsound mind assume the domicile of the sovereign who is their "caretaker". As long as we are called "children of God" and are dependent exclusively on Him, we assume His domicile, which is the Kingdom of God:

PARTICULAR PERSONS
Infants
§20 In General

> *An infant, being non sui juris, cannot fix or change his domicile unless emancipated. **A legitimate child's domicile usually follows that of the father**. In case of separation or divorce of parents, the child has the domicile of the parent who has been awarded custody of the child.*
> *[Corpus Juris Secundum (C.J.S.), Domicile, §20 (2003);*
> *SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf]*

The Bible treats the government as God's steward for truth and justice under God's laws. The passage below proves this, and it is not referring to ALL governments, but only those that are ***righteous***, which are God's ***stewards***, and who act in a way that is completely consistent and not in conflict with God's holy laws.

> *Submit to [Righteous] Government [and rebel against Unrighteous Government]*

> *"Let every soul be subject to the governing authorities. For there is no authority except from God, and the authorities that exist are appointed by God. Therefore whoever resists the authority resists the ordinance of God, and those who resist will bring judgment on themselves. For [righteous] rulers are not a terror to good works, but to evil. [However, unrighteous rulers ARE a terror to good works] Do you want to be unafraid of the [righteous] authority? Do what is good, and you will have praise from the same. For he [ONLY the righteous, not the unrighteous ruler] is God's minister to you for good. But if you do evil, be afraid; for he does not bear the sword in vain; for he is God's minister, an avenger to execute wrath on him who practices evil. Therefore you must be subject, not only because of wrath but also for conscience' sake. For because of this you also pay taxes, for they [the righteous, and not unrighteous rulers] are God's ministers attending continually to this very thing. Render therefore to all [those who are righteous and NOT unrighteous] their due: taxes to whom taxes are due, customs to whom customs, fear to whom fear, honor to whom honor."*
> *[Rom. 13:1-7, Bible, NKJV]*

The term "governing authorities" is synonymous with "God's ministers". The Bible says that the government is on Jesus' shoulders, and therefore God's shoulders, not any man:

> *"**For God is the King of all the** earth; Sing praises with understanding."*
> *[Psalm 47:7, Bible, NKJV]*
>
> ---
>
> *"**For the LORD is our Judge, the LORD is our Lawgiver, the LORD is our King**; He will save [and protect] us."*
> *[Isaiah 33:22, Bible, NKJV]*
>
> ---
>
> *For unto us a Child is born,*
> *Unto us a Son is given;*
> ***And the government will be upon His shoulder.***
> *And His name will be called*
> *Wonderful, Counselor, Mighty God,*
> *Everlasting Father, Prince of Peace.*
> *[Isaiah 9:6, Bible, NKJV]*

The Lord cannot be King where Satan is allowed to rule, even temporarily. Those who are *not* God's ministers are NOT "governing authorities" but usurpers and representatives of Satan, not God. They are "children of Satan", not God.

> *"They have corrupted themselves;*
> ***They are not His children,***
> *Because of their blemish:*
> *A perverse and crooked generation."*
> *[Deut. 32:5, Bible, NKJV]*

When government ceases to be a "minister of God's justice" and rather becomes a competitor for pagan idol worship and obedience of the people, then God abandons the government and the result is the equivalent of a legal divorce. This is revealed in the following scripture, which describes those who pursue pagan gods and pagan governments that act like god as "playing the harlot". The phrase "invites you to eat of his sacrifice", in modern day terms, refers to those who receive socialist welfare in any form, most of which is PLUNDER STOLEN from people who became a human sacrifice to the pagan government:

> *The Covenant Renewed*

> *And He said: "Behold, I make a covenant. Before all your people I will do marvels such as have not been done in all the earth, nor in any nation; and all the people among whom you are shall see the work of the LORD. For*

> *it is an awesome thing that I will do with you. Observe what I command you this day. Behold, I am driving out from before you the Amorite and the Canaanite and the Hittite and the Perizzite and the Hivite and the Jebusite.* ***Take heed to yourself, lest you make a covenant with the inhabitants of the land where you are going, lest it be a snare in your midst. But you shall destroy their altars, break their sacred pillars, and cut down their wooden images (for you shall worship no other god, for the LORD, whose name is Jealous, is a jealous God), lest you make a covenant [engage in a franchise, contract, or agreement] with the inhabitants of the land, and they play the harlot with their gods and make sacrifice to their gods, and one of them invites you and you eat of his sacrifice, and you take of his daughters for your sons, and his daughters play the harlot with their gods and make your sons play the harlot with their gods.***
> *[Exodus 34:10-16, Bible, NKJV]*

> *"No outsider [person who has not taken the Mark of the Beast] shall eat the holy offering [revenues collected from involuntary human sacrifices to the pagan cult by the IRS or the SSA]; one who dwells with the priest [judges are the priests of the civil religion], or a hired servant [licensed attorneys, who are the deacons of the church appointed by the chief priests at the Supreme Court], shall not eat the holy thing. But if the priest [the judge] buys a person with his money [his court order to induct a new cult member by compelling participation in excise taxable activities such as a "trade or business"], he may eat it; and one who is born in his [court] house [or is a fellow "public officer" of the government engaged in a "trade or business"] may eat his food."*
> *[Lev. 22:10-11, Bible, NKJV]*

> *"He who sacrifices to any god, except to the LORD only, he shall be utterly destroyed."*
> *[Exodus 22:20, Bible, NKJV]*

> *"They shall no more offer their sacrifices to demons, after whom they have played the harlot. This shall be a statute forever for them throughout their generations.'*
> *[Lev. 17:7, Bible, NKJV]*

The result of the divorce of a righteous God from a Pagan government that has become a child of Satan and His competitor for the worship of the people is that God "hides his face", as the Bible says:

> *"And* ***I will surely hide My face*** *in that day because of all the evil which they have done, in that they have turned to other gods."*
> *[Deut. 31:18, Bible, NKJV]*

> *"****I will hide My face from them****, I will see what their end will be, For they are a perverse generation, Children in whom is no faith."*
> *[Deut. 32:20, Bible, NKJV]*

> *"Then My anger shall be aroused against them in that day, and I will forsake them, and* ***I will hide My face from them, and they shall be devoured****. And many evils and troubles shall befall them, so that they will say in that day, 'Have not these evils come upon us because our God is not among us?'"*
> *[Deut. 31:17, Bible, NKJV]*

Below is a fascinating sermon about how and why God "hides his face" or "disappears":

The Disappearing God, Pastor John Weaver, 1 Sam. 3:21
http://www.sermonaudio.com/sermoninfo.asp?SID=8121351932

Those who follow pagan governments rather than God after the civil "divorce" become the children of Satan, not God and are practicing idolatry. These people have misread Romans 13 and made government into a pagan substitute for God's protection and adopt the government as their new caretaker, and thereby shift their effective domicile to the government as its dependents and "children". This is especially true when the government becomes socialist, abuses its power to tax as a means of wealth transfer, and pays any type of social welfare to the people. At that point, the people become "dependents" and assume the domicile of their caretaker. One insightful congressman said the following of this dilemma during the debates over the original Social Security Act:

> *Mr. Logan: "...Natural laws can not be created, repealed, or modified by legislation. Congress should know there are many things which it can not do..."*

> *"****It is now proposed to make the Federal Government the guardian of its citizens. If that should be done, the Nation soon must perish. There can only be a free nation when the people themselves are free and administer the government which they have set up to protect their rights. Where the general government must provide work, and incidentally food and clothing for its citizens, freedom and individuality will be destroyed and eventually the citizens will become serfs to the general government****..."*

[Congressional Record-Senate, Volume 77- Part 4, June 10, 1933, Page 12522;
SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Sovereignty-CongRecord-Senate-JUNE101932.pdf*]*

Any attempt to think about citizenship, domicile, and residence any way other than the way it is described here amounts to a devious and deceptive attempt by the Pharisees [lawyers] to use the "traditions of men" to entrap Christians and churches and put them under government laws, control, taxes, and regulation, thereby violating the separation of powers doctrine. The Separation of Powers Doctrine as well as the Bible itself both require churches and Christians to be ***totally separate*** from government, man's laws, and control, taxation, and regulation by government. See Great IRS Hoax, Form #11.302, Sections 4.4.5 and 4.4.6 for further details on the competition between "church" and "state" for the love and affections and allegiances of the people, and why separation of these two powers is absolutely essential.

> *"Stand fast therefore in the liberty wherewith Christ hath made us free, and be not entangled again with the yoke of bondage [to the government or the income tax or the IRS or federal statutes that are not "positive law" and do not have jurisdiction over us]."*
> *[Galatians 5:1, Bible, NKJV]*

10.5 "Domicile of origin" is in the Kingdom of Heaven and NOT on the present corrupted Earth

"Domicile of origin" is a legal term used to connote the FIRST domicile a civil "person" ever had at the time of birth. As a concept, it is often employed to resolve disputes about the domicile of a deceased party during probate. Below is an example from the Canadian Courts:

> *The applicable law [20] The law of domicile is well settled:*
>
> *1. A person will always have one, and only one, domicile at any point in his or her life. A person begins with a "domicile of origin", which is generally the place where he or she was born.*
>
> *2. A domicile of origin can be displaced by the acquisition of a "domicile of choice", a place where a person has acquired a residence in fact in a new place and has the intention to live there indefinitely. 2014 SKQB 64 (CanLII) - 6 –*
>
> *3. A person abandons a domicile of choice by ceasing to reside there in fact and by ceasing to intend to reside there permanently or indefinitely.*
>
> *4. A person can lose his or her domicile of choice by abandonment even though a new domicile of choice has not been acquired.*
>
> *See: Wadsworth v. McCord (1886), 12 S.C.R. 466, [1886] S.C.J. No. 18 (QL); Trottier v. Rajotte, [1940] S.C.R. 203, [1940] 1 D.L.R. 433; Osvath-Latkoczy v. Osvath-Latkoczy, [1959] S.C.R. 751, 19 D.L.R. (2d) 495; Udny v. Udny (1869), L.R., 1 Sc. & Div. 441; Lauderdale Peerage (1885) 10 App. Cas. 692; Winans v. Attorney-General, [1904] A.C. 287; Lamond v. Lamond, [1948] 1 W.W.R. 1087, [1948] S.J. No. 5 (QL) (Sask. K.B.); Gunn v. Gunn (1956), 2 D.L.R. (2d) 351, 18 W.W.R. 85 (Sask. C.A.); Patterson v. Patterson (1956), 3 D.L.R. (2d) 266, [1955] N.S.J. No. 28 (QL) (N.S. Div. & Mat. Causes Ct.); Foote Estate (Re), 2011 ABCA 1, [2011] 6 W.W.R. 453. [21]*
>
> *The questions here are whether or not Dr. Scott abandoned Saskatoon as his domicile of choice and, if he did, whether he acquired a new domicile of choice in British Columbia. Finally, if he abandoned Saskatoon but had not acquired a domicile of choice in British Columbia at the time of his death, where was his domicile?*
> *[Vanston v. Scott, Q.B.S. No. 675 of 2012; SOURCE: https://sedm.org/forums/topic/vanston-v-scott-q-b-s-no-675-of-2012/#post-17209]*

The above case ruled that:

> *[43] The law of domicile is clear. The evidence, though sparse, is clear – Dr. Scott was born in Calgary. The result, on the law and the evidence is that Dr. Scott 2014 SKQB 64 (CanLII) - 13 - was domiciled in Alberta [the place of his birth and his "domicile of origin"] at the time of his death. That, Ryan argues, makes little sense. After all: Dr. Scott had not lived in Alberta for at least the 25 years preceding his death; none of the estate assets are in Alberta; none of the interested parties lives in Alberta and neither of the parties wants the law of Alberta to apply. There was no evidence that Dr. Scott had any connection to Alberta other than being born there. Ryan's counsel invited the court to depart from the well-established law in order to avoid that which he termed to be an "absurd" result (a word used in Foote Estate, supra, at para 34). He did not, however (as*

requested in my October 8, 2013 fiat), articulate a test that might result in either Saskatchewan or British Columba being designated as Dr. Scott's domicile.
[Vanston v. Scott, Q.B.S. No. 675 of 2012; SOURCE: https://sedm.org/forums/topic/vanston-v-scott-q-b-s-no-675-of-2012/#post-17209

The thing that most courts such as the above refuse to acknowledge is the biblical concept of "domicile of origin". You existed in Heaven BEFORE you came to earth, so the effective "domicile of origin" is NO PLACE on earth. Therefore, God's laws of probate apply and not man's:

"Before I formed you in the womb I knew you;
Before you were born I sanctified you;
I ordained you a prophet to the nations."
[Jeremiah 1:5, Bible, NKJV; SOURCE:
https://www.biblegateway.com/passage/?search=Jeremiah+1:5&version=NKJV]

_____

For You formed my inward parts;
You covered me in my mother's womb.
[14] I will praise You, for I am fearfully and *wonderfully made;*
Marvelous are Your works,
And that *my soul knows very well.*
[15] My frame was not hidden from You,
When I was made in secret,
And *skillfully wrought in the lowest parts of the earth.*
[16] Your eyes saw my substance, being yet unformed.
And in Your book they all were written,
The days fashioned for me,
When as yet there were *none of them.*

[Psalm 139:13-16, Bible, NKJV;SOURCE:
https://www.biblegateway.com/passage/?search=Psalm+139&version=NKJV%5D]

Notice the phrase

"15 My frame was not hidden from You, When I was made in secret, And skillfully wrought in the lowest parts of the earth.".

"Made in secret" implies that NO MAN was around at the time, INCLUDING the mother! "Lowest parts of the Earth" implies a place not on the SURFACE of the Earth.

The Bible calls Christians sojourners and pilgrims, which means they are temporarily away from their "domicile of origin" in Heaven or what the scriptures call "The New Jerusalem". You can only be a "citizen" in the place of your domicile, and you can only have ONE domicile at a time, as the cite above affirms. If we are "citizens of heaven" according to the bible, then we are not ALLOWED to also be "citizens" under any statutes on earth:

"For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ"
[Philippians 3:20, Bible, NKJV]

"Now, therefore, you are no longer strangers and foreigners, but ***fellow citizens with the saints and members of the household of God****."*
[Ephesians 2:19, Bible, NKJV]

"These all died in faith, not having received the promises, but having seen them afar off were assured of them, embraced them ***and confessed that they were strangers and pilgrims [transient foreigners] on the earth.****"*
[Hebrews 11:13, Bible, NKJV]

"Beloved, I beg you ***as sojourners and pilgrims****, abstain from fleshly lusts which war against the soul…"*
[1 Peter 2:11, Bible, NKJV]

The real issue of the case is WHAT LAW applies in the place of the "domicile of origin": 1. STATUTE law or 2. COMMON law?

The answer depends on the intention of the party as far as LEGALLY associating with the state and thereby becoming a state officer. If that association was not intended, and the party wishes to remain exclusively private, then the COMMON LAW and the CONSTITUTION and not STATUTE law would apply. The court didn't address that issue, because taxation or licensing was not at issue. If it were at issue, then their analysis would need to be much more detailed and on the level of our documents on the subject of franchises, Form #05.030.

We all have PUBLIC and PRIVATE identities, and therefore TWO "personas", one subject to the common law (private) and one subject to STATUTE law (PUBLIC/officer).

> *"Quando duo juro concurrunt in und person, aequum est ac si essent in diversis.*
> ***When two rights concur in one person, it is the same as if they were in two separate persons**. 4 Co. 118."*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

It is clearly prejudicial and constitutes criminal identity theft to PRESUME in violation of due process that the party who died was ONLY PUBLIC and had no PRIVATE status or PRIVATE property.

Lastly, on the subject of probate, we apply the domicile concepts of this document to a specific real case of probate in section 13.12. You can also find a copy of the affidavit in that section in:

Affidavit of Domicile: Probate, Form #04.223 http://sedm.org/Forms/FormIndex.htm

11. Domicile and civil jurisdiction

11.1 What's so bad about the civil statutory law? Why care about avoiding it or pursuing common law or constitutional law to replace it?

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

The basic principle of justice is to:

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

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

1. It grants a monopoly on protection to the government. All monopolies are evil because:
   1.1. There is no competition.
   1.2. All attempts to privatize selected services are penalized and prosecuted by hostile bureaucrats who want to "protect their turf" and their retirement check.
   1.3. The postal service, for instance, has a monopoly on mail but shouldn't have. Lysander Spooner, the founder of libertarian thought and a lawyer, attempted to compete with the postal service and put them to shame, and he was prosecuted for it.
2. It creates and perpetuates an UNEQUAL relationship between the "government grantor" of the civil protection franchise and you.
   2.1. You become inferior and subservient to the grantor of the franchise. That is why they call those who are subject to it a "subject".

2.2. This results in idolatry in violation of the Bible.

3. It destroys ABSOLUTE ownership of PRIVATE property.
   3.1. The government becomes the ABSOLUTE owner and you become a CUSTODIAN over THEIR property.
   3.2. The PUBLIC OFFICE called "citizen" or "resident" is merely an employment position you fill as custodian over the GOVERNMENT'S property, meaning ALL property.
   3.3. The use of government identifying number in association with the title to property becomes prima facie evidence that you are engaged in the franchise and that the property is "PRIVATE PROPERTY DONATED TO A PUBLIC USE TO PROCURE THE BENEFITS OF THE CIVIL PROTECTION FRANCHISE".
4. It interferes with your right to contract:
   4.1. The parties to every civil contract, when using government ID and associated license numbers, unknowingly insert the government into the relationship as an agent of the protection franchise, often without the knowledge of the parties.
   4.2. Those who wish to contract the government OUT of the relationship by negotiating either binding arbitration or invoking the common law and not the statute law are interfered with by corrupt judges who want to pad their pocket by inserting themselves into the relationship not as coaches, but OWNERS of both participants who become "employees" or "officers" under the civil code.
5. The civil protection franchise is abused by politicians as a method to institute class warfare between the people:
   5.1. The voting booth and the jury box become a battle ground used by the poor to steal from the rich.
   5.2. The tax code is used as a vehicle to abuse the government's taxing power to transfer wealth from the have-nots to the haves.
   5.3. The tax code is abused essentially to punish success with taxes and reward failure with subsidies, thus destroying the economy and all incentive to be productive or responsible.
   5.4. The promise of "benefits" by campaigning politicians become essentially a vehicle to ILLEGALLY and CRIMINALLY bribe voters with loot STOLEN through the illegal use of the government's taxing powers.
6. It places NO limits on the PRICE you pay for the "benefit" of its "protection". Politicians can and do impose any duty upon those who are subject to it because the premise is that you had to consent to be subject to it.
7. The administrators of the franchise REFUSE to recognize on the forms and processes administering the franchise:
   7.1. Your right to NOT participate . . .OR
   7.2. Your right to quit. . .OR
   7.3. The right to document the existence of duress in signing up on the forms administering the franchise.

   Try walking into a Social Security office and ask for forms to quit the system as we have. You will be escorted out by an armed guard and be accused of being a terrorist if you refuse to cooperate!
8. You aren't allowed to QUALIFY or LIMIT HOW MUCH you pay or what specific PRIVATE rights you are willing to give up or can be forced to give up in order to procure its "benefits".
   8.1. There is no opportunity to negotiate a better deal.
   8.2. You can't go to anyone else for the service to improve your bargaining position.
   8.3. It therefore behaves as an "adhesion contract" that is unconscionable.
9. It results in a SURRENDER of ALL common law and natural rights.
   9.1. The civil code is predicated on consent
   9.2. Anything you consent to cannot form the basis of an injury under the common law or the Constitution.
10. When you sign up for one franchise under the civil statutory protection franchise, such as the vehicle code by getting a marriage license, you are COERCED and expected to be party to ANY and EVERY other government franchise.
    10.1. They demand a Social Security Number, and therefore FORCE you to sign up for Social Security as well. The DMV does this.
    10.2. This completely destroys your power of choice and your autonomy and self-government.
    10.3. It makes it impossible to procure the protection of the vehicle code WITHOUT becoming a public officer who has to do ANYTHING and EVERYTHING congress can dream up to put in your "employment agreement" called the civil code.
11. People who do not want its benefits:
    11.1. Are punished with civil penalties that don't apply to them and can't lawfully be enforced against them.
    11.2. Are told they are crazy or stupid.
    11.3. Are treated unfairly as "anarchists" or even violent or terrorists, as is being done with the "Sovereign Citizen Movement" at this time. This is an unjust and unfair and undeserved stereotype designed mainly and essentially to protect the governments at least perceived authority to essentially use the civil franchise as a way to justify its right to essentially STEAL from the average American.
12. In court, those who refuse to consent to the franchise and who become the illegal target of enforcement of the PROVISIONS of the franchise are maliciously interfered with in violation of the Bill of Rights by:

12.1. Refusing to recognize or protect their unalienable constitutional rights.
12.2. Refusing to recognize their right to invoke the common law against EVERYONE, INCLUDING the government, who at that point is on an EQUAL rather than INFERIOR relationship to them.
12.3. Forcing them into a franchise court such as family court, traffic court, or tax court that CANNOT lawfully hear a matter NOT involving a franchisee.
12.4. Telling them they are crazy, ignorant, or stupid when they try to invoke the common law or the constitution instead of the franchise in their defense.

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

1. *The Truth About the Fall of Rome: Modern Parallels*-Stefan Molyneux
   https://youtu.be/qh7rdCYCQ_U
2. *A History of the Decline and Fall of the Roman Empire*, Edward Gibbon
   http://famguardian.org/Publications/DeclineFallRomanEmpire/index.htm
3. *The Fall of Rome and Modern Parallels* - Lawrence Reed, Foundation for Economic Education
   https://youtu.be/FPFlH6eGqsg
4. *The Fall of Rome and Modern Parallels* - Stefan Molyneux
   https://youtu.be/K0zacaIard0

Is there a better way? Absolutely. God's law is the PERFECT law of liberty:

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

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

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

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

1. *Laws of the Bible*, Form #13.001
   http://sedm.org/Forms/FormIndex.htm
2. *Bible Law Course*, Form #12.015
   http://sedm.org/Forms/FormIndex.htm

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

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

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

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

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

So it was, when the Angel of the LORD spoke these words to all the children of Israel, that the people lifted up their voices and wept.
[Judges 2:1-4, Bible, NKJV]

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

I'm divorced from it now, George Carlin https://youtu.be/MyGhRRgB0bA

The video below describes the MASSIVE injustices of the present de facto civil franchise system as "The Matrix":

The Matrix, Stefan Molyneux https://www.youtube.com/watch?v=P772Eb63qIY&

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

The Government Mafia, Clint Richardson https://sedm.org/government-mafia/

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

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

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

11.2 History of our system of civil statutory law

Our system of civil statutory law was inherited from the Roman statutory law, which was called "jus civile".

> ***Chapter II: The Civil and the Common Law***
>
> ***29. In the original civil law, jus civile, was exclusively for Roman citizens; it was not applied in controversies between foreigners.*** *But as the number of foreigners increased in Rome it became necessary to find some law for deciding disputes among them. For this the Roman courts hit upon a very singular expedient. Observing that all the surrounding peoples with whom they were acquainted had certain principles of law in common, they took those common principles as rules of decision for such cases, and to the body of law thus obtained they gave the name of Jus gentium. The point on which the jus gentium differed most noticeably from the Jus civile was its simplicity and disregard of forms. All archaic law is full of forms, ceremonies and what to a modern mind seem useless and absurd technicalities. This was true of the [civil] law of old Rome. In many cases a sale, for instance, could be made only by the observance of a certain elaborate set of forms known as mancipation; if any one of these was omitted the transaction was void.* ***And doubtless the laws of the surrounding peoples had each its own peculiar requirements. But in all of them the consent of the parties to transfer the ownership for a price was required.*** *The Roman courts therefore in constructing their system of Jus gentium fixed upon this common characteristic and disregarded the local forms, so that a sale became the simplest affair possible.*
>
> *30. After the conquest of Greece, the Greek philosophy made its way to Rome, and stoicism in particular obtained a great vogue among the lawyers. With it came the conception of natural law (Jus naturale) or the law of nature (jus naturae); to live according to nature was the main tenet of the stoic morality. The idea was of some simple principle or principles from which, if they could be discovered, a complete, systematic and equitable set of rules of conduct could be deduced, and the unfortunate departure from which by mankind generally was the source of the confusion and injustice that prevailed in human affairs. To bring their own law into conformity with the law of nature became the aim of the Roman jurists, and the praetor's edict and the responses were the instruments which they used to accomplish this. Simplicity and universality they regarded as marks of natural law, and since these were exactly the qualities which belonged to the jus gentium, it was no more than natural that the two should to a considerable extent be identified. The result was that under the name of natural law principles largely the same as those which the Roman courts had for a long time been administering between foreigners permeated and transformed the whole Roman law.*
>
> *The way in which this was at first done was by recognizing two kinds of rights, rights by the civil law and rights by natural law, and practically subordinating the former to the latter. Thus if Caius was the owner of a thing by the civil law and Titius by natural law,the courts would not indeed deny up and down the right of Caius. They admitted that he was owner ; but they would not permit him to exercise his legal right to the prejudice of Titius, to whom on the other hand they accorded the practical benefits of ownership; and so by taking away the legal owner's remedies they practically nullified his right. Afterwards the two kinds of laws were more completely consolidated, the older civil law giving way to the law of nature when the two conflicted.* ***This double system of rights in the Roman law is of importance to the student of the English law, because a very similar dualism arose and still exists in the latter, whose origin is no doubt traceable in part to the influence of Roman ideas.***
> *[An Elementary Treatise on the Common Law for the Use of Students, Henry T. Terry, The Maruzen-Kabushiki-Kaisha, 1906, pp. 18-20]*

Roman law recognized only TWO classes of persons: statutory "citizens" and "foreigners". Only those who consented to become statutory "citizens" could become the lawful subject of the jus civile, which was the statutory civil law. Those who were not statutory "citizens" under the Roman Law, which today means those with NO civil domicile within the territory of the author and grantor of the civil law, were regarded as:

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

Note also that the above treatise characterizes TWO classes of rights: Civil rights and Natural rights. Today, these rights are called PUBLIC rights and PRIVATE rights by the courts in order to distinguish them. Public rights, in turn, are granted only to statutory "citizens" who consented to become citizens under the civil statutory law. The civil statutory law, or jus civile, therefore functions in essence as a franchise contract or compact that creates and grants ONLY public rights. Those

who do not join the social compact by consenting to become statutory "citizens" therefore are relegated to being protected by natural law and common law, which is much more just and equitable.

Note the emphasis in the above upon the concept that everything exchanged must be paid for:

> ***"And doubtless the laws of the surrounding peoples had each its own peculiar requirements. But in all of them the consent of the parties to transfer the ownership for a price was required."***

The concept we emphasize in the above cite is that the PUBLIC rights attached to the status of "citizen" under the Roman jus civile or statutory law constituted property that could not be STOLEN from those who did not consent to become "citizens" or to accept the "benefits" or "privileges" of statutory citizenship. Such a THEFT by government of otherwise PRIVATE or NATURAL rights would amount to an unconstitutional eminent domain by the government by converting PRIVATE rights into PUBLIC rights without the consent of the owner and without compensation.

11.3 Federal Rule of Civil Procedure 17 establishes that civil law is a voluntary franchise

Federal Rule of Civil Procedure 17 establishes the basis for litigating in all CIVIL courts under ONLY the STATUTORY law.

> *IV. PARTIES > Rule 17.*
> *Rule 17. Parties Plaintiff and Defendant; Capacity*
>
> *(b) Capacity to Sue or be Sued.*
>
> ***Capacity to sue or be sued is determined as follows:***
>
> ***(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;***
> ***(2) for a corporation, by the law under which it was organized; and***
> *(3) for all other parties, by the law of the state where the court is located, except that:*
> *(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and*
> *(B) 28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.*
> *[SOURCE: http://www.law.cornell.edu/rules/frcp/Rule17.htm]*

Conspicuously absent from the above federal civil rule are the two MOST important sources of law:

1. The USA Constitution.
2. The common law. The common law includes natural rights.

Why are these two sources of law NOT explicitly or expressly mentioned in the above civil rule as a source of jurisdiction or standing to sue in a federal CIVIL statutory court? Because these sources of law come from the constitution and are NOT "granted" or "created" by the government. Anything not CREATED by the government cannot be limited, regulated, or taxed. PRIVATE rights and PRIVATE property, for instance, are NOT "created" by government and instead are created and endowed by God, according to the Declaration of Independence:

> *"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, -"*
> *[Declaration of Independence, 1776]*
>
> *"Men are endowed by their Creator with certain unalienable rights,-'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted.* ***That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit [e.g. SOCIAL SECURITY, Medicare, and every other public "benefit"]; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation.*** *"*
> *[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

The Constitution or the common law therefore may be cited by ANYONE, including those not domiciled within the civil statutory jurisdiction of the civil court, so long as they were physically present on land protected by the Constitution within the district served by the court at the time they received an injury. Recall that the Constitution attaches to LAND, and not to your status as a statutory "citizen" or "resident":

> *"It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it."*
> *[Balzac v. Porto Rico, 258 U.S. 298 (1922)]*

11.4 Two contexts for legal terms: CONSTITUTIONAL and STATUTORY

> *"When words lose their meaning [or their CONTEXT WHICH ESTABLISHES THEIR MEANING], people lose their freedom."*
> *[Confucius (551 BCE - 479 BCE) Chinese thinker and social philosopher]*

It is absolutely crucial to understand that there are TWO contexts in which all legal statuses such as "citizen", "resident", and "alien" can be used:

1. Constitutional.
   1.1. Relates to one's POLITICAL status.
   1.2. Relates to NATIONALITY and NOT DOMICILE.
   1.3. A CONSTITUTIONAL status is established ONLY by being either born or naturalized within the jurisdiction of the specific NATIONAL government that wrote the statute.
2. Statutory.
   2.1. Relates to ones' CIVIL or LEGAL status.
   2.2. Relates to DOMICILE and NOT NATIONALITY.
   2.3. A STATUTORY status is established ONLY by voluntarily choosing a domicile within the jurisdiction of the specific government that wrote the statute.

It is CRUCIAL in EVERY interaction with any government to establish WHICH of these two contexts that every term they are using relates to, and ESPECIALLY on government forms. A failure to understand the status can literally mean the difference between SLAVERY and FREEDOM.

One can, for instance, be a "citizen" under CONSTITUTION and yet be an "non-resident non-person" under STATUTORY law in relation to the federal government. This is the status of those who are born in states of the Union and who are domiciled within the exclusive jurisdiction of a CONSTITUTIONAL state of the Union.

The purpose of providing a statutory definition of a legal "term" is to supersede and not enlarge the ordinary, common law, constitutional, or common meaning of a term. Geographical words of art include:

1. "State".
2. "United States".
3. "alien".
4. "citizen".
5. "resident".
6. "U.S. person".

The terms "State" and "United States" within the Constitution implies the constitutional states of the Union and excludes federal territory, statutory "States" (federal territories), or the statutory "United States" (the collection of all federal territory). This is an outcome of the separation of powers doctrine. See:

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

The U.S. Constitution creates a public trust which is the delegation of authority order that the U.S. Government uses to manage federal territory and property. That property includes franchises, such as the "trade or business" franchise. All statutory civil law it creates can and does regulate only THAT property and not the constitutional States, which are foreign, sovereign, and statutory "non-resident non-persons" (Form #05.020) for the purposes of federal legislative jurisdiction.

It is very important to realize the consequences of this constitutional separation of powers between the states and national government. Some of these consequences include the following:

1. Statutory "States" as indicated in 4 U.S.C. §110(d) and "States" in nearly all federal statutes are in fact federal territories and the definition does NOT include constitutional states of the Union.
2. The statutory "United States" defined in 26 U.S.C. §7701(a)(9) and (a)(10) and 4 U.S.C. §110(d) includes federal territory and excludes any land within the exclusive jurisdiction of a constitutional state of the Union.
3. Terms on government forms assume the statutory context and NOT the constitutional context.
4. Domicile is the origin of civil legislative jurisdiction over human beings. This jurisdiction is called "in personam jurisdiction".
5. Since the separation of powers doctrine creates two separate jurisdictions that are legislatively "foreign" in relation to each other, then there are TWO types of political communities, two types of "citizens", and two types of jurisdictions exercised by the national government.

> *"It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these authorities was the law in question passed?"*
> *[Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265, 5 L.Ed. 257 (1821)]*

6. A human being domiciled in a Constitutional state and born or naturalized anywhere in the Union is:
   6.1. A state national pursuant to 8 U.S.C. §1101(a)(21)
   6.2. A statutory "non-resident non-person" if exclusively PRIVATE and not engaged in a public office.
   6.3. A statutory "nonresident alien" (26 U.S.C. §7701(b)(1)(B)) in relation to the national government if they lawfully serve in a public office.
7. You can be a statutory "nonresident alien" pursuant to 26 U.S.C. §7701(b)(1)(B) and a constitutional or Fourteenth Amendment "Citizen" AT THE SAME TIME. Why? Because the Supreme Court ruled in Hooven and Allison v. Evatt, 324 U.S. 652 (1945), that there are THREE different and mutually exclusive "United States", and therefore THREE types of "citizens of the United States". Here is an example:

> *"The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states.* ***No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress.*** *It had been the occasion of much discussion in the courts, by the executive departments and in the public journals.* ***It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories [STATUTORY citizens], though within the United States[*], were not [CONSTITUTIONAL] citizens.****"*
> *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

   The "citizen of the United States" mentioned in the Fourteenth Amendment is a constitutional "citizen of the United States", and the term "United States" in that context includes states of the Union and excludes federal territory. Hence, you would NOT be a "citizen of the United States" within any federal statute, because all such statutes define "United States" to mean federal territory and EXCLUDE states of the Union. For more details, see:

Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006 http://sedm.org/Forms/FormIndex.htm

8. Your job, if you say you are a "citizen of the United States" or "U.S. citizen" on a government form (a VERY DANGEROUS undertaking!) is to understand that all government forms presume the statutory and not constitutional context, and to ensure that you define precisely WHICH one of the three "United States" you are a "citizen" of, and do so in a way that excludes you from the civil jurisdiction of the national government because domiciled in a "foreign state". Both foreign countries and states of the Union are legislatively "foreign" and therefore "foreign states" in relation to the national government of the United States. The following form does that very carefully:

Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001 http://sedm.org/Forms/FormIndex.htm

9. Even the IRS says you CANNOT trust or rely on ANYTHING on any of their forms and publications. We cover this in our Reasonable Belief About Income Tax Liability, Form #05.007. Hence, if you are compelled to fill out a government form, you have an OBLIGATION to ensure that you define all "words of art" used on the form in such a way that there is no room for presumption, no judicial or government discretion to "interpret" the form to their benefit, and no injury to your rights or status by filling out the government form. This includes attaching the following forms to all tax forms you submit:

9.1. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001
http://sedm.org/Forms/FormIndex.htm
9.2. *Tax Form Attachment*, Form #04.201
http://sedm.org/Forms/FormIndex.htm

The following cite from U.S. v. Wong Kim Ark helps clarify the distinctions between the STATUTORY and CONSTITUTIONAL contexts by admitting that there are TWO components that determine one's "citizenship" status: NATIONALITY and DOMICILE.

> *In Udny v. Udny (1869), L.R., 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: '**The question of naturalization and of allegiance is distinct from that of domicile.**' Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: '**The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,—one by virtue of which he becomes the subject [NATIONAL] of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.**' And then, **while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which 'the personal rights of the party—that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy— must depend,' he yet distinctly recognized that a man's political status, his country (patria), and his 'nationality,**—that is, natural allegiance,'—'may depend on different laws in different countries.' Pages 457, 460. He evidently used the word 'citizen,' not as equivalent to 'subject,' but rather to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British dominion are natural-born subjects.*
> *[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ;*
> *SOURCE: http://scholar.google.com/scholar_case?case=3381955771263111765]*

So:

1. The Constitution is a POLITICAL and not a LEGAL document. It therefore determines your POLITICAL status rather than your LEGAL/STATUTORY status.
2. Nationality determines your POLITICAL STATUS and whether you are a "subject" of the country.
3. DOMICILE determines your CIVIL and LEGAL and STATUTORY status. It DOES NOT determine your POLITICAL status or nationality.
4. Being a constitutional "citizen" per the Fourteenth Amendment is associated with nationality, not domicile.
5. Allegiance is associated with nationality, not domicile. Allegiance is what makes one a "subject" of a country.
6. Your personal and municipal rights, meaning CONSTITUTIONAL rights, associate with your choice of legal domicile, not your nationality or what country you are a subject of or have allegiance to.
7. Being a statutory "citizen" is associated with domicile, not nationality, because it is associated with being an inhabitant RATHER than a "subject".
8. A statutory "alien" under most acts of Congress is a person with a foreign DOMICILE, not a foreign NATIONALITY. By "foreign", we mean:
   8.1. Nationality context: OUTSIDE of COUNTRY United States.
   8.2. Domicile context: OUTSIDE of federal territory and the exclusive federal jurisdiction, and NOT outside the Constitutional United States (states of the Union).

   For an example of the above, see the following cite referencing territorial citizens in relation to the CONSTITUTIONAL states. Note that it calls them "foreigners". Notice also that these areas are the ONLY place the I.R.C. Subtitle A income tax applies, per the definition of "United States" found in 26 U.S.C. §7701(a)(9) and (a)(10), which is why if a state national files an income tax return, they file the 1040 tax as a statutory "individual". All statutory "individuals" are legally defined as "aliens" for the purposes of income tax under 26 C.F.R. §1.1441-1(c)(3)(i):[27]

> *"Constitutionally, only those born or naturalized in the United States and subject to the jurisdiction thereof, are citizens. Const.Amdt. XIV.* ***The power to fix and determine the rules of naturalization is vested in the Congress. Const.Art. I, sec. 8, cl. 4. Since all persons born outside of the [CONSTITUTIONAL] United States, are "foreigners,"[1] and not subject to the***

[27] For more on this subject, see: *Non-Resident Non-Person Position*, Form #05.020, Section 6.1.1; https://sedm.org/Forms/FormIndex.htm.

> ***jurisdiction of the United States, the statutes, such as § 1993 and 8 U.S.C.A. §601 [currently 8 U.S.C. §1401], derive their validity from the naturalization power of the Congress.*** *Elk v. Wilkins, 1884, 112 U.S. 94, 101, 5 S.Ct. 41, 28 L.Ed. 643; Wong Kim Ark v. U. S., 1898, 169 U.S. 649, 702, 18 S.Ct. 456, 42 L.Ed. 890.* ***Persons in whom citizenship is vested by such statutes are naturalized citizens and not native-born citizens.*** *Zimmer v. Acheson, 10 Cir. 1951, 191 F.2d. 209, 211; Wong Kim Ark v. U. S., supra."*
> *[Ly Shew v. Acheson, 110 F.Supp. 50 (N.D. Cal., 1953)]*

Understanding the distinction between nationality and domicile, in turn is absolutely critical.

1. Nationality:
   1.1. Is a political status.
   1.2. Is defined by the Constitution, which is a political document.
   1.3. Is synonymous with being a "national" within statutory law.
   1.4. Is associated with a specific COUNTRY.
2. Domicile:
   2.1. Is a civil status.
   2.2. Is not even addressed in the constitution.
   2.3. Is defined by civil statutory law RATHER than the constitution.
   2.4. Is in NO WAY connected with one's nationality.
   2.5. Is usually connected with the word "person", "citizen", "resident", or "inhabitant" in statutory law.
   2.6. Is associated with a specific COUNTY and a STATE rather than a COUNTRY.
   2.7. Implies one is a "SUBJECT" of a SPECIFIC MUNICIPAL but not NATIONAL government.

Nationality and domicile, TOGETHER determine the POLITICAL AND CIVIL/LEGAL status of a human being respectively. These important distinctions are recognized in Black's Law Dictionary:

> ***"nationality*** *– That quality or character which arises from the fact of a person's belonging to a nation or state.* ***Nationality determines the political status*** *of the individual, especially with reference to allegiance; while* ***domicile determines his civil [statutory] status****. Nationality arises either by birth or by naturalization."*
> *[Black's Law Dictionary (6th ed. 1990), p. 1025]*

The U.S. Supreme Court also confirmed the above when they held the following. Note the key phrase "political jurisdiction", which is NOT the same as legislative/statutory jurisdiction. One can have a political status of "citizen" under the constitution while NOT being a "citizen" under federal statutory law because not domiciled on federal territory. To have the status of "citizen" under federal statutory law, one must have a domicile on federal territory:

> *"This section [Fourteenth Amendment, Section 1] contemplates two sources of citizenship, and two sources only,-birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and* ***subject to the jurisdiction thereof.****' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States,* ***but completely subject to their [plural, not singular, meaning states of the Union] political jurisdiction, and owing them [the state of the Union] direct and immediate allegiance****. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired."*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

> *"This right to protect persons having a domicile, though not native-born or naturalized citizens, rests on the firm foundation of justice, and the* ***claim to be protected*** *is earned by considerations which the protecting power is not at liberty to disregard. Such domiciled citizen pays the same price for his protection as native-born or naturalized citizens pay for theirs.* ***He is under the bonds of allegiance to the country of his residence, and, if he breaks them, incurs the same penalties. He owes the same obedience to the civil laws.*** *His property is, in the same way and to the same extent as theirs, liable to contribute to the support of the Government. In nearly all respects, his and their condition as to the duties and burdens of Government are undistinguishable."*
> *[Fong Yue Ting v. United States, 149 U.S. 698 (1893)]*

Notice in the last quote above that they referred to a foreign national born in another country as a "citizen". THIS is the REAL "citizen" that judges and even tax withholding documents are really talking about, rather than the "national" described in the constitution. And also notice that they say in relation to DOMICILE/STATUTORY status the following

"He owes the same obedience to the CIVIL laws", thus establishing that CIVIL law does not apply to those WITHOUT a DOMICILE.

Domicile and NOT nationality is what imputes a status under the tax code and a liability for tax. Tax liability is a civil liability that attaches to civil statutory law, which in turn attaches to the person through their choice of domicile. When you CHOOSE a domicile, you elect or nominate a protector, which in turn gives rise to an obligation to pay for the civil protection demanded. The method of providing that protection is the civil laws of the municipal (as in COUNTY) jurisdiction that you chose a domicile within.

> *"domicile. A person's legal home. That place where a man has his true, fixed, and **permanent home** and principal establishment, and to which whenever he is absent he has **the intention of** returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and **the intention** to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he **intends to** return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. **The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges."***
> *[Black's Law Dictionary, Sixth Edition, p. 485]*

Later versions of Black's Law Dictionary attempt to cloud this important distinction between nationality and domicile in order to unlawfully and unconstitutionally expand federal power into the states of the Union and to give federal judges unnecessary and unwarranted discretion to kidnap people into their jurisdiction using false presumptions. They do this by trying to make you believe that domicile and nationality are equivalent, when they are EMPHATICALLY NOT. Here is an example:

> ***"nationality** – The relationship between a citizen of a nation and the nation itself, customarily involving allegiance by the citizen and protection by the state; membership in a nation. **This term is often used synonymously with citizenship**. "*
> *[Black's Law Dictionary (8th ed. 2004)]*

Federal courts regard the term "citizenship" as equivalent to domicile, meaning domicile on federal territory.

> ***"The words "citizen" and citizenship," however, usually include the idea of domicile, Delaware, L. & W.R. Co. v. Petrowsky, C.C.A.N.Y., 250 F. 554, 557;"***
> *[Black's Law Dictionary, Fourth Edition, p. 310]*

Hence:

1. The term "citizenship" is being stealthily used by government officials as a magic word that allows them to hide their presumptions about your status. Sometimes they use it to mean NATIONALITY, and sometimes they use it to mean DOMICILE.
2. The use of the word "citizenship" should therefore be AVOIDED when dealing with the government because its meaning is unclear and leaves too much discretion to judges and prosecutors.
3. When someone from any government uses the word "citizenship", you should:
   3.1. Tell them NOT to use the word, and instead to use "nationality" or "domicile".
   3.2. Ask them whether they mean "nationality" or "domicile".
   3.3. Ask them WHICH political subdivision they imply a domicile within: federal territory or a constitutional state of the Union.

WARNING: A failure to either understand or correctly apply the above concepts can literally mean the difference between being a government pet in a legal cage called a franchise, and being a free and sovereign man or woman.

11.5 Changing your domicile changes your relationship from foreign to domestic and changes POLITICAL speech to LEGAL speech in court

We said earlier in section 1 that domicile is an EXTREMELY important subject to learn because it defines and circumscribes:

1. The boundary between what is legislatively "foreign" and legislatively "domestic" in relation to a specific jurisdiction. Everyone domiciled OUTSIDE a specific jurisdiction is legislatively and statutorily "foreign" in relation to that civil

jurisdiction. Note that you can be DOMESTIC from a CONSTITUTIONAL perspective and yet ALSO be FOREIGN from a legislative jurisdiction AT THE SAME TIME. This is true of the relationship of most Americans with the national government.

2. The boundary between what is POLITICAL speech and LEGAL speech. For everyone not domiciled in a specific jurisdiction, the civil law of that jurisdiction is POLITICAL and unenforceable. Since real constitutional courts cannot entertain political questions, then they cannot act in a political capacity against nonresidents.

This section will prove these assertions.

The U.S. Supreme Court described how legal entities and persons transition from being FOREIGN to DOMESTIC in relation to a specific court or venue, which is ONLY with their express consent. This process of giving consent is also called a "waiver of sovereign immunity" and it applies equally to governments, states, and the humans occupying them. To wit:

> ***Before we can proceed in this cause we must, therefore, inquire whether we can hear and determine the matters in controversy between the parties, who are two states of this Union, sovereign within their respective boundaries, save that portion of power which they have granted to the federal government, and foreign to each other for all but federal purposes.*** *So they have been considered by this Court, through a long series of years and cases, to the present term; during which, in the case of The Bank of the United States v. Daniels, this Court has declared this to be a fundamental principle of the constitution; and so we shall consider it in deciding on the present motion. 2 Peters, 590, 91.*

> *Those states, in their highest sovereign capacity, in the convention of the people thereof; on whom, by the revolution, the prerogative of the crown, and the transcendant power of parliament devolved, in a plenitude unimpaired by any act, and controllable by no authority, 6 Wheat. 651; 8 Wheat. 584, 88; adopted the constitution, by which they respectively made to the United States a grant of judicial power over controversies between two or more states.* ***By the constitution, it was ordained that this judicial power, in cases where a state was a party, should be exercised by this Court as one of original jurisdiction. The states waived their exemption from judicial power, 6 Wheat. 378, 80, as sovereigns by original and inherent right, by their own grant of its exercise over themselves in such cases, but which they would not grant to any inferior tribunal. By this grant, this Court has acquired jurisdiction over the parties in this cause, by their own consent and delegated authority; as their agent for executing the judicial power of the United States in the cases specified.*** *[The State of Rhode Island and Providence Plantations, Complainants v. the Commonwealth of Massachusetts, Defendant, 37 U.S. 657, 12 Pet. 657, 9 L.Ed. 1233 (1838)]*

The idea of the above cite is that all civil subject matters or powers by any government NOT expressly consented to by the object of those powers are foreign and therefore outside the civil legal jurisdiction of that government. This fact is recognized in the Declaration of Independence, which states that all just powers derive from the CONSENT of those governed. The method of providing that consent , in the case of a human, is to select a civil domicile within a specific government and thereby nominate a protector under the civil statutory laws of the territory protected by that government. This fact is recognized in Federal Rule of Civil Procedure 17(b), which says that the capacity to sue or be sued is determined by the law of the domicile of the party. Civil statutory laws from places or governments OUTSIDE the domicile of the party may therefore NOT be enforced by a court against the party.

A very important aspect of domicile is that whether one is domestic and a citizen or foreign and an “non-resident non-person” under the civil statutory laws is determined SOLELY by one's domicile, and NOT their nationality. You can be born anywhere in America and yet still be a statutory “non-resident non-person” in relation to any and every state or government within America simply by not choosing or having a domicile within any municipal government in the country. You can also be a statutory "non-resident non-person" in relation to the national government and yet still have a civil domicile within a specific state of the Union, because your DOMICILE is foreign, not your nationality.

Throughout our website, we refer to:

1. The entire Bible as a book about politics and government.
   1.1. The term “mountain” is synonymous with a “kingdom” or country. It can literally refer to a specific landform, but more often it refers to the location of a political system: Daniel 2:35; Amos 4:1; 6:1; Micah 4:2; Matthew 4:8. That is why Moses had to go to the top of Mount Sinai (a mountain, which was symbolic of God’s political kingdom) to receive the Ten Commandments in Exodus 19.
   1.2. The term “hill” is synonymous with city or temple. Psalm 15, 1 Sam. 10:5. This is the same “hill” or “tower of babel” that the first king, Nimrod, built, and which God tried to tear down in Genesis 10.
2. The “Lawgiver” of any society as literally the “god” of that society:

Why All Law is Religious in Nature, Family Guardian Fellowship
http://famguardian.org/Subjects/LawAndGovt/ChurchVState/WhyAllManmadeLawRelig.htm

3. The Bible as a covenant or contract between Christians and God.
4. The Bible as a trust indenture. All trusts are special kinds of contracts.
5. The Heaven and the Earth as the corpus of the trust.
6. God as the Grantor and the Beneficiary of the Bible trust indenture.
7. Believers as "trustees" under the Bible trust indenture.
8. "Worship" as an act of obedience to the trust indenture and within the authorities delegated by the Trust.
9. Believers as having a "fiduciary relationship" and exercising agency or "office" on behalf of the Beneficiary, who is God, while on Earth.
10. The blessings found in Deut. 28:1-14 as the periodic and current compensation of trustees under the trust indenture.
11. Our time on Earth as a proving and testing ground to determine who is faithful to and therefore belongs to God. All those who don't belong to God by definition belong to Satan.
12. The "blessings of Heaven" as the "deferred compensation" (retirement plan) of trustees under the trust indenture. The Heaven, and the "House of Many Mansions" mentioned by Jesus in John 14:2 is the "retirement home" for believers after they leave Earth. On this subject, we often jokingly say:

> *"My boss is a Jewish carpenter and His benefits program is OUT OF THIS WORLD!"*

13. Jesus as the "Protector" of the trust indenture. He recruits (calls or hires), qualifies (using His law), and disqualifies (fires) trustees. Those who have not faithfully executed their duties as trustees will not receive the ongoing "benefits" (blessings) or the deferred (retirement) compensation of the trust.
14. Those who do things that are forbidden by the trust or refuse to do things that are commanded as:
    14.1. "sinners": This is what Jesus calls them in Matt. 9. In Spanish, "sin" means "without", and the thing people are "without" when they sin is God and His laws.
    14.2. "lawless": This is what Jesus called them in Matt. 7:23, Matt. 13:41, Matt. 23:28, and Matt. 24:12.

The above metaphor is exhaustively proven using the Bible as evidence in the following:

Delegation of Authority Order from God to Christians, Form #13.007
http://sedm.org/Forms/FormIndex.htm

Anyone who does not "worship" (serve ANYONE or ANYTHING ABOVE them, and who in turn possesses superior or supernatural powers) is an atheist. Those who worship the wrong god are called "idolaters". Even those who THINK they are "atheists" often in fact DO worship (obey and serve) a religion without knowing it. The thing they worship is the thing they put higher in importance than God. This could be SELF, any law system OTHER than God's, money, sex, power, etc. The idolatry practiced by atheists is described in:

Problems With Atheistic Anarchism, Form #08.020
http://sedm.org/Forms/FormIndex.htm

The Bible shows how the transition from FOREIGN to DOMESTIC and POLITICAL to LEGAL happens in relation to God in the following passage:

> *2 That at that time ye were without (separated from) Christ, **being aliens (shut out) from the commonwealth (Politeo, polis) of Israel, and strangers (xenos or alien) from the covenants of promise, having no hope, and without God (atheist) in the world (cosmos)**:*
>
> *13 But now in Christ Jesus ye who sometimes were far off are made nigh by the blood of Christ.*
>
> *14 For he is our peace, who hath made both one, and hath broken down the middle wall of partition (hedge or fence) between us;*
>
> *15 Having abolished in his flesh the enmity (hostility), even the law (nomos) of commandments contained in ordinances; for to make in himself of twain one new man (anthropos), so making peace;*
>
> *16 And that he might reconcile both unto God in one body by the cross, having slain (killed) the enmity thereby:*
>
> *17 And came and preached peace to you which were afar off, and to them that were nigh.*

18 For through him we both have access (freedom or right to enter) by one Spirit unto the Father.

19 Now therefore ye are no more strangers (xenos or foreigner or alien) and foreigners (one who lives in a place without citizenship), but fellow citizens (sumpolitai: from polis) with the saints, and of the household (domestic, blood kindred) of God;
[Eph. 2:2-19, Bible, KJV (amplified)]

Translations of the words and phrases found above into contemporary legal language:

Table 2: Biblical v. Legal use of terms within the Bible relating to domicile

#	Bible term	Legal meaning within secular law
1	"Christ Jesus"	Our political ruler. In secular terms, civil rulers are "kings" under the civil law.
2	"aliens"	Those with a foreign domicile regardless of the geographical place of birth.
3	"commonwealth"	political entity or state.
4	"covenants of promise"	Social Compact. The Social Compact is implemented by the civil statutory law. Criminal law does not require consent to lawfully enforce, so it technically is not a covenant or agreement.
5	"strangers from the covenants"	Not consenting members of the body politic or the "social compact". Not protected by the civil statutory law.
6	"having no hope"	fearful because outside the protection and benefit of your king or ruler.
7	"without God"	Without a government civil protector.
8	"middle wall of partition"	Legal boundary between what is just and unjust. The Declaration of Independence says that all just powers of government derive from the CONSENT of the governed. It would be unjust and an act of terrorism to interfere with or even protect the property or rights of those who didn't consent to RECEIVE the protection.
9	"the enmity (hostility)"	The jealous insistence of self-government and self-ownership and one's PRIVATE rather than PUBLIC status. Also, the status of being a criminal under God's law who has not yet been arrested or incarcerated. Under God's laws, we are all criminals and deserve death, eternal separation from God, prison, and isolation. That's the story of the Garden of Eden. Adam and Eve had to be kicked out of the Garden after they sinned.
10	"abolished in his flesh . . .even the law (nomos) of commandments contained in ordinances; for to make in himself of twain one new man (anthropos), so making peace;"	Christ abolished the enmity and separation between God and us by becoming a living sacrifice and paying the penalty for our sin demanded by God's commandments. Hence, we can safely leave the slavery and isolation of our sin and return to fellowship with God. Prisons do the same thing. Criminals must be separated from society by being put in jail. They must fulfill their sentence before they can return to society and fellowship as an equal member once again.

Before we become Christians, we are legally separated from God and outside of the protection and "benefit" (blessing) of His laws:

1. God's criminal laws "protect" us. His criminal laws protect us even if we don't consent to the protection. They attach to the LAND we stand on and therefore are called the "law of the land". Sin has the effect of "uprooting us" from the "protections" of this "law of the land":

   "For the upright will dwell in the land,
   And the blameless will remain in it;
   But the wicked will be cut off from the earth,
   And the unfaithful will be uprooted from it."
   [Prov. 2:21-22, Bible, NKJV]

2. God's civil statutory laws "benefit" or "bless" us. We must consent to become the proper subject of His CIVIL laws, and hence, we must be a party to a COVENANT to receive their "benefits". Anything that conveys "benefits" or "blessings" is a franchise in legal terminology. Legal evidence of the existence of our covenant with God is the act of baptism. Beyond baptism, our acts of obedience and professed faith also constitutes such legal evidence. James 2.

Being "outside" of the protection of a specific system of law as described below is called being "foreign", a "stranger", "stateless", or a "nonresident" in secular legal terms.

> *2 That at that time ye were without (separated from) Christ, being aliens (shut out) from the commonwealth (Politeo, polis) of Israel, and strangers (xenos or alien) from the covenants of promise, having no hope, and without God (atheist) in the world (cosmos):*
>
> *13 But now in Christ Jesus ye who sometimes were far off are made nigh by the blood of Christ.*
>
> *14 For he is our peace, who hath made both one, and hath broken down the middle wall of partition (hedge or fence) between us;*

While we are "foreign", a "stranger",' stateless", and a "nonresident" in relation to God and His laws, we are usually "domestic", a statutory "person", and a "subject" in relation to a political ruler. The Apostle Paul refers to the shedding of this legal identity as "putting on the new man":

> *The New Man*
>
> *This I say, therefore, and testify in the Lord, that you should no longer walk as the rest of the Gentiles walk, in the futility of their mind, having their understanding darkened, **being alienated from the life of God, because of the ignorance that is in them, because of the blindness of their heart; who, being past feeling, have given themselves over to lewdness, to work all uncleanness with greediness.***
>
> *But you have not so learned Christ, if indeed you have heard Him and have been taught by Him, as the truth is in Jesus: that you **put off, concerning your former conduct, the old man which grows corrupt according to the deceitful lusts, and be renewed in the spirit of your mind, and that you put on the new man which was created according to God, in true righteousness and holiness.***
> *[Eph. 4:17-24, Bible, NKJV]*

After we have shed Caesars/Satan's authority over us, we are no longer under Caesar's protection:

> *"But if you are led by the Spirit, you are not under the law."*
>
> *[. . .]*
>
> *"But the fruit of the Spirit is love, joy, peace, longsuffering, kindness, goodness, faithfulness, gentleness, self-control. **Against such there is no law.**"*
> *[Galatians 5:18, Bible, NKJV]*

The "new man" referred to above is actually a TRUSTEE POSITION or "office" within the Bible trust indenture, just like all of man's civil law. The believer then becomes a "foreigner" in relation to Caesar's civil statutory franchise codes and no longer an AGENT of Caesar, but rather of God. You can only have ONE King and ONE domicile and ONE allegiance at a time, or you have a conflict of interest:

> *"All the powers of the government [including ALL of its civil enforcement powers against the public] must be carried into operation **by individual agency, either through the medium of public officers, or contracts made with [private] individuals.**"*
> *[Osborn v. Bank of U.S., 22 U.S. 738 (1824)]*

To redeem us from the corruption of this pagan system of secular law that enslaves us to worshipping false idols called civil rulers, Christ shed His blood for us. When we accept His free gift of salvation through faith, we become "domestic" in relation to God and "foreign" in relation to the world:

> *13 But now in Christ Jesus ye who sometimes were far off are made nigh by the blood of Christ.*
>
> *14 For he is our peace, who hath made both one, and hath broken down the middle wall of partition (hedge or fence) between us;*
>
> *15 Having abolished in his flesh the enmity (hostility), even the law (nomos) of commandments contained in ordinances; for to make in himself of twain one new man (anthropos), so making peace;*
>
> *16 And that he might reconcile both unto God in one body by the cross, having slain (killed) the enmity thereby:*

17 And came and preached peace to you which were afar off, and to them that were nigh.

18 For through him we both have access (freedom or right to enter) by one Spirit unto the Father.

19 Now therefore ye are no more strangers (xenos or foreigner or alien) and foreigners (one who lives in a place without citizenship), but fellow citizens (sumpolitai: from polis) with the saints, and of the household (domestic, blood kindred) of God;

The Biblical political model for government was based on city states rather that "states". Ancient cities had walls around them and a gate controlling entry and exit. To enter the city, you had to be a STATUTORY "citizen", "resident", or "member" of the city, and swear allegiance to the ruler.

*Blessed are those who do [OBEY] His commandments [LAWS], that they may have the right to the tree of life, and **may enter through the gates into the city**. But outside [the city and its protection] are dogs and sorcerers and sexually immoral and murderers and idolaters, and whoever loves and practices a lie.*
[Rev. 22:14-15, Bible, NKJV]

The only way to avoid committing idolatry is to ensure that God is the King of the city you want to be a member of. The Bible book of Nehemiah describes how such a city can be and was built. It describes the rebuilding of the wall around Jerusalem and the restoration of God as the King of the Israelites. To do this, all the people in the new city had to:

1. Study God's law.

Now all the people gathered together as one man in the open square that was in front of the Water Gate; and they told Ezra the scribe to bring the Book of the Law of Moses, which the LORD had commanded Israel. So Ezra the priest brought the Law before the assembly of men and women and all who could hear with understanding on the first day of the seventh month. Then he read from it in the open square that was in front of the Water Gate from morning until midday, before the men and women and those who could understand; and the ears of all the people were attentive to the Book of the Law.

So Ezra the scribe stood on a platform of wood which they had made for the purpose; and beside him, at his right hand, stood Mattithiah, Shema, Anaiah, Urijah, Hilkiah, and Maaseiah; and at his left hand Pedaiah, Mishael, Malchijah, Hashum, Hashbadana, Zechariah, and Meshullam. And Ezra opened the book in the sight of all the people, for he was standing above all the people; and when he opened it, all the people stood up. And Ezra blessed the LORD, the great God.

Then all the people answered, "Amen, Amen!" while lifting up their hands. And they bowed their heads and worshiped the LORD with their faces to the ground.
[Nehemiah 8:1-6, Bible, NKJV]

2. Restore the authority of God's law by SEPARATING themselves from everyone OUTSIDE, meaning the "foreigners", "strangers", and "nonresidents" and confessing their sins. Being SEPARATE and being "sanctified" are equivalent in the context of the Bible. "Sanctified" means "set aside for a purpose", and that purpose is God's purpose. Sanctification means obedience to Him and His divine law.

The People Confess Their Sins

Now on the twenty-fourth day of this month the children of Israel were assembled with fasting, in sackcloth, and with dust on their heads. Then those of Israelite lineage separated themselves from all foreigners; and they stood and confessed their sins and the iniquities of their fathers. And they stood up in their place and read from the Book of the Law of the Lord their God for one–fourth of the day; and for another fourth they confessed and worshiped the Lord their God.
[Nehemiah 9:1-3, Bible, NKJV]

_____

The Whole Duty of Man

*And moreover, because the Preacher was wise, he still taught the people knowledge; yes, he pondered and sought out and set in order many proverbs. The Preacher sought to find acceptable words; and what was written was upright—words of truth. The words of the wise are like goads, and **the words of scholars are like well-driven nails, given by one Shepherd**. And further, my son, be admonished by these. Of making many books there is no end, and much study is wearisome to the flesh.*

Let us hear the conclusion of the whole matter:

Fear God and keep His commandments,
For this is man's all.
For God will bring every work into judgment,
Including every secret thing,
Whether good or evil.
[Eccl. 12:9-14, Bible, NKJV]

On that last item above, now deceased U.S. Supreme Court Justice Antonin Scalia boldly stated at a legal gathering that socialism "deprives Christians of sanctification". By this he clearly can only mean that it INTERFERES with obeying God's laws, since sanctification is effected only through obedience to God's laws. He should know about Christianity because after all, his son is a Catholic Priest and presided over his own funeral:

Is Capitalism or Socialism More Conducive to Christian Virtue? | Justice Antonin Scalia
https://www.youtube.com/watch?v=fkChru9L3xA&list=PLin1scINPTOvZ8rxbiOsuA0pY_79K44Mp&index=100

The basis for our ministry is, in fact, the rebuilding of this wall of separation between church, which is believers as individual humans, and the secular pagan state, which is the heathens around us. See the following discussion about Nehemiah in:

SEDM About Us Page, Section 2: Mission Statement
http://sedm.org/Ministry/AboutUs.htm

The Heaven we enter after the final judgment called "The New Jerusalem" is described as such a great city. You can't enter this walled city without allegiance to its King, who is Jesus, and without obedience to the laws that make it a safe and pleasant place for EVERYONE. If Jesus is your Savior but NOT your Sovereign Lord and KING, then you can't enter this city!

The New Jerusalem

Then one of the seven angels who had the seven bowls filled with the seven last plagues came to me and talked with me, saying, "Come, I will show you the bride, the Lamb's wife." And he carried me away in the Spirit to a great and high mountain, and showed me the great city, the holy Jerusalem, descending out of heaven from God, having the glory of God. Her light was like a most precious stone, like a jasper stone, clear as crystal. Also she had a great and high wall with twelve gates, and twelve angels at the gates, and names written on them, which are the names of the twelve tribes of the children of Israel: three gates on the east, three gates on the north, three gates on the south, and three gates on the west.

Now the wall of the city had twelve foundations, and on them were the names of the twelve apostles of the Lamb. And he who talked with me had a gold reed to measure the city, its gates, and its wall. The city is laid out as a square; its length is as great as its breadth. And he measured the city with the reed: twelve thousand furlongs. Its length, breadth, and height are equal. Then he measured its wall: one hundred and forty-four cubits, according to the measure of a man, that is, of an angel. The construction of its wall was of jasper; and the city was pure gold, like clear glass. The foundations of the wall of the city were adorned with all kinds of precious stones: the first foundation was jasper, the second sapphire, the third chalcedony, the fourth emerald, the fifth sardonyx, the sixth sardius, the seventh chrysolite, the eighth beryl, the ninth topaz, the tenth chrysoprase, the eleventh jacinth, and the twelfth amethyst. The twelve gates were twelve pearls: each individual gate was of one pearl. And the street of the city was pure gold, like transparent glass.
[Rev. 21:9-21, Bible, NKJV]

The wall keeps the sinners, disobedient, and anarchists (in relation to God's laws) OUT of the city. These people are NOT subject to the laws applicable WITHIN the city, but instead are "foreign", a "stranger", "stateless", or a "nonresident" in relation to the civil laws of that place. All laws are prima facie territorial, meaning that they DO NOT apply to people not ON that land or at least domiciled there.

*The foregoing considerations would lead, in case of doubt, to a construction of any statute as intended to be confined in its operation and effect to the territorial limits over which the lawmaker has general and legitimate power. **'All legislation is prima facie territorial.' Ex parte Blain, L. R. 12 Ch. Div. 522, 528; State v. Carter, 27 N.J.L. 499; People v. Merrill, 2 Park.Crim.Rep. 590, 596. Words having universal scope, such as 'every contract in restraint of trade,' 'every person who shall monopolize,' etc., will be taken, as a matter of course, to mean only everyone subject to such legislation, not all that the legislator subsequently may be able to catch.** In the case of the present statute, the improbability of the United States attempting to make acts done in Panama or Costa Rica criminal is obvious, yet the law begins by making criminal the acts for which it gives a right to sue. We think it entirely plain that what the defendant did in Panama or Costa Rica is not within the*

scope of the statute so far as the present suit is concerned. Other objections of a serious nature are urged, but need not be discussed.
[American Banana Co. v. U.S. Fruit, 213 U.S. 347 at 357-358]

"The canon of construction which teaches that legislation of Congress, unless a contrary intent appears, is meant to apply only within the territorial jurisdiction of the United States, Blackmer *v.* United States, supra, *at 437, is a valid approach whereby unexpressed congressional intent may be ascertained. It is based on the assumption that Congress is primarily concerned with domestic conditions."*
[Foley Brothers, Inc. v. Filardo, 336 U.S. 281 (1949)]

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

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

In the case of the civil statutory "codes" or protection franchise, you must not only be ON that land, but must CONSENT to be protected by them by consensually choosing a domicile within the jurisdiction of the "state" that civilly protects that land. If you don't choose such a domicile on the land in which you have injured someone, then:

1. The party you injured and you are both protected only by the Constitution and the Common law.
2. You are a "foreign", a "stranger", "stateless", or a "nonresident" in relation to the civil statutory codes of that place.
3. Those who attempt to enforce the civil statutory "codes" against a non-resident are guilty of compelling you to contract under the terms of the "social compact", meaning the civil statutory protection franchise codes.
4. Any case law that is quoted against you is merely "political speech" and propaganda designed to deceive you into obedience to franchise codes that don't apply to you. All case law that is quoted in court must derive from parties "similarly situated", meaning those who are "nonresidents" under the civil statutory franchise codes. This rule is maliciously violated all the time by corrupt judges intent on usurping authority and committing TREASON.
5. If you are a Christian and Jesus is your only King and therefore lawgiver, then you are an agent of a foreign state called "Heaven" and a public officer of the Kingdom of Heaven. You are from the city of "New Jerusalem".

TITLE 28 > PART IV > CHAPTER 97 > Sec. 1603.
Sec. 1603. - Definitions

For purposes of this chapter -

*(a) A "**foreign state**", except as used in section 1608 of this title, includes a political subdivision of a foreign state or an agency or instrumentality of a foreign state as defined in subsection (b).*

(b) An "agency or instrumentality of a foreign state" means any entity -

(1) which is a separate legal person, corporate or otherwise, and

(2) which is an organ of a foreign state or political subdivision thereof, or a majority of whose shares or other ownership interest is owned by a foreign state or political subdivision thereof, and

(3) which is neither a citizen of a State of the United States as defined in section 1332 (c) and (d) of this title, nor created under the laws of any third country.

As a public officer, agent, and trustee of God under the Bible trust indenture and someone who is "domestic" in relation to Heaven and "foreign" in relation to Caesar, you are an "ambassador" of God who is subject ONLY to the CIVIL lawgiver you represent.

"Now then, we are ambassadors for Christ, as though God were pleading through us: we implore you on Christ's behalf, be reconciled to God. For He made Him who knew no sin to be sin for us, that we might become the righteousness of God in Him."
[2 Cor. 5:20-21, Bible, NKJV]

"Stand therefore, having girded your waist with truth, having put on the breastplate of righteousness, and having shod your feet with the preparation of the gospel of peace; above all, taking the shield of faith with

which you will be able to quench all the fiery darts of the wicked one. And take the helmet of salvation, and the sword of the Spirit, which is the word of God; praying always with all prayer and supplication in the Spirit, being watchful to this end with all perseverance and supplication for all the saints— and for me, that utterance may be given to me, that I may open my mouth boldly to make known the mystery of the gospel, for which I am an ambassador in chains; that in it I may speak boldly, as I ought to speak."
[Eph. 6:14-20, Bible, NKJV]

PARTICULAR PERSONS
4. Public Officials and Employees; Members of the Armed Services
§31 Public Officials and Employees

***Ambassadors, consuls, and other public officials residing abroad in governmental service do not generally acquire a domicile in the country where their official duties are performed, but retain their original domicile,** "although such officials may acquire a domicile at their official residence, if they engage in business or commerce inconsistent with, or extraneous to, their public or diplomatic character.*
[Corpus Juris Secundum (C.J.S.), Domicile, §31 (2003);
SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf*]*

Jesus even described how we became "foreign", a "stranger", "stateless", or a "nonresident":

*"If you were of the world, the world would love its own. **Yet because you are not of [domiciled within] the world, but I [Jesus] chose you [believers] out of the world, therefore the world hates you**. Remember the word that I said to you, 'A [public] servant is not greater than his [Sovereign] master.' If they persecuted Me, they will also persecute you. If they kept My word, they will keep yours also [as trustees of the public trust]. But all these things they will do to you for My name's sake, because **they do not know Him [God] who sent Me.**"*
[Jesus in John 15:19-21, Bible, NKJV]

The phrase "do not know Him who sent Me" is equivalent to someone who has no commercial or legal relationship with God by virtue of not accepting or nominating Him as their CIVIL protector. These people are domiciled on Earth within Caesar's jurisdiction rather than in Heaven under God's civil protection. They are therefore practicing idolatry and are under the control of the "wicked one" as Jesus called Him in Matt. 13, 1 John 2, and 1 John 3. They are "worshipping" a false idol called "Caesar" because they have nominated HIM as their pagan civil lawgiver instead of God. The source of law in any society is the GOD of that society and if Caesar's law deviates from God's law, then Caesar is the new pagan god:

*Then all the elders of Israel gathered together and came to Samuel at Ramah, and said to him, "Look, you are old, and your sons do not walk in your ways. **Now make us a king to judge us like all the nations** [and be OVER them]".*

*But the thing displeased Samuel when they said, "**Give us a king to judge us."** So Samuel prayed to the Lord. **And the Lord said to Samuel, "Heed the voice of the people in all that they say to you; for they have rejected Me [God], that I should not reign over them.** According to all the works which they have done since the day that I brought them up out of Egypt, even to this day—**with which they have forsaken Me and served other gods [Kings, in this case]—so they are doing to you also** [government becoming idolatry]. Now therefore, heed their voice. **However, you shall solemnly forewarn them, and show them the behavior of the king who will reign over them.**"*
[1 Sam. 8:4-9, Bible, NKJV]

The Bible even describes Jesus as NOT having an Earthly domicile:

*Then a certain scribe came and said to Him, "Teacher, I will follow You wherever You go." And Jesus said to him, "Foxes have holes and birds of the air have nests, but **the Son of Man has nowhere to lay His head.**"*
[Matt. 8:19-20, Bible, NKJV]

Consistent with the above analysis, states of the Union:

1 Are considered legislatively "foreign" in relation to each other.

"For all national purposes embraced by the Federal Constitution, the States and the citizens thereof are one, united under the same sovereign authority, and governed by the same laws. In all other respects the States are necessarily foreign and independent of each other."
[Buckner v. Finley, 2 Pet. 586 (1829)]

> *Foreign Laws: "The laws of a foreign country or sister state. In conflicts of law, the legal principles of jurisprudence which are part of the law of a sister state or nation. Foreign laws are additions to our own laws, and in that respect are called 'jus receptum'."*
> *[Black's Law Dictionary, 6th Edition, p. 647]*

2 Are called "foreign states" in relation to the national government.

> *Foreign States: "Nations outside of the United States…Term may also refer to another state; i.e. a sister state. The term 'foreign nations', …should be construed to mean all nations and states other than that in which the action is brought; and hence, one state of the Union is foreign to another, in that sense."*
> *[Black's Law Dictionary, 6th Edition, p. 648]*

3 Are called "sovereign" because they are legislatively foreign.

> *"Generally, the states of the Union sustain toward each other the relationship of independent sovereigns or independent foreign states, except in so far as the United States is paramount as the dominating government, and in so far as the states are bound to recognize the fraternity among sovereignties established by the federal Constitution, as by the provision requiring each state to give full faith and credit to the public acts, records, and judicial proceedings of the other states..."*
> *[81A Corpus Juris Secundum (C.J.S.), United States, §29 (2003)]*

4 Can only surrender their "foreign status" WITH THEIR express consent.

> ***Before we can proceed in this cause we must, therefore, inquire whether we can hear and determine the matters in controversy between the parties, who are two states of this Union, sovereign within their respective boundaries, save that portion of power which they have granted to the federal government, and foreign to each other for all but federal purposes.*** *So they have been considered by this Court, through a long series of years and cases, to the present term; during which, in the case of The Bank of the United States v. Daniels, this Court has declared this to be a fundamental principle of the constitution; and so we shall consider it in deciding on the present motion. 2 Peters, 590, 91.*
>
> *Those states, in their highest sovereign capacity, in the convention of the people thereof; on whom, by the revolution, the prerogative of the crown, and the transcendant power of parliament devolved, in a plenitude unimpaired by any act, and controllable by no authority, 6 Wheat. 651; 8 Wheat. 584, 88; adopted the constitution, by which they respectively made to the United States a grant of judicial power over controversies between two or more states.* ***By the constitution, it was ordained that this judicial power, in cases where a state was a party, should be exercised by this Court as one of original jurisdiction. The states waived their exemption from judicial power, 6 Wheat. 378, 80, as sovereigns by original and inherent right, by their own grant of its exercise over themselves in such cases, but which they would not grant to any inferior tribunal. By this grant, this Court has acquired jurisdiction over the parties in this cause, by their own consent and delegated authority; as their agent for executing the judicial power of the United States in the cases specified.***
> *[The State of Rhode Island and Providence Plantations, Complainants v. the Commonwealth of Massachusetts, Defendant, 37 U.S. 657, 12 Pet. 657, 9 L.Ed. 1233 (1838)]*

The same distinctions apply to the PEOPLE within those states in relation to their own state government and even the national government, at least from a CIVIL statutory perspective.

> *"The United States Government is a foreign corporation with respect to a state." [N.Y. v. re Merriam 36 N.E. 505; 141 N.Y. 479; affirmed 16 S.Ct. 1073; 41 L. Ed. 287] [underlines added]*
> *[19 Corpus Juris Secundum (C.J.S.), Corporations, §884 (2003)]*

Why is the national government a "foreign corporation" in respect to a CONSTITUTIONAL state? Because their first and MAIN job is to **leave you alone**, which means treat you as "foreign", "stateless", a "nonresident", and a "stranger" unless and until you SPECIFICALLY CONSENT, demand, and ask to be civilly protected by selecting a civil domicile. As we have just proven, you are an IDIOT and an idolater if you ask Caesar to do this, according to God.

> *"**Justice is the end of government. It is the end of civil society**. It ever has been, and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit."*
> *[James Madison, The Federalist No. 51 (1788)]*

PAULSEN, ETHICS (Thilly's translation), chap. 9.

> *"**Justice, as a moral habit, is that tendency of the will and mode of conduct which refrains from disturbing the lives and interests of others, and, as far as possible, hinders such interference on the part of others.** This virtue springs from the individual's respect for his fellows as ends in themselves and as his co equals. The different spheres of interests may be roughly classified as follows: body and life; the family, or the extended individual life; property, or the totality of the instruments of action; honor, or the ideal existence; and finally freedom, or the possibility of fashioning one's life as an end in itself. The law defends these different spheres, thus giving rise to a corresponding number of spheres of rights, each being protected by a prohibition. . . . To violate the rights, to interfere with the interests of others, is injustice. All injustice is ultimately directed against the life of the neighbor; it is an open avowal that the latter is not an end in itself, having the same value as the individual's own life. The general formula of the duty of justice may therefore be stated as follows: Do no wrong yourself, and permit no wrong to be done, so far as lies in your power; or, expressed positively: Respect and protect the right."*
> *[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 2]*

> *"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. **They conferred, as against the Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized men.**"*
> *[Olmstead v. United States, 277 U.S. 438, 478 (1928) (Brandeis, J., dissenting); see also Washington v. Harper, 494 U.S. 210 (1990)]*

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

> *"With all [our] blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow citizens--**a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.**"*
> *[Thomas Jefferson: 1st Inaugural, 1801. ME 3:320]*

You have to SURRENDER your right to be left alone, fire God as your civil protector, and agree to commit idolatry by asking Caesar for civil protection. Once you ask, he will make you into a public officer working WITHIN his corporation and therefore "domestic". Nearly all statutory "persons" are public officers, as we exhaustively prove in:

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

If you are not serving WITHIN the above "foreign corporation" of Caesar as a public officer, then you remain "foreign", a "stranger", "stateless", or a "nonresident" in relation to that corporation. While serving WITHIN that corporation as its agent and officer, your effective domicile is the domicile of the corporation, which is the District of Columbia under Federal Rule of Civil Procedure 17(b), as we established earlier in section 11.3. If you want to REMAIN "foreign", a "stranger", "stateless", or a "nonresident", then you MUST ensure that you NEVER contract, meaning "fornicate" with The Beast Government (Rev. 19:19) for EITHER civil "protection" or civil "benefits". In other words, you should NEVER consent to surrender your sovereignty or sovereign immunity to become a statutory "person", "citizen", or "resident" under the CIVIL statutory franchise codes:

> ***Commerce***. ...Intercourse *by way of trade and traffic between different peoples or states and the citizens or inhabitants thereof, including not only the purchase, sale, and exchange of commodities, but also the instrumentalities [*governments*] and agencies by which it is promoted and the means and appliances by which it is carried on..."*
> *[Black's Law Dictionary, Sixth Edition, p. 269]*

> *"Again, the devil took Him [Jesus] up on an exceedingly high [civil/legal status above all other humans] mountain, and showed Him all the kingdoms of the world and their glory. And he said to Him, "**All these things ["BENEFITS"] I will give You if You will fall down [BELOW Satan but ABOVE other humans] and worship [serve as a PUBLIC OFFICER] me.**"*

*Then Jesus said to him, **"Away with you, Satan! For it is written, 'You shall worship the LORD your God, and Him only you shall serve.'"***

Then the devil left Him, and behold, angels came and ministered to Him."
[Matt. 4:8-11, Bible, NKJV]

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

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

So it was, when the Angel of the LORD spoke these words to all the children of Israel, that the people lifted up their voices and wept.
[Judges 2:1-4, Bible, NKJV]

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

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*'For among My [God's] people are found wicked [covetous public servant] men; **They lie in wait as one who sets snares; They set a trap; They catch men.** As a cage is full of birds, **So their houses are full of deceit**. Therefore they have become great and grown rich. They have grown fat, they are sleek; Yes, they surpass the deeds of the wicked; They do not plead the cause, The cause of the fatherless [or the innocent, widows, or the nontaxpayer]; Yet they prosper, And the right of the needy they do not defend. **Shall I not punish them for these things?' says the Lord. 'Shall I not avenge Myself on such a nation as this?**'*

*"**An astonishing and horrible thing Has been committed in the land: The prophets prophesy falsely, And the priests [judges in franchise courts that worship government as a pagan deity] rule by their own power; And My people love to have it so. But what will you do in the end?"***
[Jer. 5:26-31, Bible, NKJV]

"The taxpayer-- that's someone who works for the federal government but doesn't have to take the civil service examination."
[President Ronald W. Reagan]

"In the matter of taxation, every privilege is an injustice."
[Voltaire]

"The more you want [privileges], the more the world can hurt you."
[Confucius]

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*"The Lord is well pleased for His righteousness' sake; **He will exalt the law and make it honorable. But this is a people robbed and plundered! All of them are snared in [legal] holes [by the sophistry of greedy government lawyers], and they are hidden in prison houses; they are for prey, and no one delivers; for plunder, and no one says, "Restore!"**.*

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

If we don't obey the above commandments, then here is the process of corruption that happens in which we will be DESTROYED. This process of corruption is summarized in an ancient maxim of law:

> *"Protectio trahit subjectionem, subjectio projectionem.*
> *Protection draws to it subjection, subjection, protection. Co. Litt. 65."*
> *[Bouvier's Maxims of Law, 1856]*

The above maxim of law is described in 1 Sam. 8:19-20:

> *Nevertheless the people refused to obey the voice of Samuel; and they said, "No, but we will have a king over us, that we also may be like all the nations, and that our king may judge us* ***and go out before us and fight our battles [PROTECT us]****."*
> *[1 Sam. 8:19-20, Bible, NKJV]*

The result of trusting Egypt/Babylon/District of Columbia for protection, franchises, or privileges is the following:

> *Israel Demands a King*
>
> *So Samuel told all the words of the Lord to the people who asked him for a king. And he said, "****This will be the behavior of the king who will reign over you: He will take your sons and appoint them for his own chariots and to be his horsemen, and some will run before his chariots. He will appoint captains over his thousands and captains over his fifties, will set some to plow his ground and reap his harvest, and some to make his weapons of war and equipment for his chariots. He will take your daughters to be perfumers, cooks, and bakers. And he will take the best of your fields, your vineyards, and your olive groves, and give them to his servants. He will take a tenth of your grain and your vintage, and give it to his officers and servants. 16 And he will take your male servants, your female servants, your finest young men,[a] and your donkeys, and put them to his work. He will take a tenth of your sheep. And you will be his servants. And you will cry out in that day because of your king whom you have chosen for yourselves, and the Lord will not hear you in that day.****"*
> *[1 Sam. 8:10-18, Bible, NKJV]*
> _____
>
> *Futile Confidence in Egypt [Babylon]*
>
> *"Woe to the rebellious children," says the Lord,*
> *"Who take counsel [legal advice], but not of Me,*
> *And who devise plans, but not of My Spirit,*
> *That they may add sin to sin;*
> *Who walk to* ***go down to Egypt [Babylon]****,*
> *And have not asked My advice [God's laws and holy spirit],*
> *To strengthen themselves in the strength of Pharaoh [District of Columbia],*
> *And to trust in the shadow [franchises] of Egypt!*
> ***Therefore the strength of Pharaoh***
> ***Shall be your shame,***
> ***And trust in the shadow of Egypt***
> ***Shall be your humiliation.***
> *For his princes were at Zoan,*
> *And his ambassadors came to Hanes.*
> *They were all ashamed of* ***a people who could not benefit [franchises] them,***
> *Or be help or benefit,*
> *But a shame and also a reproach."*
> *[Isaiah 30:1-5, Bible, NKJV]*

Notice the language "no help or benefit" in the last quote above. God is describing an UNFAIR or UNEQUAL trade wrought out of desperation and which produces "USURY". We describe this as "the raw deal" scam, which is a euphemism for franchises and the FDR "New Deal". The Bible reiterates this criticism of the government's "raw deal scam" in the following:

For thus says the LORD: " You have sold yourselves for nothing, And you shall be redeemed without money."
[Isaiah 52:3, Bible, NKJV]

The same unequal sale for nothing happened during the famine in Egypt, and also in the first city Babylon between Nimrod and his "victims", where he used the PLUNDER to build his tower to celebrate his vanity. Do you see a pattern here? It's about USURY. For more on the "raw deal scam" and its origin with "protection", see section 8 of this document.

The only remedy for the usury is:

1. Love. God is love. He who does not love His neighbor does not know God.
2. Empathy.
3. Equality between the governors and the governed from a civil perspective, so that idolatry toward government is IMPOSSIBLE.
4. Requirement for consent of the governed in any and every interaction between the governed and the governors. See Form #05.003.
5. Contentment, which is the opposite of covetousness.
6. "Meekness", which is a synonym for all the above.

For more on who "Babylon the Harlot" and "Mystery Babylon" is, see:

1. *Devil's Advocate: Lawyers-What We Are Up Against*, SEDM http://sedm.org/what-we-are-up-against/
2. *What is Mystery Babylon? Sermons*, Sermon tapes 8527a through 8537b-Sheldon Emry http://sheldonemrylibrary.famguardian.org/CassetteTapedMessages/1985/SheldonEmry/MysteryBabylon/Babylon.htm
3. *What is Mystery Babylon? Book*-Sheldon Emry http://sheldonemrylibrary.famguardian.org/Books/MysteryBabylon/mysterybabylon.htm
4. *Babylon the Great is Falling*, Jack Hook http://famguardian.org/Publications/BabylonTheGreatIsFalling/index.htm

Lastly, President Barack Obama agrees with us that religious people are foreigners in their own society, and by that he can only mean from both a LEGAL perspective and a POLITICAL perspective:

President Obama Admits People of Faith are foreigners and strangers in their own society, SEDM Youtube Channel https://www.youtube.com/watch?v=UeKbkAkASX4

11.6 "Domicile" and "residence" compared

We know from earlier discussion that one can have only ONE domicile but as many residences as they want. The reason is that:

1. DOMICILE is associated with PERSONS and implies physical presence and allegiance, which must be undivided. You can only be in one physical place at a time and have undivided allegiance to only one government at a time.
2. RESIDENCE is associated with CONTRACTS and the statuses they create. Residence is usually a consequence of the exercise of your right to contract with those usually OUTSIDE the place of your domicile. It is a product of the Minimum Contacts Doctrine. Since your right to contract is unlimited, then you can have more than one residence. Each "residence" can, in turn, dictate a different choice of law or government protector.

"Locus contractus regit actum. The place of the contract governs the act."
[Bouvier's Maxims of Law, 1856;
SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]

Black's Law Dictionary helps define the distinctions between residence and domicile:

*RESIDENCE. **A factual place of abode.** Living in a particular locality. Reese v. Reese, 179 Misc. 665, 40 N.Y.S.2d. 468, 472; Zimmerman v. Zimmerman, 175 Or. 585, 155 P.2d. 293, 295. **It requires only bodily presence as an inhabitant of a place.** In re Campbell's Guardianship, 216 Minn. 113, 11 N.W.2d. 786, 789.*

> *As "domicile" and "residence" are usually in the same place, **they are frequently used as if they had the same meaning, but they are not identical terms**, for a person may have two places of residence, as in the city and country, but only one domicile. Residence means living in a particular locality, but domicile means living in that locality with intent to make it a fixed and permanent home. Residence simply requires bodily presence as an inhabitant in a given place, while domicile requires bodily presence In that place and also an intention to make it one's domicile. In re Riley's Will, 266 N.Y.S. 209, 148 Misc. 588.*
>
> *"Residence" demands less intimate local ties than "domicile, but "domicile" allows absence for indefinite period if intent to return remains. Immigration Act 1917. §3, 8 U.S.C.A. .§136 (e, p). Transatlanitica Italiana v. Elting, C.C.A.N.Y., 74 F.2d. 732, 733. But see, Ward v. Ward, 115 W.Va. 429. 176 S.E. 708. 709; Southwestern Greyhound Lines v. Craig. 182 Okl. 610, 80 P.2d. 221, 224; holding that residence and domicile are synonymous terms. "Residence" has a meaning dependent on context and purpose of statute. In re Jones, 341 Pa. 329, 19 A.2d. 280. 282. Words "residence" and "domicile". may have an identical or variable meaning depending on subject-matter and context of statute. Kemp v. Kemp, 16 N.Y.S.2d. 26, 34, 172 Misc. 738.*
> *[Black's Law Dictionary, Revised Fourth Edition, p. 1473]*

The above definition deliberately clouds the issue of:

1. Whether residence has consent as a prerequisite or not. We know based on previous analysis that domicile does.
2. What citizenship, domicile, and nationality status are associated with "residence" in each statutory context in which it is used and how to determine the context.

When we look up the definitions for "abode" and "inhabitant" as used in the definition of "residence", they all connect back to domicile and therefore also have consent as a prerequisite.

1. Definition of "inhabitant":

> *"Inhabitant. One who resides actually and permanently in a given place, and has his domicile there. Ex parte Shaw, 145 U.S. 444, 12 S.Ct. 935, 36 L.Ed. 768. The words "inhabitant," "citizen," and "resident," as employed in different constitutions to define the qualifications of electors, means substantially the same thing; and, in general, **one is an inhabitant, resident, or citizen at the place where he has his domicile or home. But the terms "resident" and "inhabitant" have also been held not synonymous, the latter implying a more fixed and permanent abode than the former, and importing privileges and duties to which a mere resident would not be subject.** A corporation can be an inhabitant only in the state of its incorporation. Sperry Products v. Association of American Railroads, C.C.A.N.Y., 132 F.2d. 408, 411. See also Domicile; Residence."*
> *[Black's Law Dictionary, Sixth Edition, p. 782]*

2. Definition of "abode":

> *"Abode. One's home; habitation; place of dwelling; or residence. **Ordinarily means "domicile."** Living place impermanent in character. Fowler v. Fowler, 156 Fla. 316, 22 So.2d. 817, 818. The place where a person dwells. In re Erickson, 18 N.J.Misc. 5, 10 A.2d. 142, 146. Residence of a legal voter. Pope v. Board of Election Com'rs, 370 Ill. 196, 18 N.E.2d. 214, 216. Fixed place of residence for the time being. Augustus Co., for Use of Bourgeois v. Manzella, 19 N.J.Misc. 29, 17 A.2d. 68, 70. For service of process, one's fixed place of residence for the time being; his "usual place of abode." Fed.R. Civil P.4. Kurilla v. Roth, 132 N.J.L. 213, 38 A.2d. 862,864.*
>
> *See Domicile; Residence. General abode. See Residence."*
> *[Black's Law Dictionary, Sixth Edition, p. 7]*

So to say that a "residence" is "**A factual place of abode"** in the definition of "residence" means one's CHOSEN place of domicile. And to say that "**It requires only bodily presence as an inhabitant of a place"** in the definition of "residence" ALSO implies domicile and therefore requires consent, because an "inhabitant" is someone who is "domiciled" in a place.

The following authorities clarify that "residence", and especially in taxing statutes, is usually associated with CONSTITUTIONAL but not STATUTORY alienage or "alien" status and excludes those who are nationals of the country.

> *The reasons for not allowing to other aliens exemption 'from the jurisdiction of the country in which they are found' were stated as follows: '**When private individuals of one nation [states of the Unions are "nations" under the law of nations] spread themselves through another as business or caprice may direct, mingling indiscriminately with the inhabitants of that other, or when merchant vessels enter for the purposes of trade, it would be obviously inconvenient and dangerous to society, and would subject the laws to continual infraction, and the government to degradation, if such individuals or merchants did not owe temporary and local allegiance, and were not amenable to the jurisdiction of the country.** Nor can the foreign sovereign have any motive for wishing such exemption. His subjects thus passing into foreign countries are not employed by*

> *him, nor are they engaged in national pursuits. Consequently, there are powerful motives for not exempting persons of this description from the jurisdiction of the country in which they are found, and no one motive for requiring it.* ***The implied license, therefore, under which they enter, can never be construed to grant such exemption.' 7 Cranch, 144.***
>
> *In short, the judgment in the case of The Exchange declared, as incontrovertible principles, that the jurisdiction of every nation within its own territory is exclusive and absolute, and is susceptible of no limitation not imposed by the nation itself; that all exceptions to its full and absolute territorial jurisdiction must be traced up to its own consent, express or implied; that upon its consent to cede, or to waive the exercise of, a part of its territorial jurisdiction, rest the exemptions from that jurisdiction of foreign sovereigns or their armies entering its territory with its permission, and of their foreign ministers and public ships of war; and that* ***the implied license, under which private individuals of another nation enter the territory and mingle indiscriminately with its inhabitants, for purposes of business or pleasure, can never be construed to grant to them an exemption from the jurisdiction of the country in which they are found.*** *See, also, Carlisle v. U.S. (1872) 16 Wall. 147, 155; Radich v. Hutchins (1877) 95 U.S. 210; Wildenhus' Case (1887) 120 U.S. 1, 7 Sup.Ct. 385; Chae Chan Ping v. U.S. (1889) 130 U.S. 581, 603, 604, 9 Sup.Ct. 623.*
> *[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]*

> *"****Residents, as distinguished from citizens, are aliens who are permitted to take up a permanent abode in the country****.* ***Being bound to the society by reason of their dwelling in it, they are subject to its laws so long as they remain there, and, being protected by it****, they must defend it, although* ***they do not enjoy all the rights of citizens. They have only certain privileges which the law, or custom, gives them.*** *Permanent residents are those who have been given the right of* ***perpetual residence****. They are a sort of citizen of a less privileged character, and are subject to the society without enjoying all its advantages. Their children succeed to their status; for the right of perpetual residence given them by the State passes to their children."*
> *[*The Law of Nations, Vattel, *Book 1, Chapter 19, Section 213, p. 87]*

We wish to clarify that those who are domiciled within the exclusive jurisdiction of a CONSTITUTIONAL but not STATUTORY "State" relative to federal law and who were born somewhere within the country where the "State" is located are all the following in relation to the national government. This status, by the way, is the status of the AVERAGE American:

1. "Domiciled" but not "resident" within federal STATUTORY law.
2. Have no "residence" under federal STATUTORY law. Only statutory "aliens" can have a "residence".
3. STATUTORY "nationals" per 8 U.S.C. §1101(a)(21).
4. STATUTORY "non-resident non-persons".
5. STATUTORY but not Constitutional "foreign nationals".
6. Not STATUTORY:
   6.1. "nationals and citizens of the United States** at birth" per 8 U.S.C. §1401
   6.2. "citizens of the United States**" per 26 C.F.R. §1.1-1(c), and 26 U.S.C. §3121(e) or any other federal law.

It therefore appears to us that the only occasion where "domicile" or "residence" are NOT equivalent is in the case of those who are constitutional but not statutory aliens of the place they are in. Otherwise, they are equivalent. The implication is that constitutional aliens do not need to consent to the civil laws of the place they are in because they are "privileged", whereas nationals born there do. This appears to violate the notion of equal protection, which may explain why the legal dictionary was so terse in their definition of residence: because they don't want to admit that courts routinely treat people unequally and in violation of the requirement for equal protection.

Below is the ONLY definition of "residence" found anywhere in the Internal Revenue Code. This definition is entirely consistent with the above. The definition does not begin with qualifying language such as "for the purposes of this section" or "for the purposes of this chapter". Therefore, it is a universal definition that applies throughout the Internal Revenue Code and Treasury Regulations. Note also that the definition is provided ONLY in the context of an "alien". Therefore, "citizens" or "nationals" cannot have a "residence". This is VERY important and is completely consistent with the fact that the only kind of "resident" defined anywhere in the Internal Revenue Code (see 26 U.S.C. §7701(b)(1)(A)) is an "alien":

> *Title 26: Internal Revenue*
> *PART 1—INCOME TAXES*
> *nonresident alien individuals*
> *§ 1.871-2 Determining residence of alien individuals.*
>
> *(b) Residence defined.*

> *An alien actually present in the United States who is not a mere transient or sojourner is a resident of the United States for purposes of the income tax.* ***Whether he is a transient is determined by his intentions with regard to the length and nature of his stay.*** *A mere floating intention, indefinite as to time, to return to another country is not sufficient to constitute him a transient. If he lives in the United States and has no definite intention as to his stay, he is a resident.* ***One who comes to the United States for a definite purpose which in its nature may be promptly accomplished is a transient; but, if his purpose is of such a nature that an extended stay may be necessary for its accomplishment, and to that end the alien makes his home temporarily in the United States, he becomes a resident****, though it may be his intention at all times to return to his domicile abroad when the purpose for which he came has been consummated or abandoned. An alien whose stay in the United States is limited to a definite period by the immigration laws is not a resident of the United States within the meaning of this section, in the absence of exceptional circumstances.*

The phrase "definite purpose" is important in the definition of "residence" above. Those who have a definite purpose because of their eternal covenant with God and their contractual relationship to Him described in the Bible and who know they are only here temporarily can *only* be classified as "transients" above. This explains why our rulers in government want to get God out of the schools and out of public life: so that the sheep will have no purpose in life *other* than to serve them and waste themselves away in vain and sinful material pursuits.

> *"Then I hated all my labor in which I had toiled under the sun, because I must leave it to the man who will come after me.* ***And who knows whether he will be wise or a fool? Yet he will rule over all my labor in which I toiled and in which I have shown myself wise under the sun. This also is vanity.*** *Therefore I turned my heart and despaired of all the labor in which I had toiled under the sun.* ***For there is a man whose labor is with wisdom, knowledge, and skill; yet he must leave his heritage to a man who has not labored for it. This also is vanity and a great evil.*** *For what has man for all his labor, and for the striving of his heart with which he has toiled under the sun? For all his days are sorrowful, and his work burdensome; even in the night his heart takes no rest. This also is vanity."*
> *[Eccl. 2:18-23, Bible, NKJV]*

Only you, the Sovereign, can determine your "intention" in the context of "residence". Notice the words "definite purpose", "transient" and "temporary" in the definition of "residence" above are nowhere defined in the law, which means that *you*, and *not* your public servants, define them. If you do not intend to remain in the "United States", which is defined as federal territory in 26 U.S.C. §7701(a)(9) and (a)(10) and 4 U.S.C. §110(d) and not expanded elsewhere in Subtitle A to include any other place, then you can't be counted as a "resident", even if you are in fact an "alien". The government cannot determine your intention for you. An intention that is not voluntary is not an intention, but simply a reaction to unjust external authority. This is the basis for why the U.S. Supreme Court said:

> *"****The citizen cannot complain [about the laws or the tax system], because he has voluntarily submitted himself to such a form of government.*** *He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws. In return, he can demand protection from each within its own jurisdiction."*
> *[United States v. Cruikshank, 92 U.S. 542 (1875) (emphasis added)]*

The California Election Code, Section 349 further clarifies the distinctions between "domicile" and "residence" as follows:

> *California Election Code, section 349:*
>
> *349. (a) "****Residence****" for voting purposes means a person's domicile.*
>
> *(b) The* ***domicile*** *of a person is that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. At a given time, a person may have only one domicile.*
>
> *(c) The* ***residence*** *of a person is that place in which the person's habitation is fixed for some period of time, but wherein he or she does not have the intention of remaining. At a given time, a person may have more than one residence.*

The above definition is consistent with the analysis earlier in this section, but don't make the false assumption that the above definitions apply within income tax codes, because they DON'T. Only statutory "citizens" who have a domicile within the forum can be the subject of the above statute relating to voting and elections, while the Internal Revenue Code, Subtitle A applies exclusively to privileged aliens who have a domicile or tax home on federal territory: two COMPLETELY different audiences of people, for which the terms are NOT interchangeable. A "residence" in the I.R.C. is the temporary abode of a privileged alien, while a "residence" in the election code is the temporary abode of a non-privileged Sovereign American National. The worst mistake that you can make as a person born in your country is to believe or think that laws written only for "aliens" or "resident aliens" apply to you. The only types of persons the federal

government can write laws for in a state of the Union, in fact, are Constitutional but not STATUTORY aliens and not those born there.

> *In accord with ancient principles of the international law of nation-states, the Court in The Chinese Exclusion Case,* 130 U.S. 581, 609 *(1889), and in Fong Yue Ting v. United States,* 149 U.S. 698 *(1893), held broadly, as the Government describes it, Brief for Appellants 20, that* ***the power to exclude aliens is "inherent in sovereignty, necessary for maintaining normal international relations and defending the country against foreign encroachments and dangers - a power to be exercised exclusively by the political branches of government . . . ." Since that time, the Court's general reaffirmations of this principle have*** *[408 U.S. 753, 766]* ***been legion. 6 The Court without exception has sustained Congress' "plenary power to make rules for the admission of aliens and to exclude those who possess those characteristics which Congress has forbidden." Boutilier v. Immigration and Naturalization Service, 387 U.S. 118, 123 (1967). "[O]ver no conceivable subject is the legislative power of Congress more complete than it is over" the admission of aliens. Oceanic Navigation Co. v. Stranahan, 214 U.S. 320, 339 (1909).***
> *[*Kleindienst v. Mandel, 408 U.S. 753 (1972)*]*

If you are born in a state of the Union and have a domicile or even a physical presence there but no domicile on federal territory, federal statutes CANNOT and DO NOT apply to you. They only pertain to CONSTITUTIONAL aliens working or investing in the USA.

> ***To hold taxable one who contends that he is not domiciled here, the Board need not find the exact time when the "attitude and relationship of person to place" which constitute domicile, Texas v. Florida, 306 U.S. 398, 411,*** *were 456*456 formed, so long as it finds they were formed before the tax day. What was at first a firm intent to return may have withered gradually in consequence of dissolving associations elsewhere and growing interests in the District. It is common experience that this process usually is unmarked by any dramatic or even sharply defined episode. The taxing authority need not find just when the intent was finally dissipated; it is enough that it finds that this has happened before the tax day.*
>
> *If one has at any time become domiciled here, it is his burden to establish any change of status upon which he relies to escape the tax. Anderson v. Watt, supra, at p. 706.*
>
> ***In order to retain his former domicile, one who comes to the District to enter Government service must always have a fixed and definite intent to return and take up his home there when separated from the service. A mere sentimental attachment will not hold the old domicile. And residence in the District with a nearly equal readiness to go back where one came from, or to any other community offering advantages upon the termination of service, is not enough.***
>
> ***One's testimony with regard to his intention is, of course, to be given full and fair consideration, but is subject to the infirmity of any self-serving declaration, and may frequently lack persuasiveness or even be contradicted or negatived by other declarations and inconsistent acts.***
> *[District of Columbia v. Murphy, 314 U.S. 441, 455-456 (1941)]*

The only exception is if you contract away your rights and sovereignty by pursuing a federal government benefit, such as Social Security, Medicare, federal employment, etc. Each separate instance of such a contract makes you a "resident" ONLY for that purpose only and for no other purpose and a "non-resident non-person" for EVERY OTHER purpose. This is so because the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97, requires a waiver of sovereign immunity for engaging in commerce, and ONLY for the purpose OF that commerce and no other purpose. Otherwise, We the People are Sovereign over their public servants:

> *"The ultimate authority ... resides in the people alone."*
> *[The Federalist, No. 46, James Madison]*
>
> _____
>
> *"Whatever these Constitutions and laws validly determine to be property, it is the duty of the Federal Government, through the domain of jurisdiction merely Federal, to recognize to be property.*
>
> *"And this principle follows from the structure of the respective Governments, State and Federal, and their reciprocal relations.* ***They are different agents and trustees of the people of the several States, appointed with different powers and with distinct purposes, but whose acts, within the scope of their respective jurisdictions, are mutually obligatory.*** *"*
> *[Dred Scott v. Sandford, 60 U.S. 393 (1856)]*
>
> _____
>
> *"While sovereign powers are delegated to ... the government, sovereignty itself remains with the people.."*

[Yick Wo v. Hopkins, 118 U.S. 356 (1886)]

"There is no such thing as a power of inherent sovereignty in the government of the United States .... In this country sovereignty resides in the people, and Congress can exercise no power which they have not, by their Constitution entrusted to it: All else is withheld."
[Juilliard v. Greenman, 110 U.S. 421 (1884)]

*"In the United States***, **sovereignty resides in the people who act through the organs established by the Constitution**. [cites omitted] The Congress as the instrumentality of sovereignty is endowed with certain powers to be exerted on behalf of the people in the manner and with the effect the Constitution ordains. **The Congress cannot invoke the sovereign power of the people to override their will as thus declared."***
[Perry v. United States, 294 U.S. 330, 353 (1935)]

11.7 "Domiciliary" v. "Resident"

The most instructive case that describes WHEN one has a domicile in a specific place and which distinguishes "domiciliary" from "resident" is District of Columbia v. Murphy, 314 U.S. 441 (1941). Recall that the Internal Revenue Code Subtitle A income tax is upon STATUTORY "residents", including American born parties who are "resident" in foreign countries. The tax is NOT upon their domicile but their "residence", which means the temporary abode or "tax home" (26 U.S.C. §911) of a STATUTORY "alien". All of the "persons" mentioned in 26 U.S.C. §911 are ALIENS, including the "citizens" therein mentioned, because such "citizens" are in fact "aliens" in relation to the foreign country they are in and interface to the Internal Revenue Code through a tax treaty WITH that foreign country. That tax treaty, in fact, constitutes an excise taxable "benefit" for those STATUTORY "citizens" born in the federal zone and travelling abroad while domiciled in the federal zone. See 26 C.F.R. §301.7701(b)-7 for proof. Layered on top of the "national" income tax (not "federal", but "national", meaning federal zone) enforced upon "residents" of the federal zone is the income tax imposed MUNICIPALLY upon those DOMICILED rather than "RESIDENT" locally. This case shows how these two factors work together to determine I.R.C. tax liability and MUNICIPAL tax liability.

District of Columbia v. Murphy, 314 U.S. 441 (1941) involved TWO parties in opposite circumstances:

1. Respondent 58 came to the District of Columbia in 1935 to work as an economist in the Treasury Department. He maintained a domicile in the state of Michigan throughout his time in D.C. and continued to be a registered voter. He owned no property in Michigan or D.C. but had the intention of remaining.
2. Respondent 59 lived in the District of Columbia 26 years after coming from Pennsylvania to accept a clerical position of indefinite tenure under the Civil Service in the Patent Office. Shortly after marriage the couple purchased as a home, premises at 1426 Massachusetts Avenue, S.E., in the District of Columbia, in which respondent still lived. In about 1925, he purchased a lot at "Selby on the Bay" in nearby Maryland, and before his wife's death he bought a building lot in the District of Columbia, acting on his wife's pleas for a summer place and a better residence. He agreed with his wife that, on his retirement, six months would be spent at Selby. He testified that he never desired to purchase the lot in the District of Columbia, but did so at the insistence of his wife. He put a "For Sale" sign on it when she died, and both lots, which he still owns, are up for sale. He has deposits in three Washington financial institutions and owns first trust notes on property located in Maryland and Virginia. Respondent had resided in Pennsylvania from birth until he left for Washington. He claimed as his "legal residence" the residence of his parents in Harrisburg, where they still keep intact his room in which are kept some of his clothes and childhood toys. Though paying nothing as rent or for lodging, he has from time to time made presents of money to his parents. He has visited his parents' home in Harrisburg over week ends at least eight times a year, and has been there annually between Christmas and the New Year. A registered voter in Pennsylvania, he has voted in all its general elections since he became of age. He paid the Pennsylvania poll tax until it was superseded by an occupational tax, which he has also paid. Payment of such taxes was a prerequisite to voting. He owns jointly with his father a note secured by a mortgage on Pennsylvania real estate. Respondent testified that he expected to retire from Civil Service in four years and intended then to sell his house and "leave Washington."

The Board found "as a fact" that, at the end of one year after he came to the District in 1914, respondent "had an 449*449 intention to remain and make his home in the District of Columbia for an indefinite period of time and that intention remained with him, at least until the death of his wife." As in No. 58, it considered itself bound by the *Sweeney* case, *supra*,[28] and accordingly held "as a matter of law" that the petitioner was not domiciled in the District on December 31, 1939, and never had been.

[28] *Sweeney* v. *District of Columbia*, 72 App. D.C. 30, 113 F.2d. 25, certiorari denied, 310 U.S. 631.

The decisions in both cases were affirmed on review by the United States Court of Appeals for the District of Columbia. 73 App.D.C. 345, 347, 119 F.2d. 449, 451. The cases were brought here on writs of certiorari because of the importance of the questions involved. 313 U.S. 556.

Although the District of Columbia Income Tax Act made "domicile" the fulcrum of the income tax, the first ever imposed in the District, it set forth no definition of that word. To ascertain its meaning we therefore consider the Congressional history of the Act, the situation with reference to which it was enacted, and the existing judicial precedents, with which Congress may be taken to have been familiar in at least a general way. United States v. Dickerson, 310 U.S. 554, 562.

Below is how Congress explained the applicability of the income tax in dispute:

> *The conference agreement was presented to the Senate by Senator Overton, chairman of the Senate conferees, with the following explanation: "Mr. President, I now call attention to the fact that the individual income tax is imposed only on those domiciled in the District of Columbia. It, therefore, necessarily excludes from its imposition all Senators and Members of the House of Representatives, the President of the United States, all Cabinet officers, and Federal employees who have been brought into the District from the various States of the Union to serve their country in the National Capital, provided such employees have not of their volition surrendered their domiciles in the States and have voluntarily acquired domiciles within the District of Columbia." 84 Cong. Rec. 8824. Senator Overton also stated: "I took the position before the District of Columbia Committee and in conference that I would not support any legislation which would exempt Senators and Members of the House of Representatives and their official force from an income tax in the District of Columbia but would impose it on all others. **I then took the position in conference that if we imposed an income tax only on those domiciled within the District, then we would be imposing it only on those who of their own volition had abandoned their domiciles in the States of their origin and had elected to make their permanent home or domicile here in the District of Columbia. Such persons, it may be justly contended, have no cause to complain against an income tax that is imposed upon them only because they have 451*451 chosen to establish within the District of Columbia their permanent[29] places of abode and to abandon their domiciles within the States.**" 84 Cong. Rec. 8825.*
>
> *In the House, Representative Nichols, chairman of the House conferees, and also chairman of the House District Committee in charge of fiscal affairs, submitted the conference report and stated: "Since the question of the effect of the word `domicile' in this act has been raised, I think the House would probably like to have the legal definition read: `**Domicile is the place where one has his true, fixed, permanent home and principal establishment and to which, whenever he is absent, he has the intention of returning, and where he exercises his political rights.[30] . . . There must exist in combination the fact of residence and animus manendi —' which means residence and his intention to return [sic]; so that under this definition he could certainly live in the District of Columbia and have his legal domicile in any other State in the United States.**" 84 Cong. Rec. 8974.*
>
> *Representative Bates, another of the House conferees, stated in response to a question regarding the possibility of triple taxation, "We raised that particular point [in conference] because we are much concerned about how those who come from our States would be affected by the income-tax provisions of the new law, and it was distinctly 452*452 understood that in this bill there should be no triple taxation .. ." 84 Cong. Rec. 8973.*
>
> *The unusual character of the National Capital, making the income tax a "very explosive and controversial item,"[31] was vividly before the Congress, and must also be considered in construing the statute imposing the tax.*
>
> *The District of Columbia is an exceptional community. It is not a local municipal authority, but was established under the Constitution as the seat of the National Government. Those in Government service here are not engaged in local enterprise, although their service may be localized. Their work is that of the Nation, and their pay comes not from local sources but from the whole country. Because of its character as a Federal City, there is no local political constituency with whose activities those living in it may identify themselves as a symbol of their acceptance of a local domicile.*
>
> *Not all who flock here are birds of a feather. Some enter the Civil Service, finding tenure and pay there more secure than in private enterprise. Political ties are of no consequence in obtaining or maintaining their positions. At the other extreme are those who hold appointive office at the pleasure of the appointing officer.*

[29] We do not understand "permanent" to have been used in a literal sense. Of course it cannot be known without the gift of prophecy whether a given abode is "permanent" in the strictest sense. But beyond this, it is frequently used in the authorities on domicile to describe that which is not merely "temporary," or to describe a dwelling for the time being which there is no presently existing intent to give up. And further, compare a statement by Representative Dirksen on the floor of the House, 84 Cong. Rec. 8973.

[30] Exercise of political rights elsewhere cannot be considered as meant to be conclusive on the issue of taxability in the District. See statement by Representative Dirksen on the floor of the House. Ibid.

[31] 84 Cong. Rec. 8972.

> *These latter, as well as appointive officers with definite but unprotected tenure, and all elective officers, usually owe their presence here to the intimate and influential part they have played in community life in one of the States.*
>
> *Relatively few persons here in any branch of the Government service can truthfully and accurately lay claim to an intention to sever themselves from the service on any exact date. Persons in all branches usually desire, quite naturally and properly, to continue family life and to have the comforts of a domestic establishment for whatever may be the term of their stay here. This is true of 453*453 many Senators and Congressmen, cited by Senator Overton as typical of those whom the limitation of the statute to persons "domiciled" here "necessarily excludes."*
>
> *Turning to the judicial precedents for further guidance in construing "domicile" as used in the statute, we find it generally recognized that one who comes to Washington to enter the Government service and to live here for its duration does not thereby acquire a new domicile. More than a century ago, Justice Parker of New Hampshire observed that "It has generally been considered that persons appointed to public office under the authority of the United States, and taking up their residence in Washington for the purpose of executing the duties of such office, do not thereby, while engaged in the service of the government, lose their domicile in the place where they before resided, unless they intend on removing there to make Washington their permanent[32] residence." See Atherton v. Thornton, 8 N.H. 178, 180. By and large, subsequent cases have taken a like view.[33] It should also be observed 454*454 that a policy against loss of domicile by sojourn in Washington is expressed in the constitutions and statutes of many States.[34] Of course, no individual case, constitution, or statute is controlling, but the general trend of these authorities is a significant recognition that the distinctive character of Washington habitation for federal service is meaningful to those who are served as well as to those in the service.*
>
> *From these various data on Congressional intent, it is apparent that the present cases are not governed by the tests usually employed in cases where the element of Federal service in the Federal City is not present.[35] We hold that a man does not acquire a domicile in the District simply by coming here to live for an indefinite period of time while in the Government service. A contrary decision would disregard the statements made on the floor of Congress as to the meaning of the statute, fail to give proper weight to the trend of judicial decisions, with which Congress should be taken to have been cognizant, and result in a wholesale finding of domicile on the part of Government servants quite obviously at variance with Congressional policy. Further, Congress did not intend that one living here indefinitely while in the Government service be held domiciled here simply because he does not maintain a domestic establishment at the place he hails from. Such a rule would result in taxing those unable to maintain two establishments, and exempting those able to meet such a burden — thus reversing the usual philosophy of income tax as one based on ability to pay.*
>
> *On the other hand, we hold that persons are domiciled here who live here and have no fixed and definite intent to return and make their homes where they were formerly 455*455 domiciled.[36] A decision that the statute lays a tax only on those with an affirmative intent to remain here the rest of their days would be at odds with the prevailing concept of domicile, and would give the statute scope far narrower than Congress must have intended.*
>
> *Cases falling clearly within such broad rules aside, the question of domicile is a difficult one of fact to be settled only by a realistic and conscientious review of the many relevant (and frequently conflicting) indicia of where a man's home[37] is and according to the established modes of proof.*
> *[District of Columbia v. Murphy, 314 U.S. 441, 450-451 (1941)]*

From this case, we learn that:

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[32] See note 2, supra.

[33] Walden v. Canfield, 2 Rob. (La.) 466; *Lesh* v. *Lesh*, 13 Pa. Dist. Ct. 537; see Woodworth v. St. Paul, M. & M. Ry. Co., 18 F. 282, 284; Commonwealth v. Jones, 12 Pa.St. 365, 371; cf. Newman v. United States, 43 App.D.C. 53, 70; reversed on another ground, 238 U.S. 537; Deming v. United States, 59 App. D.C. 188, 37 F.2d 818; Campbell v. Ramsey, 150 Kan. 368, 388, 92 P.2d 819; Hannon v. Grizzard, 89 N.C. 129. But cf. Bradstreet v. Bradstreet, 18 D.C. 229, 7 Mackey 229; Sparks v. Sparks, 114 Tenn. 666, 88 S.W. 173.

[34] 1 Beale, Conflict of Laws, p. 172, note 2.

[35] Cf. Williamson v. Osenton, 232 U.S. 619, 624; Gilbert v. David, 235 U.S. 561.

[36] This is not inconsistent with our holding that domicile here does not follow from mere indefiniteness of the period of one's stay. While the intention to return must be fixed, the date need not be; while the intention to return must be unconditional, the time may be, and in most cases of necessity is, contingent. The intention must not waver before the uncertainties of time, but one may not be visited with unwelcome domicile for lacking the gift of prophecy.

[37] Of course, this term does not have the magic qualities of a divining rod in locating domicile. In fact, the search for the domicile of any person capable of acquiring a domicile of choice is but a search for his "home." See Beale, Social Justice and Business Costs, 49 Harv. L. Rev. 593, 596; 1 Beale, Conflict of Laws, §19.1.

1. One does not acquire a domicile in the District of Columbia, within the meaning of the District of Columbia Income Tax Act, merely by coming to the District to live for an indefinite period while in the Government service. P. 453.
2. The Act does not intend that one living in the District of Columbia indefinitely, while in the Government service, shall be held domiciled there simply because he does not maintain a domestic establishment at the place from which he came. P. 454.
3. Persons are domiciled in the District of Columbia, within the meaning of the Act, who live there and have no fixed and definite intent to return to their former domiciles and make their homes there. P. 454.
4. The place where a man lives is, *prima facie*, his domicile. P. 455.
5. The taxing authority is warranted in treating as *prima facie* taxable any person quartered in the District of Columbia on tax day whose status it deems doubtful. P. 455.
6. In applying this Act, the taxing authority need not find the exact time when the attitude and relationship of person to place which constitute domicile were formed. It is enough that they were formed before the tax day. P. 455.
7. If one has at any time become domiciled in the District of Columbia, it is his burden to establish any change of status upon which he relies to escape the tax. P. 456.
8. In order to retain his former domicile, one who comes to the District to perform Government service must always have a fixed and definite intent to return and to take up his home there when separated from the service. A mere sentimental attachment will not hold the old domicile. P. 456.
9. Whether or not one votes where he claims domicile is highly relevant but not controlling. P. 456.
10. Of great significance to the question of domicile in the District of Columbia is the nature of the position which brings one to or keeps him in the service of the Government. P. 457.
11. Manner of living in the District and many other considerations touching relationships, social connections and activities of the person concerned, are suggested in the opinion as among the considerations which are relevant to a determination of the question of domicile. P. 457. 73 App.D.C. 345, 347, 119 F.2d 449, 451, reversed.

First, the Murphy case exemplified the importance of the necessary facts, personal knowledge and actual establishment of an individual's domicile as respects the DC income tax act. If the targeted individuals were domiciled in DC on the last day of the taxable year, those individuals were liable to the tax, as the tax was imposed on the taxable income of any individual *domiciled* in DC on "tax day". It is that simple.

Since Congress has exclusive legislative jurisdiction over the "District" (see Art. 1 Sec. 8 Cl. 17) it certainly had the "power" to enact such a tax on citizens domiciled in the District. In fact, the constitutionality of the tax was not ever put in issue. **The issue in the case turned on whether Mr. Murphy was resident in DC or domiciled there for purposes of that DC ("federal") income tax act**. **His domicile was held to be in Pennsylvania by the Supreme Court, thus exempting him from the DC Income Tax**.

Moreover, there are two fairly instructive Revenue Rules spot on the topic of "wherever resident". See Rev.Rul. 489 and Rev.Rul. 357 as follows:

> *No provision of the Internal Revenue Code or the regulations thereunder holds that a citizen of the United States is a resident of the United States for purposes of its tax. Several sections of the Code provide Federal income tax relief or benefits to citizens of the United States who are residents without the United States for some specified period. See sections 911, 934, and 981. These sections give recognition to the fact that not all the citizens of the United States are residents of the United States.*
> *[Rev.Rul. 75-489, p. 511]*

As regards additional support, see Rev.Rul. 75-357 at p. 5, as follows:

> *Sections 1.1-1(b) and 1.871-1 of the Income Tax Regulations provide that all citizens of the United States, wherever resident, and all resident alien individuals are liable to the income taxes imposed by the Internal Revenue Code whether the income is received from sources within or without the United States. See, however, section 911 of the Code. (Emphasis added.)*
> *[Rev.Rul. 75-357, p. 5]*

Being that Rev.Rul. 75-357 quotes 26 C.F.R. §1.1-1(b) directly, and duly informs every reader to see, 26 U.S.C. §911, I believe we should visit 26 U.S.C. § 911 and its regulations to locate the appropriate application of the ***wherever resident*** feature in that section of federal law. See 26 U.S.C. §911(d)(1)(A) as follows:

> *(d) Definitions and special rules — For purposes of this section —*

> *(1) Qualified individual — The term "qualified individual" means an individual whose tax home is in a foreign country and who is —*
>
> *(A) a citizen of the United States and establishes to the satisfaction of the Secretary that he has been a bona fide resident of a foreign country or countries for an uninterrupted period which includes an entire taxable year.*
> *[26 U.S.C. §911(d)(1)(A)]*

Additionally, as we know, 26 C.F.R. §1.1-1(b) states,

> *"All citizens of the United States, wherever resident, are liable to the income taxes imposed by the Internal Revenue Code whether the **income is received** from sources within or without the United States."*
> *[26 C.F.R. §1.1-1(b)]*

The regulations to section 911 make the distinction between where income is received as opposed to where services are performed. See:

> *26 C.F.R. §1.911-3 Determination of amount of foreign earned income to be excluded.*
>
> *(a) **Definition of foreign earned income**.*
>
> *For purposes of section 911 and the regulations thereunder, the term "foreign earned income" means earned income (as defined in paragraph (b) of this section) from sources within a foreign country (as defined in §1.911-2(h)) that is earned during a period for which the individual qualifies under §1.911-2(a) to make an election. **Earned income is from sources within a foreign country if it is attributable to services performed by an individual in a foreign country or countries**. **The place of receipt of earned income is immaterial in determining whether earned income is attributable to services performed in a foreign country or countries.***

The Murphy case also points out the utter arrogance, conceit, and hypocrisy of the federal courts because:

1. Choosing a civil domicile is how we nominate a protector and become a "customer" of government CIVIL protection.
2. We don't become a "citizen" or "resident" under the civil statutes of a specific government UNTIL we VOLUNTEER to become such a "customer".
3. If in fact the government is one of delegated powers, WE, and not the GOVERNMENT who serves us, have a right to choose NOT be a "customer". This right derives from:
   3.1. Your First Amendment right to associate or not associate.
   3.2. Your right to contract or not contract. The civil statutes are what the U.S. Supreme court calls a "social compact", meaning a "contract" to procure CIVIL protection. You have a right NOT to be party to this CIVIL contract or compact.
4. Those who are NOT party to this contract and not a "customer" of civil statutory protection are:
   4.1. STATUTORY "non-resident non-persons" from a civil perspective.
   4.2. "stateless" from the civil statutory perspective in relation to the government they are party to.
   4.3. NOT "represented" by any elected official, because they are NOT even eligible to vote. DOMICILE is a prerequisite to eligibility to vote.
   4.4. Not statutory "taxpayers" and may not be taxed, because taxation without representation is the reason for the American Revolution in 1776.

> *"If money is wanted by rulers who have in any manner oppressed the People, they may retain it until their grievances are redressed, and thus peaceably procure relief, without trusting to despised petitions or disturbing the public tranquility."*
> *["Continental Congress To The Inhabitants Of The Province Of Quebec." Journals of the Continental Congress. 1774 -1789. Journals 1: 105-13.]*

5. The court implies the right to decide whether someone is such a "customer" WITHOUT the need to provide express evidence of their consent in proving the domicile of the party. Recall from the Declaration of Independence that ALL "just" powers of government derive the CONSENT of the people.

> ***DECLARATION OF INDEPENDENCE, 1776***
>
> *"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to*

> *secure these rights, Governments are instituted among Men, **deriving their just powers from the consent of the governed**,"*
> *[Declaration of Independence, 1776]*

Anything that does not derive from EXPRESS WRITTEN CONSENT is therefore inherently UNJUST. Therefore, every assertion of CIVIL authority requires express evidence of written consent on the record of the proceeding. The government imposes the same burden upon those who are suing it civilly and assert official, judicial, and sovereign immunity if such consent is NOT demonstrated. Therefore, under the concept of equal protection and equal treatment, the GOVERNMENT has the SAME burden of proof. For details, see:

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

6. The court not once mentioned how such consent can be or is procured, and without doing so, the public are deprived of the constitutional requirement for HOW consent is procured and whether EXPRESS NON-CONSENT can trump IMPLIED CONSENT. All of the factors they mention in determining civil domicile of the party do NOT derive DIRECTLY from consent and therefore are IRRELEVANT in proving the SAME kind of EXPRESS WRITTEN CONSENT the government demands when you are suing them.
7. If the court will not enforce YOUR sovereign immunity as indicated above, any attempt to enforce THEIRS is hypocritical, suspect, and violates the constitutional requirement for equal protection and equal treatment as explained in:

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

If you would like to know more about why state nationals are not "residents" and therefore NOT statutory "taxpayers" under the Internal Revenue Code Subtitle A, See:

Flawed Tax Arguments to Avoid, Form #08.004, Section 8.20: The phrase "wherever resident" in 26 C.F.R. §1.1-1 means WHEREVER LOCATED, not WHEREVER DOMICILED OR LOCATED ABROAD http://sedm.org/Forms/FormIndex.htm

11.8 "Subject to THE jurisdiction" in the Fourteenth Amendment

The phrase "Subject to THE jurisdiction" is found in the Fourteenth Amendment:

> *U.S. Constitution:*
> *Fourteenth Amendment*
>
> *Section. 1. 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.*

The phrase "subject to THE jurisdiction" in the context of ONLY the Fourteenth Amendment:

1. Means "subject to the POLITICAL and not LEGISLATIVE jurisdiction".

> *"This section contemplates two sources of citizenship, and two sources only,-birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and **subject to the jurisdiction thereof.**' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States, **but completely subject to their [plural, not singular, meaning states of the Union] political jurisdiction, and owing them [the state of the Union] direct and immediate allegiance**. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired."*
> *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

2. Requires domicile, which is voluntary, in order to be subject ALSO to the civil LEGISLATIVE jurisdiction of the municipality one is in. Civil status always has domicile as a prerequisite.

> *In Udny v. Udny (1869), L.R., 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: '**The question of naturalization and of allegiance is distinct***

> ***from that of domicile.'*** *Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: '**The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,—one by virtue of which he becomes the subject [NATIONAL] of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.**' And then, **while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which 'the personal rights of the party—that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy— must depend,' he yet distinctly recognized that a man's political status, his country (patria), and his 'nationality,**—that is, natural allegiance,'—'may depend on different laws in different countries.' Pages 457, 460. He evidently used the word 'citizen,' not as equivalent to 'subject,' but rather to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British dominion are natural-born subjects.*
> *[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ;*
> *SOURCE: http://scholar.google.com/scholar_case?case=3381955771263111765]*

3. Is a POLITICAL status that does not carry with it any civil status to which PUBLIC rights or franchises can attach. Therefore, the term "citizen" as used in Title 26 is NOT this type of citizen, since it imposes civil obligations. All tax obligations are civil in nature and depend on DOMICILE, not NATIONALITY. See District of Columbia v. Murphy, 314 U.S. 441 (1941) and:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002, Section 11.7 https://sedm.org/Forms/FormIndex.htm

4. Is a product of PERMANENT ALLEGIANCE that is associated with the political status of "nationals" as defined in 8 U.S.C. §1101(a)(21). The only thing that can or does establish a political status is such allegiance.

> *8 U.S.C. §1101: Definitions*
>
> *(a) As used in this chapter—*
>
> *(21) The term "national" means a person owing permanent allegiance to a state.*

> ***"Allegiance and protection [by the government from harm] are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance."***
> *[Minor v. Happersett, 88 U.S. (21 Wall.) 162, 166-168 (1874)]*

5. Is NOT a product of TEMPORARY allegiance owed by aliens who are sojourners temporarily in the United States and subject to the laws but do not have PERMANENT allegiance. Note the phrase "temporary and local allegiance" in the ruling below:

> *The reasons for not allowing to other aliens exemption 'from the jurisdiction of the country in which they are found' were stated as follows: **'When private individuals of one nation [states of the Unions are "nations" under the law of nations] spread themselves through another as business or caprice may direct, mingling indiscriminately with the inhabitants of that other, or when merchant vessels enter for the purposes of trade, it would be obviously inconvenient and dangerous to society, and would subject the laws to continual infraction, and the government to degradation, if such individuals or merchants did not owe temporary and local allegiance, and were not amenable to the jurisdiction of the country.** Nor can the foreign sovereign have any motive for wishing such exemption. His subjects thus passing into foreign countries are not employed by him, nor are they engaged in national pursuits. Consequently, there are powerful motives for not exempting persons of this description from the jurisdiction of the country in which they are found, and no one motive for requiring it. **The implied license, therefore, under which they enter, can never be construed to grant such exemption.' 7 Cranch, 144.***
>
> *In short, the judgment in the case of The Exchange declared, as incontrovertible principles, that the jurisdiction of every nation within its own territory is exclusive and absolute, and is susceptible of no limitation not imposed by the nation itself; that all exceptions to its full and absolute territorial jurisdiction must be traced up to its own consent, express or implied; that upon its consent to cede, or to waive the exercise of, a part of its territorial jurisdiction, rest the exemptions from that jurisdiction of foreign sovereigns or their armies entering its territory with its permission, and of their foreign ministers and public ships of war; and that **the implied license, under which private individuals of another nation enter the territory and mingle indiscriminately with its inhabitants, for purposes of business or pleasure, can never be construed to grant to them an exemption from the jurisdiction of the country in which they are found.** See, also, Carlisle v. U.S. (1872) 16*

Wall. 147, 155; Radich v. Hutchins (1877) 95 U.S. 210; Wildenhus' Case (1887) 120 U.S. 1, 7 Sup.Ct. 385; Chae Chan Ping v. U.S. (1889) 130 U.S. 581, 603, 604, 9 Sup.Ct. 623.
[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]

"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."

The first observation we have to make on this clause is, that it puts at rest both the questions which we stated to have been the subject of differences of opinion. It declares that persons may be citizens of the United States without regard to their citizenship of a particular State, and it overturns the Dred Scott decision by making all persons born within the United States and subject to its jurisdiction citizens of the United States. That its main purpose was to establish the citizenship of the negro can admit of no doubt. ***The phrase, "subject to its jurisdiction" was intended to exclude from its operation children of ministers, consuls, and citizens or subjects of foreign States born within the United States.***
[Slaughter-House Cases, 83 U.S. 36 (1873)]

6. Relates only to the time of birth or naturalization and not to one's CIVIL status at any time AFTER birth or naturalization.
7. Is a codification of the following similar phrase found in the Civil Rights Act of 1866, 14 Stat. 27-30.

Civil Rights Act of 1866, 14 Stat. 27

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That ***all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States;*** *and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom, to the contrary notwithstanding.*
[SOURCE: http://teachingamericanhistory.org/library/document/the-civil-rights-act-of-1866/]

The only way one could be "not subject to any foreign power" as indicated above is to not owe ALLEGIANCE to a foreign power and to be a CONSTITUTIONAL "citizen of the United States".

8. Does NOT apply to people in unincorporated territories such as Puerto Rico, Guam, American Samoa, etc.

"The Naturalization Clause [of the Fourteenth Amendment] has a geographic limitation: it applies "throughout the United States." The federal courts have repeatedly construed similar and even identical language in other clauses to include states and incorporated territories, but not unincorporated territories. In Downes v. Bidwell, 182 U.S. 244, 21 S.Ct. 770, 45 L.Ed. 1088 (1901), one of the Insular Cases, the Supreme Court held that the Revenue Clause's identical explicit geographic limitation, "throughout the United States," did not include the unincorporated territory of Puerto Rico, which for purposes of that Clause was "not part of the United States." *Id. at 287, 21 S.Ct. 770.* ***The Court reached this sensible result because unincorporated territories are not on a path to statehood. See Boumediene v. Bush, 553 U.S. 723, 757–58, 128 S.Ct. 2229, 171 L.Ed.2d. 41 (2008) (citing Downes, 182 U.S. at 293, 21 S.Ct. 770). In Rabang v. I.N.S., 35 F.3d. 1449 (9th Cir.1994), this court held that the Fourteenth Amendment's limitation of birthright citizenship to those "born ... in the United States" did not extend citizenship to those born in the Philippines during the period when it was an unincorporated territory****. U.S. Const., 14th Amend., cl. 1; see Rabang, 35 F.3d. at 1451.* ***Every court to have construed that clause's geographic limitation has agreed. See Valmonte v. I.N.S., 136 F.3d. 914, 920–21 (2d Cir.1998); Lacap v. I.N.S., 138 F.3d. 518, 519 (3d Cir.1998) ; Licudine v. Winter, 603 F.Supp.2d. 129, 134 (D.D.C.2009).***

Like the constitutional clauses at issue in Rabang and Downes, the Naturalization Clause is expressly limited to the "United States." This limitation "prevents its extension to every place over which the government exercises its sovereignty. *" Rabang, 35 F.3d. at 1453. Because the Naturalization Clause did not follow the flag to the CNMI when Congress approved the Covenant, the Clause does not require us to apply federal immigration law to the CNMI prior to the CNRA's transition date.*
[Eche v. Holder, 694 F.3d. 1026 (2012)]

If you would like to learn more about the important differences between POLITICAL jurisdiction and LEGISLATIVE jurisdiction, please read:

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

If you would like a complete explanation from eminent legal scholars at the Heritage Foundation of the phrase "subject to THE jurisdiction" in the context of the Fourteenth Amendment, see:

1. *Tucker Carlson Tonight 20181030 Birthright Citizenship Debate*, SEDM Exhibit #01.018
   https://sedm.org/Exhibits/ExhibitIndex.htm
2. *The Case Against Birthright Citizenship*, Heritage Foundation
   https://youtu.be/ujqYBldkdq0
3. *Does the Fourteenth Amendment Require Birthright Citizenship?*, Heritage Foundation
   https://youtu.be/wZGzbVrvoy4
4. *The Heritage Guide to the Constitution*, Citizenship, Heritage Foundation
   https://www.heritage.org/constitution/#!/amendments/14/essays/167/citizenship
5. *The Terrible Truth About Birthright Citizenship*, Stefan Molyneux, SEDM Exhibit #01.020
   https://sedm.org/Exhibits/ExhibitIndex.htm
6. *Family Guardian Forum 6.1.1: Meaning of "subject to the jurisdiction" in the Fourteenth Amendment*
   https://famguardian.org/forums/forums/topic/meaning-of-subject-to-the-jurisdiction-in-the-fourteenth-amendment/

Lastly, the subject of this section is such an important and pervasive one in the freedom community that we have prepared an entire presentation on the subject matter which we highly recommend that you view, if any questions at all remain about the meaning of the phrase "subject to the jurisdiction" in the Fourteenth Amendment:

Why the Fourteenth Amendment is Not a Threat to Your Freedom, Form #08.015
https://sedm.org/Forms/FormIndex.htm

11.9 "non-resident non-persons" as used in this document are neither PHYSICALLY on federal territory nor LEGALLY present within the United States government as a "person" and office

Throughout this document, we use the term "non-resident non-person" to describe those who are neither PHYSICALLY nor LEGALLY present in either the United States GOVERNMENT or the federal territory that it owns and controls. Hence, "non-resident non-persons" are completely outside the legislative jurisdiction of Congress and hence, cannot even be DEFINED by Congress in any statute. No matter what term we invented to describe such a status, Congress could not and would not ever even recognize the existence of such an entity or "person" or "human", because it would not be in their best interest to do so if they want to STEAL from you. Such an entity would, in fact be a "non-customer" to their protection racket and they don't want to even recognize the fact that you have a RIGHT not to be a customer of theirs.

Some people object to the use of this "term" by stating that the terms "non-resident" and "non-resident non-person" are not used in the Internal Revenue Code and therefore can't be a correct usage. We respond to this objection by saying that:

1. "non-resident" is a legal word, because that is what the U.S. Supreme Court uses to describe it. If the U.S. Supreme Court can use it, then so can we since we are all equal. Notice that they also call "nonresident aliens" defined in 26 U.S.C. §7701(b)(1)(B) "non-resident aliens" so that is why WE do it too.

   > *"Neff was then a non-resident of Oregon."*
   > *[Pennoyer v. Neff, 95 U.S. 714, 24 L.Ed. 565 (1877)]*

   > *"When the contract is 'produced' by a non-resident broker the 'servicing' function is normally performed by the company exclusively."*
   > *[Osborn v. Ozlin, 310 U.S. 53, 60 S.Ct. 758, 84 L.Ed. 1074 (1940)]*

   > *"The court below held that the act did not include a non-resident alien, and directed a verdict and judgment for the whole amount of interest."*
   > *[Railroad Company v. Jackson, 74 U.S. 262, 19 L.Ed. 88, 7 Wall. 262 (1868)]*

2. We use the term to avoid the statutory language as much as possible and to emphasize that it implies BOTH the absence of a domicile and the absence of a legal presence under the Foreign Sovereign Immunities Act (F.S.I.A.), 28

U.S.C. Chapter 97.

3. We wish to avoid being confused with anything in the Internal Revenue Code (I.R.C.), since the term "non-resident" is not used there but "resident" is.
4. The Statutes at Large from which the Internal Revenue Code was written originally in 1939 also use the phrase "non-resident" rather than "nonresident", so we are therefore insisting on the historical rather than present use.
5. The Department of State has told us and our members in correspondence received by them that they don't use the term "nonresident" or "nonresident alien" either. But they DO understand the term "non-resident". Therefore, we use the term "non-resident non-person" to avoid confusing them also.

11.10 "resident"

The Treasury Regulations define the meaning of "resident" and "residence" as follows:

> *Title 26: Internal Revenue*
> *PART 1—INCOME TAXES*
> *nonresident alien individuals*
> *§1.871-2 Determining residence of alien individuals.*
>
> *(B) Residence defined.*
>
> ***An alien actually present in the United States[**] who is not a mere transient or sojourner is a resident of the United States for purposes of the income tax**. Whether he is a transient is determined by his intentions with regard to the length and nature of his stay. A mere floating intention, indefinite as to time, to return to another country is not sufficient to constitute him a transient. If he lives in the United States and has no definite intention as to his stay, he is a resident. One who comes to the United States for a definite purpose which in its nature may be promptly accomplished is a transient but, if his purpose is of such a nature that an extended stay may be necessary for its accomplishment, and to that end the alien makes his home temporarily in the United States, he becomes a resident, though it may be his intention at all times to return to his domicile abroad when the purpose for which he came has been consummated or abandoned. An alien whose stay in the United States is limited to a definite period by the immigration laws is not a resident of the United States within the meaning of this section, in the absence of exceptional circumstances.*

One therefore may only be a "resident" and file resident tax forms such as IRS Form 1040 if they are "present in the United States", and by "present" can mean EITHER:

1. PHYSICALLY present: meaning within the geographical "United States" as defined by STATUTE and as NOT commonly understood. This would be the United States**, which we also call the federal zone. Furthermore:
   1.1. Only physical "persons" can physically be ANYWHERE.
   1.2. Artificial entities, legal fictions, or other "juristic persons" such as corporations and public offices are NOT physical things, and therefore cannot be physically present ANYWHERE.
2. LEGALLY present: meaning that:
   2.1. You have CONSENSUALLY contracted with the government as an otherwise NONRESIDENT party to acquire an office within the government as a public officer and a legal fiction. This can ONLY lawfully occur by availing oneself of 26 U.S.C. §6013(g) and (h) , which allows NONRESIDENTS to "elect" to be treated as RESIDENT ALIENS, even though not physically present in the "United States", IF and ONLY IF they are married to a STATUTORY but not CONSTITUTIONAL "U.S. citizen" per 8 U.S.C. §1401, 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c). If you are married to a CONSTITUTIONAL citizen who is NOT a STATUTORY citizen, this option is NOT available. Consequently, most of the IRS Form 1040 returns the IRS receives are FRAUDULENT in this regard and a criminal offense under 26 U.S.C. §§7206 and 7207.
   2.2. The OFFICE is legally present within the "United States" as a legal fiction and a corporation. It is NOT physically present. Anyone representing said office is an extension of the "United States" as a legal person.

For all purposes other than those above, a nonresident cannot lawfully acquire any of the following "statuses" under the civil provisions of the Internal Revenue Code, Subtitles A through C because: 1. Domiciled OUTSIDE of the forum in a legislatively foreign state such as either a state of the Union or a foreign country; AND 2. Protected by the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Chapter 97.

1. "person".
2. "individual".
3. "taxpayer".

4. "resident".
5. "citizen".

For more details on the relationship between STATUTORY civil statuses such as those above and one's civil domicile, see:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002, Section 11.16 http://sedm.org/Forms/FormIndex.htm

11.11 Physically present

As far as being PHYSICALLY present, the "United States" is geographically defined as:

> *TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701. [Internal Revenue Code]*
> *Sec. 7701. - Definitions*
>
> *(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—*
>
> *(9) United States*
>
> *The term "United States" when used in a geographical sense includes only* ***the States*** *and the District of Columbia.*
>
> *(10) State*
>
> *The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.*
>
> _____
>
> *TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES*
> *CHAPTER 4 -* ***THE STATES***
> *Sec. 110. Same; definitions*
>
> *(d) The term "State" includes any* ***Territory*** *or possession of the United States.*

Anything OUTSIDE of the GEOGRAPHICAL "United States" as defined above is "foreign" and therefore legislatively "alien". Included within that legislatively "foreign" and "alien" area are both the constitutional states of the Union AND foreign countries. Anyone domiciled in a legislatively "foreign" or "alien" jurisdiction, REGARDLESS OF THEIR NATIONALITY, is a "nonresident" for the purposes of income taxation. If they are a public officer, they are also a "nonresident alien". Another important thing about the above definition is that:

1. It relates ONLY to the GEOGRAPHICAL CONTEXT of the word.
2. Not every use of the term "United States" implies the GEOGRAPHIC context.
3. The ONLY way to verify which context is implied in each case is if they EXPRESSLY identify whether they mean "United States****" the legal person or "United States**" federal territory in each case. All other contexts are NOT expressly invoked in the Internal Revenue Code and therefore PURPOSEFULLY EXCLUDED per the rules of statutory construction. The DEFAULT context in the absence of expressly invoking the GEOGRAPHIC context is "United States****" the legal person and NOT a geographic place. This is how they do it in the case of the phrase "sources within the United States".

11.12 Legally but not physically present

One can be "legally present" within a jurisdiction WITHOUT being PHYSICALLY present. For example, you can be regarded as a "resident" within the Internal Revenue Code, Subtitles A and C without ever being physically present on the only place it applies, which is federal territory not part of any state of the Union. Earlier versions of the Internal Revenue regulations demonstrate how this happens:

26 C.F.R. §301.7701-5 Domestic, foreign, resident, and nonresident persons.

A domestic corporation is one organized or created in the United States, including only the States (and during the periods when not States, the Territories of Alaska and Hawaii), and the District of Columbia, or under the law of the United States or of any State or Territory. A foreign corporation is one which is not domestic. A domestic corporation is a resident corporation even though it does no business and owns no property in the United States. ***A foreign corporation engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident foreign corporation, and a foreign corporation not engaged in trade or business within the United States, as a nonresident foreign corporation.*** *A partnership engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident partnership, and a partnership not engaged in trade or business within the United States, as a nonresident partnership.* ***Whether a partnership is to be regarded as resident or nonresident is not determined by the nationality or residence of its members or by the place in which it was created or organized.***
[Amended by T.D. 8813, Federal Register: February 2, 1999 (Volume 64, Number 21), Page 4967-4975]
[SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Resident-26cfr301.7701-5.pdf]

The corporations and partnerships mentioned above represent the ONLY "persons" who are "taxpayers" in the Internal Revenue Code, because they are the only entities expressly mentioned in the definition of "person" found at 26 U.S.C. §6671(b) and 26 U.S.C. §7343. It is a rule of statutory construction that any thing or class of thing not EXPRESSLY appearing in a definition is purposefully excluded by implication:

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

"The United States Supreme Court cannot supply what Congress has studiously omitted in a statute."
[Federal Trade Com. v. Simplicity Pattern Co., 360 U.S. 55, p. 55, 475042/56451 (1959)]

These same artificial "persons" and therefore public offices within 26 U.S.C. §§6671(b) and 7343, are also NOT mentioned in the constitution either. All constitutional "persons" or "people" are human beings, and therefore the tax imposed by the Internal Revenue Code, Subtitles A and C and even the revenue clauses within the United States Constitution itself at 1:8:1 and 1:8:3 can and do relate ONLY to human beings and not artificial "persons" or corporations:

"Citizens of the United States within the meaning of this Amendment must be natural and not artificial persons; a corporate body is not a citizen of the United States*.14*

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14 Insurance Co. v. New Orleans, 13 Fed.Cas. 67 (C.C.D.La. 1870). Not being citizens of the United States, corporations accordingly have been declared unable "to claim the protection of that clause of the Fourteenth Amendment which secures the privileges and immunities of citizens of the United States against abridgment or impairment by the law of a State." Orient Ins. Co. v. Daggs, 172 U.S. 557, 561 (1869) . This conclusion was in harmony with the earlier holding in Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869), to the effect that corporations were not within the scope of the privileges and immunities clause of state citizenship set out in Article IV, Sec. 2. See also Selover, Bates & Co. v. Walsh, 226 U.S. 112, 126 (1912) ; Berea College v. Kentucky, 211 U.S. 45 (1908) ; Liberty Warehouse Co. v. Tobacco Growers, 276 U.S. 71, 89 (1928) ; Grosjean v. American Press Co., 297 U.S. 233, 244 (1936) .

[Annotated Fourteenth Amendment, Congressional Research Service.
SOURCE: http://www.law.cornell.edu/anncon/html/amdt14a_user.html#amdt14a_hd1]

One is therefore ONLY regarded as a "resident" within the Internal Revenue Code if and ONLY if they are engaged in the "trade or business" activity, which is defined in 26 U.S.C. §7701(a)(26) as "the functions of a public office". This mechanism for acquiring jurisdiction is documented in Federal Rule of Civil Procedure 17(b) . Federal Rule of Civil Procedure 17(b) says that when we are representing a federal and not state corporation as "officers" or statutory "employees" per 5 U.S.C. §2105(a) , the civil laws which apply are the place of formation and domicile of the corporation, which in the case of the government of "U.S. Inc." is ONLY the District of Columbia:

IV. PARTIES > Rule 17.
Rule 17. Parties Plaintiff and Defendant; Capacity

(b) Capacity to Sue or be Sued.

Capacity to sue or be sued is determined as follows:
(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;
(2) for a corporation, by the law under which it was organized; and
(3) for all other parties, by the law of the state where the court is located, except that:
(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and
(B) 28 U.S.C. §§ 754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.

[Federal Rule of Civil Procedure 17(b)]

Please note the following very important facts:

1. The "person" which IS physically present on federal territory in the context of Federal Rule of Civil Procedure 17(b)(2) scenario is the PUBLIC OFFICE, rather than the OFFICER who is CONSENSUALLY and LAWFULLY filling said office.
2. The PUBLIC OFFICE is the statutory "taxpayer" per 26 U.S.C. §7701(a)(14), and not the human being filling said office.
3. The OFFICE is the thing the government created and can therefore regulate and tax. They can ONLY tax and regulate that which they created.[38] The public office has a domicile in the District of Columbia per 4 U.S.C. §72, which is the same domicile as that of its CORPORATION parent.
4. Because the parent government corporation of the office is a STATUTORY but not CONSTITUTIONAL "U.S. citizen", then the public office itself is ALSO a statutory citizen per 26 C.F.R. §1.1-1(c). All creations of a government have the same civil status as their creator and the creation cannot be greater than the creator:

> *"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of* ***that state or country only****."*
> *[19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003)]*

5. An oath of office is the ONLY lawful method by which a specific otherwise PRIVATE person can be connected to a specific PUBLIC office.

> *"****It is true, that the person who accepts an office may be supposed to enter into a compact [contract] to be answerable to the government, which he serves, for any violation of his duty; and, having taken the oath of office, he would unquestionably be liable, in such case, to a prosecution for perjury in the Federal Courts. But because one man, by his own act, renders himself amenable to a particular jurisdiction, shall another man, who has not incurred a similar obligation, be implicated?*** *If, in other words, it is sufficient to vest a jurisdiction in this court, that a Federal Officer is concerned; if it is a sufficient proof of a case arising under a law of the United States to affect other persons, that such officer is bound, by law, to discharge his duty with fidelity; a source of jurisdiction is opened, which must inevitably overflow and destroy all the barriers between the judicial authorities of the State and the general government. Anything which can prevent a Federal Officer from the punctual, as well as from an impartial, performance of his duty; an assault and battery; or the recovery of a debt, as well as the offer of a bribe, may be made a foundation of the jurisdiction of this court; and,* ***considering the constant disposition of power to extend the sphere of its influence, fictions will be resorted to, when real cases cease to occur. A mere fiction, that the defendant is in the custody of the marshall, has rendered the jurisdiction of the King's Bench universal in all personal actions.****"*
> *[United States v. Worrall, 2 U.S. 384 (1798)*
> *SOURCE: http://scholar.google.com/scholar_case?case=3339893669697439168]*

Absent proof on the record of such an oath in any legal proceeding, any enforcement proceeding against a "taxpayer" public officer must be dismissed. The oath of public office:
5.1. Makes the OFFICER into legal surety for the PUBLIC OFFICE.
5.2. Creates a partnership between the otherwise private officer and the government. That is the ONLY partnership within the statutory meaning of "person" found in 26 U.S.C. §7343 and 26 U.S.C. §6671(b).

6. The reason that "United States" is defined as expressly including ONLY the District of Columbia in 26 U.S.C. §7701(a)(9) and (a)(10) is because that is the ONLY place that "public officers" can lawfully serve, per 4 U.S.C. §72:

[38] See *Great IRS Hoax*, Form #11.302, Section 5.1.1 entitled "The Power to Create is the Power to Tax". SOURCE: http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm.

TITLE 4 > CHAPTER 3 > § 72
Sec. 72. - Public offices; at seat of Government

All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law

7. Even within privileged federal corporations, not all workers are "officers" and therefore "public officers". Only the officers of the corporation identified in the corporate filings, in fact, are officers and public officers. Every other worker in the corporation is EXCLUSIVELY PRIVATE and NOT a statutory "taxpayer".
8. The authority for instituting the "trade or business" franchise tax upon public officers in the District of Columbia derives from the following U.S. Supreme Court cite:

> *"Loughborough v. Blake, 5 Wheat. 317, 5 L.Ed. 98, was an action of trespass or, as appears by the original record, replevin, brought in the circuit court for the District of Columbia to try the right of Congress to impose a direct tax for general purposes on that District. 3 Stat. at L. 216, chap. 60.* ***It was insisted that Congress could act in a double capacity: in one as legislating [182 U.S. 244, 260] for the states; in the other as a local legislature for the District of Columbia. In the latter character, it was admitted that the power of levying direct taxes might be exercised, but for District purposes only, as a state legislature might tax for state purposes; but that it could not legislate for the District under art. 1, 8, giving to Congress the power 'to lay and collect taxes, imposts, and excises,' which 'shall be uniform throughout the United States,' inasmuch as the District was no part of the United States [described in the Constitution]****. It was held that the grant of this power was a general one without limitation as to place, and consequently extended to all places over which the government extends; and that it extended to the District of Columbia as a constituent part of the United States. The fact that art. 1 , 2, declares that 'representatives and direct taxes shall be apportioned among the several states . . . according to their respective numbers' furnished a standard by which taxes were apportioned, but not to exempt any part of the country from their operation. 'The words used do not mean that direct taxes shall be imposed on states only which are represented, or shall be apportioned to representatives;* ***but that direct taxation, in its application to states, shall be apportioned to numbers****.' That art. 1, 9, 4, declaring that direct taxes shall be laid in proportion to the census, was applicable to the District of Columbia, 'and will enable Congress to apportion on it its just and equal share of the burden, with the same accuracy as on the respective states. If the tax be laid in this proportion, it is within the very words of the restriction. It is a tax in proportion to the census or enumeration referred to.' It was further held that the words of the 9th section did not 'in terms require that the system of direct taxation, when resorted to, shall be extended to the territories, as the words of the 2d section require that it shall be extended to all the states. They therefore may, without violence, be understood to give a rule when the territories shall be taxed, without imposing the necessity of taxing them.'"*
> *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

9. Since the first four commandments of the Ten Commandments prohibit Christians from worshipping or serving other gods, then they also forbid Christians from being public officers in their private life if the government has superior or supernatural powers, immunities, or privileges above everyone else, which is the chief characteristic of any god. The word "serve" in the scripture below includes serving as a public officer. The essence of religious "worship" is, in fact, obedience to the dictates of a SUPERIOR or SUPERNATURAL being. You as a human being are the "natural" in the phrase "supernatural", so if any government or civil ruler has any more power than you as a human being, then they are a god in the context of the following scripture.

> *"****You shall have no other gods [including governments or civil rulers] before Me. You shall not make for yourself a carved image—any likeness of anything that is in heaven above, or that is in the earth beneath, or that is in the water under the earth; you shall not bow down or serve them.*** *For I, the Lord your God, am a jealous God, visiting the iniquity of the fathers upon the children to the third and fourth generations of those who hate Me, but showing mercy to thousands, to those who love Me and keep My commandments.*
> *[Exodus 20:3-6, Bible, NKVJ]*

10. Any attempt to compel you to occupy or accept the obligations of a public office without your consent represents several crimes, including:
    10.1. Theft of all the property and rights to property acquired by associating you with the status of "taxpayer".
    10.2. Impersonating a public officer in violation of 18 U.S.C. §912.
    10.3. Involuntary servitude in violation of the Thirteenth Amendment.
    10.4. Identity theft, because it connects your legal identity to obligations that you don't consent to, all of which are associated with the statutory status of "taxpayer".
    10.5. Peonage, if the status of "taxpayer" is surety for public debts, in violation of 18 U.S.C. §1581. Peonage is slavery in connection with a debt, even if that debt is the PUBLIC debt.

Usually false and fraudulent information returns are the method of connecting otherwise alien and nonresident parties to the "trade or business" franchise, and thus, they are being criminally abused as the equivalent of federal election devices to

fraudulently "elect" otherwise PRIVATE and nonresident parties to be liable for the obligations of a public office. 26 U.S.C. §6041(a) establishes that information returns which impute statutory "income" may ONLY lawfully be filed against this lawfully engaged in a "trade or business". This is covered in:

Correcting Erroneous Information Returns, Form #04.001 http://sedm.org/Forms/FormIndex.htm

11.13 "reside" in the Fourteenth Amendment

"reside" in the Fourteenth Amendment means DOMICILE, not mere physical presence.

> *That newly arrived citizens "have two political capacities, one state and one federal," adds special force to their claim that they have the same rights as others who share their citizenship.17* ***Neither mere rationality nor some intermediate standard of review should be used to judge the constitutionality of a state rule that discriminates against some of its citizens because they have been domiciled in the State for less than a year****. The appropriate standard may be more categorical than that articulated in Shapiro, see supra, at 8 9, but it is surely no less strict.*
>
> *[. . .]*
>
> ***A bona fide residence requirement simply requires that the person does establish residence before demanding the services that are restricted to residents****." The Martinez Court explained that "residence" requires "both physical presence and an intention to remain [domicile]," see id., at 330, and approved a Texas law that restricted eligibility for tuition-free education to families who met this minimum definition of residence, id., at 332 333.*
>
> *While the physical presence element of a bona fide residence is easy to police, the subjective intent element is not. It is simply unworkable and futile to require States to inquire into each new resident's subjective intent to remain. Hence, States employ objective criteria such as durational residence requirements to test a new resident's resolve to remain before these new citizens can enjoy certain in-state benefits. Recognizing the practical appeal of such criteria, this Court has repeatedly sanctioned the State's use of durational residence requirements before new residents receive in-state tuition rates at state universities. Starns v. Malkerson, 401 U.S. 985 (1971), summarily aff'g 326 F. Supp. 234 (Minn. 1970) (upholding 1-year residence requirement for in-state tuition); Sturgis v. Washington, 414 U.S. 1057, summarily aff'g 368 F. Supp. 38 (WD Wash. 1973) (same). The Court has declared: "The State can establish such reasonable criteria for in-state status as to make virtually certain that students who are not, in fact, bona fide residents of the State, but have come there solely for educational purposes, cannot take advantage of the in-state rates." See Vlandis v. Kline, 412 U.S. 441, 453 454 (1973). The Court has done the same in upholding a 1-year residence requirement for eligibility to obtain a divorce in state courts, see Sosna v. Iowa, 419 U.S. 393, 406 409 (1975), and in upholding political party registration restrictions that amounted to a durational residency requirement for voting in primary elections, see Rosario v. Rockefeller, 410 U.S. 752, 760 762 (1973).*
> *[Saenz v. Roe, 526 U.S. 489, 119 S.Ct. 1430, 143 L.Ed.2d. 635 (1999)]*
>
> _____
>
> *What makes a person a citizen of a state? The fourteenth amendment to the Constitution provides that: "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." United States Const. amend. XIV, § 1.* ***However, "reside" has been interpreted to mean more than to be temporarily living in the state; it means to be "domiciled" there. Thus, to be a citizen of a state within the meaning of the diversity provision, a natural person must be both (1) a citizen of the United States, and (2) a domiciliary of that state. Federal common law, not the law of any state, determines whether a person is a citizen of a particular state for purposes of diversity jurisdiction.*** *1 J. Moore, Moore's Federal Practice, § 0.74[1] (1996); e.g., Mas v. Perry, 489 F.2d 1396, 1399 (5th Cir.) cert. denied, 419 U.S. 842, 95 S.Ct. 74, 42 L.Ed.2d 70 (1974).*
> *[Coury v. Prot, 85 F.3d. 244 (1996)]*

The implications of the above are that:

1. The point of reference is the HUMAN and not any offices, agencies, or statuses he or she fills such as "taxpayer", "spouse", etc. under civil franchises. The U.S. Supreme Court held that the only "citizens" mentioned in the Constitution are HUMAN BEINGS and not artificial entities.

> *"Under our own systems of polity, the term 'citizen', implying the same or similar relations to the government and to society which appertain to the term, 'subject' in England, is familiar to all. Under either system, the term used is designed to apply to man in his individual character and to his natural capacities --* ***to a being or agent [PUBLIC OFFICER!] possessing social and political rights and sustaining social, political, and moral***

> ***obligations**. **It is in this acceptation only, therefore, that the term 'citizen', in the article of the Constitution, can be received and understood.** When distributing the judicial power, that article extends it to controversies between 'citizens' of different states. **This must mean the natural physical beings composing those separate communities, and can by no violence of interpretation be made to signify artificial, incorporeal, theoretical, and invisible creations. A corporation, therefore, being not a natural person, but a mere creature of the mind, invisible and intangible, cannot be a citizen of a state, or of the United States, and cannot fall within the terms or the power of the above mentioned article, and can therefore neither plead nor be impleaded in the courts of the United States."***
> *[Rundle v. Delaware & Raritan Canal Company, 55 U.S. 80, 99 (1852) from dissenting opinion by Justice Daniel]*

2. Any offices or civil statuses filled by the human being in the previous step have a domicile quite independent of the officer or agent filling them as men or women. The PUBLIC OFFICE or PUBLIC AGENCY they fill through consent should always be distinguished separately from the OFFICER filling said office or agency. This gives rise to the PUBLIC "person" and the PRIVATE person respectively.
3. Since DOMICILE is voluntary, even CONSTITUTIONAL nationality and state citizenship is voluntary.
4. It also implies that one can be BORN in a place without being a STATUTORY "citizen" there, if one does not have a domicile there. See:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002 http://sedm.org/Forms/FormIndex.htm

11.14 The TWO types of "residents": FOREIGN NATIONAL under the common law or GOVERNMENT CONTRACTOR/PUBLIC OFFICER under a franchise

11.14.1 Introduction

As we pointed out earlier in section 11.4:

1. CONTEXT is extremely important in the legal field.
2. There are TWO main contexts in which legal terms can be used:
   2.1. CONSTITUTIONAL or common law: This law protects exclusively PRIVATE rights.
   2.2. STATUTORY: This law protects primarily PUBLIC rights and franchises.

CONTEXT therefore has a HUGE impact upon the meaning of the legal term "resident". Because there are two main contexts in which "resident" can be used, then there are TWO possible meanings for the term.

1. CONSTITUTIONAL or COMMON LAW meaning: A foreign national domiciled within the jurisdiction of the municipal government to which the term "resident" relates. One can be a "resident" under constitutional state law and a "nonresident" in relation to the national government because their civil domicile is FOREIGN in relation to that government. This is a product of the separation of powers doctrine.
2. STATUTORY meaning: Means a man or woman who consented to a voluntary government civil franchise and by virtue of volunteering, REPRESENTS a public office exercised within and on behalf of the franchise. While on official duty on behalf of the government grantor of the franchise, they assume the effective domicile of the public office they are representing, which is the domicile of the government grantor, pursuant to Federal Rule of Civil Procedure 17(b). For instance, the effective domicile of a state franchisee is within the granting state and the domicile of a federal franchisee is within federal territory.

Most of the civil law passed by state and federal governments are civil franchises, such as Medicare, Social Security, driver licensing, marriage licensing, professional licensing, etc. All such franchises are actually administered as FEDERAL franchises, even by the state governments. Men and women domiciled within a constitutional state have a legislatively foreign domicile outside of federal territory and they are therefore treated as statutory "non-resident non-persons" in relation to the national government. Once they volunteer for a franchise, they consent to represent a public office within that civil franchise and their civil statutory status changes from being a "non-resident non-person" to being a statutory "domiciled citizen" in relation to federal territory and the national government under the specific franchise they signed up for. The operation of Federal Rule of Civil Procedure 17(b) is what makes them a "domiciled citizen" because the office they occupy or represent is domiciled on federal territory in the District of Columbia per 4 U.S.C. §72.

The legal definition of "resident" within Black's Law Dictionary tries to hint at the above complexities with the following deliberately confusing language:

> ***Resident***. *"Any person who occupies a dwelling within the State, has a present intent to remain within the State for a period of time, and manifests the genuineness of that intent by establishing an ongoing physical presence within the State together with indicia that his presence within the State is something other than merely transitory in nature. The word "resident" when used as a noun means a dweller, habitant or occupant; one who resides or dwells in a place for a period of more, or less, duration; it signifies one having a residence, or one who resides or abides. Hanson v. P.A. Peterson Home Ass'n, 35 Ill.App.2d. 134, 182 N.E.2d. 237, 240.*
>
> *Word "resident" has many meanings in law, largely determined by statutory context in which it is used. [Kelm v. Carlson, C.A.Ohio, 473, F.2d. 1267, 1271]*
> *[Black's Law Dictionary, Sixth Edition, p. 1309]*

Note the following critical statement in the above, admitting that sleight of hand is involved:

> *"**Word "resident" has many meanings in law, largely determined by statutory context in which it is used.***
> *[Kelm v. Carlson, C.A.Ohio, 473, F.2d. 1267, 1271]"*

Within the above definition, the term "the State" can mean one of TWO things:

1. A PHYSICAL or GEOGRAPHICAL place. This is the meaning that ignorant people with no legal training would naturally PRESUME that it means.
2. A LEGAL place, meaning a LEGAL PRESENCE as a "person" within a legal fiction called a corporation. For instance, an OFFICER of a federal corporation becomes a "RESIDENT" within the corporation at the moment he or she volunteers for the position and thereby REPRESENTS the corporation. Once they volunteer, Federal Rule of Civil Procedure 17(b) says they become "residents" of the government grantor of the corporation, but only while REPRESENTING said corporation:

> *IV. PARTIES > Rule 17.*
> *Rule 17. Parties Plaintiff and Defendant; Capacity*
>
> *(b) Capacity to Sue or be Sued.*
>
> ***Capacity to sue or be sued is determined as follows:***
>
> ***(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;***
> ***(2) for a corporation, by the law under which it was organized; and***
> *(3) for all other parties, by the law of the state where the court is located, except that:*
> *(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and*
> *(B) 28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.*
> *[SOURCE: http://www.law.cornell.edu/rules/frcp/Rule17.htm]*

All federal corporations are "created" and "organized" under federal law and therefore are considered "residents" and "domestic" in relation to the national government.

> *TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701.*
> *Sec. 7701. - Definitions*
>
> *(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—*
>
> *(4) Domestic*
>
> *The term "domestic" when applied to a corporation or partnership **means created or organized in the United States or under the law of the United States or of any State unless, in the case of a partnership, the Secretary provides otherwise by regulations.***

It is also important to emphasize that ALL governments are corporations as held by the U.S. Supreme Court:

> *"Corporations are also of all grades, and made for varied objects; **all governments are corporations, created by usage and common consent, or grants and charters which create a body politic for prescribed purposes; but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise of power, they are all governed by the same rules of law, as to the construction and the obligation of the instrument by which the incorporation is made. One universal rule of law protects persons and property**. It is a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing of protection as other persons, and their corporate property secured by the same laws which protect that of individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law, is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal government, by the amendments to the constitution."*
> *[Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, 36 U.S. 420 (1837)]*

Consequently, when one volunteers to become a public officer within a government corporation, then they acquire a "LEGAL PRESENCE" in the LEGAL AND NOT PHYSICAL PLACE called "United States" as an officer of the corporation. In effect, they are "assimilated" into the corporation as a legal "person" as its representative.

Earlier versions of the Treasury Regulations reveal the operation of the SECOND method for creating "residents", which is that of converting statutory aliens into statutory residents using government franchises:

> 26 C.F.R. §301.7701-5 Domestic, foreign, resident, and nonresident persons.
>
> *A domestic corporation is one organized or created in the United States, including only the States (and during the periods when not States, the Territories of Alaska and Hawaii), and the District of Columbia, or under the law of the United States or of any State or Territory. A foreign corporation is one which is not domestic. A domestic corporation is a resident corporation even though it does no business and owns no property in the United States. **A foreign corporation engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident foreign corporation, and a foreign corporation not engaged in trade or business within the United States, as a nonresident foreign corporation.** A partnership engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident partnership, and a partnership not engaged in trade or business within the United States, as a nonresident partnership. **Whether a partnership is to be regarded as resident or nonresident is not determined by the nationality or residence of its members or by the place in which it was created or organized.***
> *[Amended by T.D. 8813, Federal Register: February 2, 1999 (Volume 64, Number 21), Page 4967-4975]*
> *[SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Resident-26cfr301.7701-5.pdf]*

The key statement in the above is that the status of "resident" does NOT derive from either nationality or domicile, but rather from whether one is "purposefully and consensually" engaged in the FRANCHISE ACTIVITY called a "trade or business". This is consistent with the Minimum Contacts Doctrine of the U.S. Supreme Court, which requires "purposeful availment" in order to waive sovereign immunity under the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Part IV, Chapter 97:

> ***A foreign corporation engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident foreign corporation, and a foreign corporation not engaged in trade or business within the United States, as a nonresident foreign corporation.** A partnership engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident partnership, and a partnership not engaged in trade or business within the United States, as a nonresident partnership. **Whether a partnership is to be regarded as resident or nonresident is not determined by the nationality or residence of its members or by the place in which it was created or organized.***

Incidentally, we were the first people we know of who discovered the above mechanisms and as soon as we exposed them on this website, the above regulation was quickly replaced with a temporary regulation to hide the truth. Scum bags!

The deliberately confusing and evasive definition of "resident" earlier in Black's Law Dictionary is trying to obfuscate or cover up the above process by inventing new terms called "the State", which they then refuse to define because if they did, they would probably start the second American revolution and destroy the profitability of the government franchise scam that subsidizes the authors within the legal profession! They are like Judas: Selling the truth for 20 pieces of silver.

What we want to emphasize in this section is that:

1. The word "resident" within most government civil law and ALL franchises actually means a government contractor, and has nothing to do with the domicile or nationality of the parties.

2. The "residence" of the franchisee is that of the OFFICE he or she occupies as a statutory but not constitutional alien, and not his or her personal or physical location.

Finally, if you would like to know more about how VOLUNTARY participation in government franchises makes one a "resident", see:

> *Government Instituted Slavery Using Franchises*, Form #05.030, Sections 9.4, 10, and 13.5.2
> http://sedm.org/Forms/FormIndex.htm

11.14.2 "Resident" in the Internal Revenue Code "trade or business" civil franchise

The only type of "resident" defined in the Internal Revenue Code is a "resident alien", as demonstrated below:

> *26 U.S.C. §7701(b)(1)(A) Resident alien*
>
> *(b) Definition of resident alien and nonresident alien*
> *(1) In general*
> *For purposes of this title (other than subtitle B) -*
> *(A) Resident alien*
> *An alien individual shall be treated as a resident of the **United States** with respect to any calendar year if (and only if) such individual meets the requirements of clause (i), (ii), or (iii):*
> *(i) Lawfully admitted for permanent residence*
> *Such individual is a lawful permanent resident of the United States at any time during such calendar year.*
> *(ii) Substantial presence test*
> *Such individual meets the substantial presence test of paragraph (3).*
> *(iii) First year election*
> *Such individual makes the election provided in paragraph (4).*

Therefore, the terms "resident", "alien", and "resident alien" are all synonymous terms within the Internal Revenue Code. Most state income taxation statutes also use the same definition of "resident", and therefore the same definition applies for state income taxes as well.

> **QUESTION FOR DOUBTERS:** If you believe we are wrong, then please show us a definition of the term "resident" within either the Internal Revenue Code or the implementing regulations that includes "citizens of the United States" as defined under 8 U.S.C. §1401. There simply isn't one! You are *not* free to "presume" or "assume" that "citizens of the United States" are also "residents" without the authority of a positive law that authorizes it. We'll also give you the hint, that even the Internal Revenue Code is neither "positive law" nor does it have the "force of law" for most people, so you can't use it as legally evidence of anything. Presumptions are NOT legal evidence and violate due process of law when they become evidence without at least your consent in some form. To make this or any other assumption in a court of law would violate our right to "due process or law", because "presumption" or "assumption" of anything in the legal realm is a violation of due process. Everything must be proven with evidence, and that which is neither law nor which is explicitly stated cannot be presumed.

The only way you can come under the jurisdiction of Subtitle A of the Internal Revenue Code is to meet one or more of the following criterias below:

1. A "person" domiciled within the "federal zone" as defined under 26 U.S.C. §7701(a)(1). This statutory "person" is technically either an "alien" or a federal corporation only. A corporation can also be an "alien" if it was incorporated outside of federal jurisdiction but has a presence inside the federal zone. Under 26 C.F.R. §301.6109-1, these are the only entities who are required to provide any kind of identifying number on their tax return! That regulation requires the furnishing of a "Taxpayer Identification Number" for these legal "persons", but 26 C.F.R. §301.6109-1(d)(3) says that Social Security Numbers are *not* to be treated as "Taxpayer Identification Numbers". Consequently, natural persons with a Social Security Number do not have to provide any kind of identifying number on their return because they aren't the proper subject of Subtitle A of the Internal Revenue Code. See Great IRS Hoax, Form #11.302, Section 5.4.17 for further details on this scandal.

2. A "nonresident alien" under 26 C.F.R. §1.1-1(a)(2)(ii) who has income "effectively connected with a trade or business", which means a political office in the United States government under 26 U.S.C. §7701(a)(26). See 26 C.F.R. §1.1-1(a)(2)(ii).

Under item 1 above, the term "person" is used in describing an "individual", but that "person" is technically ***only*** a federal corporation or an office WITHIN that corporation, as confirmed by the following:

1. The legal encyclopedia, Corpus Juris Secundum confirms that corporations are treated in law as "citizens of the United States":

> *"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."*
> *[19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003)]*

2. The definition of "income" as including only "corporate profit" under our Constitution limits the entire Internal Revenue Code to corporations only. See Great IRS Hoax, Form #11.302, Section 5.6.5 for complete details on this subject.

Natural persons (people) who are "citizens of the United States**" under the provisions of 8 U.S.C. §1401 are born ***only*** in the District of Columbia or federal territories or possessions. Federal territories and possessions are the only "States" within the Internal Revenue Code as confirmed by 4 U.S.C. §110(d). These statutory "citizens of the United States" *cannot* legally be classified as "residents"/"aliens" under the Internal Revenue Code and are not authorized by the code to "elect" to be treated as one either. The reason is because the purpose of law is to protect, and a person ***cannot*** elect to lose their constitutional rights and protection, even if they want to! However, by filing an IRS form 1040 or 1040A, they in effect make this illegal election anyway, and the IRS looks the other way and does not prosecute such unintentional deceit because they benefit financially from it. The pronouncements of the U.S. Supreme Court also identify this kind of constructive fraud on the part of the IRS as an invalid election if this unwitting choice did not involve ***fully informed consent***. Did you know that you were agreeing to be treated as an "alien" by the IRS when you signed and sent in your first Form 1040 or 1040A?:

> *"Waivers of Constitutional rights not only must be voluntary, but must be knowing, intelligent acts done with sufficient awareness of the relevant circumstances and likely consequences."*
> *[Brady v. U.S., 397 U.S. 742 (1970)]*

The reason Constitutional rights are being waived is because people who are "residents"/"aliens" within the federal zone have no constitutional rights in law. The only way to avoid this involuntary election is to instead either file nothing or to file a 1040NR form with the IRS instead of a 1040 or 1040A form. You will learn starting in the next section that people who are born in states of the Union are not "nationals and citizens of the United States** at birth" under 8 U.S.C. §1401, but are instead the equivalent of "nationals" under 8 U.S.C. §1101(a)(21). They are also "nonresident aliens" under the Internal Revenue Code if serving in a public office and non-resident non-persons if not serving in a public office in the national government. "nonresident aliens" file only the 1040NR form if they file anything with the IRS. The rules for electing to be treated as a "resident" or "resident alien" are found in IRS Publication 54: ***Tax Guide for U.S. citizens and Resident Aliens Abroad***. See the Great IRS Hoax, Form #11.302, Sections 5.5.2, 5.5.3, and 5.4.12 for amplification on this subject.

IMPORTANT: **If you were born in a state of the Union, NEVER, EVER file a 1040, 1040A, or 1040EZ form unless you want to throw your Constitutional rights in the toilet! If you determine that you must file a tax form with the IRS, then *only* send in a 1040NR form in order to preserve your status as a "national" under 8 U.S.C. §1101(a)(21) and "non-resident non-person" who is outside of federal jurisdiction! Nonresident aliens cannot be penalized under the Internal Revenue Code because they don't reside there! When you send in the 1040NR form, make sure to change the perjury statement at the end to put yourself outside of federal jurisdiction as follows:**

> ***"I declare under penalty of perjury under the laws of the United States of America in accordance with 28 U.S.C. §1746(1) that the foregoing facts are true, correct, and complete to the best of my knowledge and ability, but only when litigated with a jury in a court of a state of the Union and not a federal court."***

You will learn later in Great IRS Hoax, Form #11.302, Section 5.4.5 that the IRS has no legal authority to institute penalties against natural persons because of the prohibition against Bills of Attainder found in Article 1, Section 10 of the Constitution, but they will try to illegally do it anyway. Since IRS likes to try to illegally penalize people for changing the "jurat" or perjury statement at the end of the 1040NR form, then you can accomplish the equivalent of physically modifying the words in the perjury statement by redefining the words in the statement or redefining the whole statement in its entirety in an attached letter. Physically changing the words in the statement is the only thing IRS incorrectly "thinks" they can penalize for, and especially if the return was completed and submitted *outside* of federal jurisdiction in a state of the Union and the perjury statement accurately reflects that fact. Remember that *crimes* can only be punished based on where they are committed, and if your perjury statement reflects the fact that you are *outside* of federal jurisdiction, then IRS can't penalize you no matter how hard they try or how many threats they make.

So being a "resident of the **S**tate" under federal statutes above makes you a *nonresident alien* in your own **s**tate and an "alien" under federal jurisdiction who is the proper subject of both state and federal income taxes codes! Because as a "resident of the **S**tate" you are presumed to reside inside the federal zone, you don't have any constitutional rights according to the U.S. supreme Court. Listen to the dissenting opinion from Justice Harlan in the case of *Downes v. Bidwell*, 182 U.S. 244 (1901) which ruled that the federal zone doesn't have constitutional protections:

> ***"I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism..***
>
> ***[. . .]***
>
> *"The idea prevails with some, indeed it has found expression in arguments at the bar, that **we have in this country substantially two national governments; one to be maintained under the Constitution, with all of its restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising such powers [of absolutism] as other nations of the earth are accustomed to..***
>
> ***[. . .]***
>
> ***It will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution.****"*
> *[Downes v. Bidwell, 182 U.S. 244 (1901), Justice Harlan, Dissenting]*

When you accept the false notion that you are "liable" for federal income taxes under Subtitle A of the Internal Revenue Code and subsequently file a 1040 tax return (bad idea!), you are admitting under penalty of perjury that you are an ***alien*** "individual" of your own country (not a "national" or "citizen") who lives in the federal zone. The only definitions of "individual" found in 26 C.F.R. §1.1441-1(c)(3) and 26 C.F.R. §1.1-1(a)(2)(ii) confirm that the only people who are "individuals" in the context of federal income taxes are "aliens"/"residents" residing in the *federal* "United States". That lie or mistake on the tax return you never should have submitted to begin with caused you to become the equivalent of a "virtual inhabitant" of the federal zone in law and from that point on you are treated as such by both the federal government and the state government, even if you don't want to be and never intended to do this! Here is more proof showing that even

if you weren't located in the federal zone when you submitted the false 1040 return, you gave your tacit permission to be treated as a resident of the District of Columbia:

> *TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701.*
> *Sec. 7701. – Definitions*
>
> *(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—*
>
> *(39) Persons residing outside [the federal] United States*
>
> *If any **citizen or resident of the United States** does not reside in (and is not found in) any United States judicial district, such citizen or resident shall be treated as residing in the District of Columbia for purposes of any provision of this title relating to -*
>
> *(A) jurisdiction of courts, or*
> *(B) enforcement of summons.*

What the above means is that if you filed a 1040 or 1040A form, you are telling the federal government that you are an "alien"/"resident" who lives in the federal zone and consequently, the courts will treat you like you have a domicile in the District of Columbia, which we call the District of Criminals. A similar provision appears under 26 U.S.C. §7408(d):

> *TITLE 26 > Subtitle F > CHAPTER 76 > Subchapter A > § 7408*
> *§7408. Action to enjoin promoters of abusive tax shelters, etc.*
>
> *(d) Citizens and residents outside the United States If any citizen or resident of the United States does not reside in, and does not have his principal place of business in, any United States judicial district, such citizen or resident shall be treated for purposes of this section as residing in the District of Columbia.*

Here is what the *2003 IRS Published Products Catalog* says about the proper use of the form 1040A on page F-15, and notice is says it is only for "citizens" and "residents", neither of which describe those born in and inhabiting states of the Union on land not under federal ownership:

> ***1040A 11327A Each***
>
> ***U.S. Individual Income Tax Return***
>
> *Annual income tax return **filed by citizens and residents of the United States**. There are separate instructions available for this item. The catalog number for the instructions is 12088U.*
>
> *W:CAR:MP:FP:F:I Tax Form or Instructions*
> *[IRS Published Products Catalog (2003), Document 7130, p. F-15]*

If you want to look at the IRS Published Products Catalog, you can download it yourself on our website at the address below. The document is available below:

IRS Document 7130
http://famguardian.org/TaxFreedom/Forms/IRS/IRSDoc7130.pdf

Those who file that false 1040 form are admitting that they are living in the King's Castle and from that point on, they better bow down to the king as slaves by paying "tribute" with all their earnings! Important about the above is the fact that "nationals" and "nonresident aliens" are *not* included in the phrase "citizens or residents", because they are *outside* the jurisdiction of the federal courts! One more big reason why we *don't* want to be a "U.S. citizen" in the context of federal statutes such as 8 U.S.C. §1401! That false 1040 tax return they submitted, which said "U.S. individual" at the top, became a contract with criminals from the "District of Criminals" (the "D.C." in "Washington D.C.") to take themselves out of the Constitutional Republic and out of the protections of the Bill of Rights. They united with or "married" Babylon the Great Harlot mentioned in Rev. 17 and 18 and they live where she lives: inside of a totalitarian socialist democracy devoid of constitutional rights and predicated solely on the love of money and luxury. They declared themselves to be an "employee" of the Harlot, and the false W-4 form they submitted proves that, because the upper left corner says "employee", and the only people who are statutory "employees" as defined in 26 U.S.C. §3401(c) work for the *federal* government. It is

repugnant to the constitution, as held by the U.S. Supreme Court and therefore they can only be referring to PUBLIC "employees". They have therefore joined the "Matrix" and become a socialist federal serf. Welcome, comrade!"

> *"You were bought at a price;* ***do not become slaves of men*** *[and remember that government is made up of men]."*
> *[1 Cor. 7:23, Bible, NKJV]*

Who says we don't live in a police state, and not many people even know about this because we have been so deceived by our public "dis-servants". Can you see how insidious this lawyer deception is? The American people and our media are asleep at the wheel folks!…and it's going to take a lot more to fix than blind and ignorant patriotism and putting an idiotic flag or bumper sticker on your car. That's right: if you are a "resident of the United States" or of "the **S**tate", then you're a federal serf and a ward of the socialist government who is *nonresident* to his own **s**tate! You better to do what you're told, pay your taxes, and ***shut up, BOY, or we'll confiscate all your property, give you 40 lashes and send you to bed without dinner or a blanket***. Watch out!

To summarize the preceding discussion of "resident", for the purposes of taxation, one establishes that they are a "resident" of the federal zone by any of the following techniques:

1. Filing a form 1040 or 1040a or 1040EZ
2. Filling out a W-4 form, which is only for use by federal statutory "employees", all of whom work only in the federal zone.
3. Claiming to be "U.S. citizen", "U.S. resident", or "U.S. person" on any federal form.

If you never did any of the above, then it can't be said that you ever consented to participate in the federal income tax system and the federal government has no jurisdiction or proof of jurisdiction over you for the purposes of Subtitle A of the Internal Revenue Code. If they wrongfully proceed at that point over your objections by attempting unlawful collection and/or assessment actions against you in violation of 26 U.S.C. §6020(b) or the Constitution, then they:

1. Are involved in identity theft because they moved your legal identity under the I.R.C. to a physical place where you neither intend to live or actually live, which is the District of Columbia.
2. Are involved in:
   2.1. Racketeering in violation of 18 U.S.C. §1951.
   2.2. Extortion in violation of 18 U.S.C. §872.
   2.3. Conspiracy against rights in violation of, 18 U.S.C. §241.
3. Can and should be prosecuted individually for fraud in violation of 18 U.S.C. §1001, kidnapping in violation of 18 U.S.C. §1201, and all of the above crimes under both state and federal law.

11.14.3 "resident"=government employee, contractor, or agent

The discussion in the preceding section brings out a very subtle point we would like to further expound upon, which is that "residence" is created ONLY through the operation of private law and your right to contract. We allege that the term "permanent" found in the definition of "domicile" in the previous section really means "consent" to the jurisdiction of the government. Below is the proof, right from the definitions within Title 8 of the U.S. Code, which is entitled "Aliens and Nationality":

> *TITLE 8 > CHAPTER 12 > SUBCHAPTER I > § 1101*
> *§ 1101. Definitions*
>
> *(a) As used in this chapter—*
>
> *(31) The term "permanent" means a relationship of continuing or lasting nature, as distinguished from temporary, but* ***a relationship may be permanent even though it is one that may be dissolved eventually at the instance either of the United States or of the individual, in accordance with law.***

Note that the term "permanent" as used above has no relationship as to time, but instead can exist only in the presence of your voluntary consent. This is one of the implications of the Declaration of Independence, which states that "to secure these rights, governments are instituted among men, deriving their JUST powers from the CONSENT of the governed." What they are pointing out above is that what really makes the relationship "permanent" is your voluntary *consent*. This

consent, the courts call "allegiance". Below is how the U.S. Supreme Court describes the practical effect of choosing or consenting to a "domicile" within the jurisdiction of a specific "state":

> *"**Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes**. Since the Fourteenth Amendment makes one a [STATUTORY] citizen of the state wherein he resides [IS DOMICILED], **the fact of residence creates universally reciprocal duties [e.g. CONTRACTUAL DUTIES!!] of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter.** Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located."*
> *[Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954)]*

The only legitimate purpose of all law and government is "protection". A person who selects or consents to have a "domicile" or "residence" has effectively contracted to procure "protection" of the "sovereign" or "state" within its jurisdiction. In exchange for the promise of protection by the "state", they are legally obligated to give their allegiance and support. All allegiance must be voluntary and any consequences arising from compelled allegiance may not be enforced in a court of law. When you *revoke* your voluntary consent to the government's jurisdiction and the "domicile" or "residence" contract, you change your status from that of a "domiciliary" or "resident" or "inhabitant" or "U.S. person" to that of a "transient foreigner". Transient foreigner is then defined below:

> *"**Transient foreigner**. One who visits the country, without the intention of remaining."*
> *[Black's Law Dictionary, Sixth Edition, p. 1498]*

Note again the language within the definition of "domicile" from Black's Law Dictionary found in the previous section relating to the word "transient", which confirms that what makes your stay "permanent" is *consent* to the jurisdiction of the "state" located in that place:

> *"Domicile. [. . .]**The established, fixed, permanent, or ordinary dwellingplace** or place of residence of a person, **as distinguished from his temporary and transient, though actual, place of residence**. It is his legal residence, **as distinguished from his temporary place of abode**; or his home, as distinguished from a place to which business or pleasure may temporarily call him. See also Abode; Residence."*
> *[Black's Law Dictionary, Sixth Edition, p. 485]*

Since your Constitutional right to contract is unlimited, then you can have as many "residences" as you like, but you can have only *one* legal "domicile", because your allegiance must be undivided or you will have a conflict of interest and allegiance.

> *"No one can serve **two masters**; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. You cannot serve God and mammon."*
> *[Matt. 6:24, Bible, NKJV]*

Remember, "resident" is a combination of two word roots: "res", which is legally defined as a "thing", and "ident", which stands for "identified".

> ***Res**. Lat. The subject matter of a trust or will. In the civil law, a thing; an object. As a term of the law, this word has a very wide and extensive signification, including not only things which are objects of property, but also such as are not capable of individual ownership. And in old English law it is said to have a general import, comprehending both corporeal and incorporeal things of whatever kind, nature, or species. By "res," according to the modern civilians, is meant everything that may form an object of rights, in opposition to "persona," which is regarded as a subject of rights. "Res," therefore, in its general meaning, comprises actions of all kinds; while in its restricted sense it comprehends every object of right, except actions. This has reference to the fundamental division of the Institutes that all law relates either to persons, to things, or to actions.*
>
> *Res is everything that may form an object of rights and includes an object, subject-matter or status. In re Riggle's Will, 11 A.D.2d 51 205 N.Y.S.2d. 19, 21, 22. The term is particularly applied to an object, subject-matter, or status, considered as the defendant in an action, or as an object against which, directly, proceedings are taken. Thus, in a prize case, the captured vessel is "the res"; and proceedings of this character are said to be in rem. (See In personam; In Rem.) "Res" may also denote the action or proceeding, as when a cause, which is not between adversary parties, it entitled "In re _____".*
> *[Black's Law Dictionary, Sixth Edition, pp. 1304-1306]*

When you become a "resident" in the eyes of the government, you become a "thing" that is now "identified" and which is *within* their legislative jurisdiction and *completely subject* to it. Notice that a "res" is defined as the *object of a trust above*. That trust is the "public trust" created by the Constitution and all laws passed pursuant to it.

> *Executive Order 12731*
> *"Part 1 -- PRINCIPLES OF ETHICAL CONDUCT*
>
> *"Section 101. Principles of Ethical Conduct. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental principles of ethical service as implemented in regulations promulgated under sections 201 and 301 of this order:*
>
> ***"(a) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws, and ethical principles above private gain.***

> ***TITLE 5--ADMINISTRATIVE PERSONNEL***
> ***CHAPTER XVI--OFFICE OF GOVERNMENT ETHICS***
> ***PART 2635--STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE EXECUTIVE BRANCH--Table of Contents***
> ***Subpart A--General Provisions***
> ***Sec. 2635.101 Basic obligation of public service.***
>
> *(a) **Public service is a public trust**. Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each employee shall respect and adhere to the principles of ethical conduct set forth in this section, as well as the implementing standards contained in this part and in supplemental agency regulations.*

All those who swear an oath as "public officers" are also identified as "trustees" of the "public trust":

> *"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. [39] **Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts**. [40] **That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves. [41] and owes a fiduciary duty to the public. [42] It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual. [43]** Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual rights is against public policy.[44]"*
> *[63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)]*

A person who is "subject" to government jurisdiction cannot be a "sovereign", because a sovereign is not *subject* to the law, but the AUTHOR of the law. Only citizens are the authors of the law because only "citizens" can vote.

> ***"Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the***

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

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

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

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

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

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

> ***people, by whom and for whom all government exists and acts. And the law is the definition and limitation of power**."*
> *[Yick Wo v. Hopkins, 118 U.S. 356 (1886)]*

The implication is that you cannot be sovereign if you have a "domicile" or "residence" in any earthly place or in any place other than Heaven or the Kingdom of Heaven on Earth. If you choose a "domicile" or "residence" any place on earth, then you become a "subject" in relation to that place and voluntarily forfeit your sovereignty. This is NOT the status you want to have! A "resident" by definition MUST therefore be within the legislative jurisdiction of the government, because the government cannot lawfully write laws that will allow them to recognize or act upon anything that is NOT within their legislative jurisdiction. All law is territorial in nature, and can act only upon the territory under the exclusive control of the government or upon its franchises and contracts, which are "property" under its management and control. The only lawful way that government laws can reach beyond the territory of the sovereign who controls them is through explicit, informed, mutual consent of the individual parties involved, and this field of law is called "private law".

> *"Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the law of comity must necessarily rest, the following maxims: First 'that **every nation possesses an exclusive sovereignty and jurisdiction within its own territory**'; secondly, '**that no state or nation can by its laws directly affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural born subjects or others.**' The learned judge then adds: 'From these two maxims or propositions there follows a third, and that is that whatever force and obligation the laws of one country have in another depend solely upon the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and upon its own express or tacit consent." Story on Conflict of Laws §23."*
> *[Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio.St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]*

The very same principles as government operates under with respect to "resident" also apply to Christianity as well. When we become Christians, we consent to the contract or covenant with God called the Bible. That covenant requires us to accept Jesus Christ as our Lord and Savior. This makes us a "resident" of Heaven and "pilgrims and sojourners" (transient foreigners) on earth:

> *"For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ"*
> *[Philippians 3:20, Bible, NKJV]*

> *"Now, therefore, you are no longer strangers and foreigners, but **fellow citizens with the saints and members of the household of God**."*
> *[Ephesians 2:19, Bible, NKJV]*

> *"These all died in faith, not having received the promises, but having seen them afar off were assured of them, embraced them **and confessed that they were strangers and pilgrims [transient foreigners] on the earth**."*
> *[Hebrews 11:13, Bible, NKJV]*

> *"Beloved, I beg you **as sojourners and pilgrims**, abstain from fleshly lusts which war against the soul..."*
> *[1 Peter 2:11, Bible, NKJV]*

For those who consent to the Bible covenant with God the Father, Jesus becomes our protector, spokesperson, Counselor, and Advocate before the Father. We become a Member of His family!

> *Jesus' Mother and Brothers Send for Him*

> *While He was still talking to the multitudes, behold, His mother and brothers stood outside, seeking to speak with Him. Then one said to Him, "Look, Your mother and Your brothers are standing outside, seeking to speak with You."*

> *But He answered and said to the one who told Him, "Who is My mother and who are My brothers?" 49 And He stretched out His hand toward His disciples and said, "Here are My mother and My brothers! For whoever does the will of My Father in heaven is My brother and sister and mother."*
> *[Matt. 12:46-50, Bible, NKJV]*

By doing God's will on earth and accepting His covenant or private contract with us, which is the Bible, He becomes our Father and we become His children. The law of domicile says that children assume the *same* domicile as their parents and are legally dependent on them:

> *A person acquires a domicile of origin at birth.[45] The law attributes to every individual a domicile of origin,[46] which is the domicile of his parents,[47] or of the father,[48] or of the head of his family:[49] or of the person on whom he is legally dependent,[50] at the time of his birth. While the domicile of origin is generally the place where one is born [51] or reared,[52] may be elsewhere.[53] The domicile of origin has also been defined as the primary domicile of every person subject to the common law.[54]*
> *[Corpus Juris Secundum (C.J.S.), Domicile, §7, p. 36 (2003);*
> *SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf]*

The legal dependence they are talking about is God's Law, which then becomes our main source of protection and dependence on God. We as believers then recognize Jesus' existence as a "thing" we "identify" in our daily life and in return, He recognizes our existence before the Father. Here is what He said on this subject as proof:

> *Confess Christ Before Men*
>
> *"Therefore whoever confesses Me [recognizes My legal existence under God's law, the Bible, and acknowledges My sovereignty] before men, him I will also confess before My Father who is in heaven. But whoever denies Me before men, him I will also deny before My Father who is in heaven."*
> *[Matt. 10:32-33, Bible, NKJV]*

Let's use a simple example to illustrate our point in relation to the world. You want to open a checking account at a bank. You go to the bank to open the account. The clerk presents you with an agreement that you must sign before you open the account. If you won't sign the agreement, then the clerk will tell you that they can't open an account for you. Before you sign the account agreement, the bank doesn't know anything about you and you don't have an account there, so you are the equivalent of an "alien". An "alien" is someone the bank will not recognize or interact with or help. They can only lawfully help "customers", not "aliens". After you exercise your right to contract by signing the bank account agreement, then you now become a "resident" of the bank. You are a "resident" because:

1. You are a "thing" that they can now "identify" in their computer system and their records because you have an "account" there. They now know your name and "account number" and will recognize you when you walk in the door to ask for help.
2. They issued you an ATM card and a PIN so you can control and manage your "account". These things that they issued you are the "privileges" associated with being party to the account agreement. No one who is not party to such an agreement can avail themselves of such "privileges".
3. The account agreement gives you the "privilege" to demand "services" from the bank of one kind or another. The legal requirement for the bank to perform these "services" creates the legal equivalent of "agency" on their part in doing what you want them to do. In effect, you have "hired" them to perform a "service" that you want and need.
4. The account agreement gives the bank the legal right to demand certain behaviors out of you of one kind or another. For instance, you must pay all account fees and not overdraw your account and maintain a certain minimum balance. The legal requirement to perform these behaviors creates the legal equivalent of "agency" on your part in respect to the bank.
5. The legal obligations created by the account agreement give the two parties to it legal jurisdiction over each other defined by the agreement or contract itself. The contract fixes the legal relations between the parties. If either party violates the agreement, then the other party has legal recourse to sue for exceeding the bounds of the "contractual agency" created by the agreement. Any litigation that results must be undertaken consistent with what the agreement authorizes and in a mode or "forum" (e.g. court) that the agreement specifies.

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[45] U.S. –Mississippi Bank of Choctaw Indians v. Holyfield, Missl, 109 S.Ct. 1597, 490 U.S. 30, 104 L.Ed.2d. 29.

[46] Mass.—Commonwealty v. Davis, 187 N.E. 33, 284 Mass. 41. N.Y.—In re Lydig's Estate, 180 N.Y.S. 843, 191 A.D. 117.

[47] Ga.—McDowell v. Gould, 144 S.E. 206, 166 Ga. 670. Iowa—In re Jones' Estate, 182 N.W. 227, 192 Iowa 78, 16 A.L.R. 1286.

[48] U.S.—Shishko v. State Farm. Ins. Co., D.C.Pa., 553 F.Supp. 308, affirmed 722 F.2d. 734 and Appeal of Shishko, 722 F.2d. 734.

[49] N.Y. –Cohen v. Delaware, L. & W.R. Co., 269 N.Y.S. 667, 160 Misc. 450.

[50] N.C.—Hall v. Wake County Bd. Of Elections, 187 S.E.2d. 52, 280 N.C. 600.

[51] U.S.—Gregg v. Louisiana Power and Light Co., C.A.La., 626 F.2d. 1315.

[52] Ky.—Johnson v. Harvey, 88 S.W.2d. 42, 261 Ky. 522.

[53] S.C. Cribbs v. Floyud, 199 S.E. 677, 188 S.C. 443.

[54] N.Y. –In re McElwaine's Will, 137 N.Y.S. 681, 77 Misc. 317.

The government does things ***exactly*** the same way. The only difference is the product they deliver. The bank delivers financial services, and the government delivers "protection" and "social" services. The account number is the social security number. You can't have or use a social security number and avail yourself of its benefits without consenting to the jurisdiction of the "contract" that authorized its' issuance, which is the Social Security Act found in Title 42 of the U.S. Code.

> *CALIFORNIA CIVIL CODE*
> *DIVISION 3. OBLIGATIONS*
> *PART 2. CONTRACTS*
> *CHAPTER 3. CONSENT*
> *Section 1589*
>
> *1589. A voluntary acceptance of the benefit of a [government benefit] transaction is equivalent to a consent to all the obligations [and legal liabilities] arising from it, so far as the facts are known, or ought to be known, to the person accepting.*

Therefore, you can't avail yourself of the "privileges" associated with the Social Security account agreement ***without*** also being a "resident" of the "United States", which means an alien who has signed a contract to procure services from the government. That contract can be explicit, which means a contract in writing, or implicit, meaning that it is created through your behavior. For instance, if you drive on the roads within a state, that act implied your consent to be bound by the vehicle code of that state. In that sense, driving a car became a voluntary exercise of your right to contract.

A mere innocent act can imply or trigger "constructive consent" to a legal contract, and in many cases, you may not even be aware that you are exercising your right to contract. Watch out! For instance, the criminal code in your state behaves like a contract. The "police" are simply there to enforce the contract. As a matter of fact, their job was created by that contract. This is called the "police power" of the state. If you do not commit any of the acts in the criminal or penal code, then you are not subject to it and it is "foreign" to you. You become the equivalent of a "resident" within the criminal code and subject to the legislative jurisdiction of that code ONLY by committing a "crime" identified within it. That "crime" triggers "constructive consent" to the terms of the contract and all the obligations that flow from it, including prison time and a court trial. This analysis helps to establish that in a free society, all law is a contract of one form or another, because it can only be passed by the consent of the majority of those who will be subject to it. The people who will be subject to the laws of a "state" are those with a "domicile" or "residence" within the jurisdiction of that "state". Those who don't have such a "domicile" or "residence" and who are therefore not subject to the civil laws of that state are called "transient foreigners". This concept is built extensively upon in Great IRS Hoax, Form #11.302, Sections 5.4 through 5.4.4.5. This is a very interesting subject that we find most people are simply fascinated with, because it helps to emphasize the "voluntary nature" of all law.

11.14.4 Why was the statutory "resident" under civil franchises created instead of using a classical constitutional "citizen" or "resident" as its basis?

After looking at the "resident" government contractor franchise scam, we wondered why they had to do this instead of simply using a classical constitutional "citizen" or "resident" with a domicile within the territory protected by a specific government as the basis for franchises. After careful thought and research, we found that there are many reasons they had to do this:

1. The Constitution forbids what is called "class legislation" relating to constitutional "citizens" or "residents". The reason is that it violates the requirement for equal protection and equal treatment that is at the heart of the Constitution. Governments are NOT allowed to treat any subset of constitutional citizens or residents differently, or confer or grant "benefits", and by implication "franchises", to any SUBSET of them. If participation is in fact voluntary, there is no way they could even offer franchises to constitutional citizens without favoring one group over another and thereby creating an unconstitutional "title of nobility". Below is how the U.S. Supreme Court described this violation after the first income tax was enacted and declared UNCONSTITUTIONAL by the U.S. Supreme Court:

   > *"The present **assault upon capital** is but the beginning. **It will be but the stepping stone to others larger and more sweeping**, until our political contest will become war of the poor against the rich; a war of growing intensity and bitterness. 'If the court sanctions the power of discriminating taxation, and nullifies the uniformity mandate of the constitution,' as said by one who has been all his life a student of our institutions, 'it will mark the hour when the sure decadence of our present government will commence.'*
   >
   > *[...]*

> *The legislation, in the discrimination it makes, is class legislation. Whenever a distinction is made in the burdens a law imposes or in the benefits it confers on any citizens by reason of their birth, or wealth, or religion, it is class legislation, and leads inevitably to oppression and abuses, and to general unrest and disturbance in society."*
> *[Pollock v. Farmers Loan and Trust, 157 U.S. 429 (1895)]*

2. It has always been unconstitutional to abuse the government's taxing power to pay private individuals. Classical constitutional citizens and residents are inherently PRIVATE individuals.

> *"His [the individual's] rights are such as existed by the law of the land long antecedent to the organization of the State, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights."*
> *[Hale v. Henkel, 201 U.S. 43 (1906)]*

Hence, the government cannot lawfully create any franchise "benefit" offered to PRIVATE constitutional citizens or residents that could be used to redistribute wealth between different groups of otherwise private individuals. For instance, they cannot tax the rich to give to the poor, as the U.S. Supreme Court indicated above and hence, cannot offer franchises to constitutional citizens or residents, or tie eligibility for the franchise to the status of constitutional citizen or resident.

> *"A tax, in the general understanding of the term and as used in the constitution, signifies an exaction for the support of the government. The word has never thought to connote the expropriation of money from one group for the benefit of another."*
> *[U.S. v. Butler, 297 U.S. 1 (1936)]*

> *"**To lay with one hand the power of government on the property of the citizen, and with the other to bestow it on favored individuals.. is none the less robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.**"*
> *[Loan Association v. Topeka, 20 Wall. 655 (1874)]*

> *"The king establishes the land by justice, But he who receives bribes [socialist handouts, government "benefits", or PLUNDER stolen from nontaxpayers] overthrows it. "*
> *[Prov. 29:4, Bible, NKJV]*

3. It has been repeatedly held as unconstitutional for governments to establish a "poll tax". Poll taxes are fees required to be paid before one may vote in any election. Voting, in turn, is described as a "franchise". Eligibility to vote is established by the coincidence of both nationality and domicile. If domicile instead of "residence" under a franchise were used as the criteria for income tax obligation, then indirectly the income tax would act for all intents and purposes as a "poll tax" and thereby quickly be declared as unconstitutional.

> ***We conclude that a State violates the Equal Protection Clause of the Fourteenth Amendment whenever it makes the affluence of the voter or payment of any fee an electoral standard. Voter qualifications have no relation to wealth nor to paying or not paying this or any other tax.***[55] *Our cases demonstrate that the Equal Protection Clause of the Fourteenth Amendment restrains the States from fixing voter qualifications which invidiously discriminate. Thus without questioning the power of a State to impose reasonable residence restrictions on the availability of the ballot (see Pope v. Williams, 193 U.S. 621, 24 S.Ct. 573, 48 L.Ed. 817), we held in Carrington v. Rash, 380 U.S. 89, 85 S.Ct. 775, 13 L.Ed.2d. 675, that a State may not deny the opportunity to vote to a bona fide resident merely because he is a member of the armed services. 'By forbidding a soldier ever to controvert the presumption of non-residence, the Texas Constitution imposes an invidious discrimination in violation of the Fourteenth Amendment.' Id., at 96, 85 S.Ct. at 780. And see Louisiana v. United States, 380 U.S. 145, 85 S.Ct. 817. Previously we had said that neither homesite nor occupation 'affords a permissible basis for distinguishing between qualified voters within the State.' Gray v. Sanders, 372 U.S. 368, 380, 83 S.Ct. 801, 808, 9 L.Ed.2d. 821. We think the same must be true of requirements of wealth or affluence or payment of a fee.*

> *Long ago in Yick Wo v. Hopkins, 118 U.S. 356, 370, 6 S.Ct. 1064, 1071, 30 L.Ed. 220 the Court referred to 'the political franchise of voting' as a 'fundamental political right, because preservative of all rights.' Recently in Reynolds v. Sims, 377 U.S. 533, 561—562, 84 S.Ct. 1362, 1381, 12 L.Ed.2d. 506, we said, 'Undoubtedly, the*

[55] Only a handful of States today condition the franchise on the payment of a poll tax. Alabama (Ala. Const., §§ 178, 194, and Amendments 96 and 207; Ala. Code Tit. 17, § 12) and Texas (Tex. Const., Art. 6, § 2; Vernon's Ann. Stat., Election Code, Arts. 5.02, 5.09) each impose a poll tax of $1.50. Mississippi (Miss. Const., §§ 241, 243; Miss. Code §§ 3130, 3160, 3235) has a poll tax of $2. Vermont has recently eliminated the requirement that poll taxes be paid in order to vote. Act of Feb. 23, 1966, amending Vt. Stat. Ann. Tit. 24, § 701.

> *right of suffrage is a fundamental matter in a free and democratic society. Especially since the right to exercise the franchise in a free and unimpaired manner is preservative of other basic civil and political rights, any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinized.' There we were considering charges that voters in one part of the State had greater representation per person in the State Legislature than voters in another part of the State. We concluded:*
>
> ***A citizen, a qualified voter, is no more nor no less so because he lives in the city or on the farm. This is the clear and strong command of our Constitution's Equal Protection Clause. This is an essential part of the concept of a government of laws and not men. This is at the heart of Lincoln's vision of 'government of the people, by the people, (and) for the people.' The Equal Protection Clause demands no less than substantially equal state legislative representation for all citizens, of all places as well as of all races.' Id., at 568, 84 S.Ct. at 1385.***
>
> *We say the same whether the citizen, otherwise qualified to vote, has $1.50 in his pocket or nothing at all, pays the fee or fails to pay it.* ***The principle that denies the State the right to dilute a citizen's vote on account of his economic status or other such factors by analogy bars a system which excludes those unable to pay a fee to vote or who fail to pay.***
> *[Harper v. Virginia State Board of Elections Butts v. Harrison, 383 U.S. 663, 86 S.Ct. 1079, 16 L.Ed.2d. 169, 1965 W.L. 130114 (1966)]*

4. Corrupt politicians through abuse of legal "words of art" had to make franchise participation at least "LOOK" like it was somehow connected to citizenship, even though technically it is not, in order to fool people into thinking that participation was mandatory by virtue of their nationality or domicile, even though in fact it is NOT. Therefore they confused the word "resident" and "residence" with a statutory status of a constitutional or classical "alien", even though they are NOT the same.
5. Since you can only have a domicile in one place at a time, then if income taxes were based on domicile alone, you could only pay the tax to ONE municipal government at a time. Hence, you could NOT simultaneously owe both STATE and FEDERAL income tax at the same time. The only way to reconcile the conflict under such circumstances is to pay it to the state government only. On the other hand, if taxes are based on "residence" you could owe it to more than one government at a time if you had multiple "residences". Therefore, they HAD to base the tax upon "residence" and not "domicile" and to make "residence" a product of your consent to contract with a specific government for services or protection under a specific franchise.

11.14.5 How the TWO types of "RESIDENTS" are deliberately confused

As we pointed out in the previous section, there is a vested financial interest in covetous governments deliberately confusing FOREIGN NATIONALS under the common law with CONTRACTORS under government franchises. Great pains have been taken over time to confuse these two because of these strong motivations to recruit more government franchisee contractors and thus increase revenues. We will discuss these mechanisms in this section.

The first technique was already pointed out earlier in section 11.5, where we showed that "residence" is deliberately confused with "domicile", even though they are NOT equivalent and mutually exclusive under franchise statutes. "Residence" under the Internal Revenue Code "trade or business" franchise, for instance, means the abode of a statutory "alien" and DOES NOT include either "citizens" or even "nonresident aliens".

The second technique is to confuse the word "reside" with "residence" or "domicile". Reside simply means where one sleeps at night and has NOTHING to do with either their domicile OR their residence:

> *"RESIDE. Live, dwell, abide, sojourn, stay, remain, lodge. Western-Knapp Engine."*
> *[Black's Law Dictionary, Fourth Edition, p. 1473]*

You can RESIDE somewhere WITHOUT having EITHER a domicile or a residence there. Here is an example:

> *There are no cases in California deciding whether a foreign corporation can "reside" in a county within the meaning of the recordation sections of the Code. There are cases, however, on the question whether a foreign corporation doing business in California can acquire a county residence within the state for the purpose of venue. The early cases held that such residence could not be acquired.1 These cases were explained in Bohn v. Better Biscuits, Inc., 26 Cal.App.2d. 61, 78 P.2d. 1177,2 wherein it was finally established that a foreign corporation doing business in California, having designated its principal office pursuant to Section 405 of the California Civil Code provision (passed in 1929), could acquire a county residence in the state for the purpose of venue. The court in that case construed the venue provision of Section 395 of the Code of Civil Procedure which reads as follows: "**In all other cases, * * * the county in which the defendants, or some of them, reside at the commencement of the action, is the proper county for the trial of the action. * * * If none of the***

> ***defendants resides in the State, * * * the action may be tried in any county which the plaintiff may designate in his complaint.***"
>
> *In relation to this section, the court held: "The plaintiff stresses the word `reside.' It then contends that as the defendant is a foreign corporation having its principal place of business at Grand Rapids, Mich., that place is its residence and it may not be heard to claim that it resides at any other place. If by the use of the word `reside' one means `domicil' that contention would be sound. * * * **It is not claimed that there is anything in the context showing the word `reside' was intended to mean `domicil.' By approved usage of the language `reside' means: `Live, dwell, abide, sojourn, stay, remain, lodge.' * * * By a long line of decisions it has been held that a domestic corporation resides at the place where its principal place of business is located. Walker v. Wells Fargo Bank, etc., Co., 8 Cal.2d. 447, 65 P.2d. 1299. The designation of the principal place of business of a domestic corporation is contained in its articles. Civ.Code, § 290 * * *.** The designation of the principal place of business of a foreign corporation in this state is contained in the statement which it is required to file in the office of the secretary of state before it may legally transact business in this state. Civ.Code, § 405 * * *. Prior to the enactment of sections 405-406a * * * a foreign corporation had no locus in this state. No statute required it to designate, by a written statement duly filed in the office of the secretary of state, the location of its principal place of business in the state. After the enactment of said sections, the principal place of business of foreign corporations as well as domestic corporations was fixed by law. When the reason is the same, the rule should be the same. Civ.Code, § 3511. It follows * * * by reason of the enactment of section 405 et seq. of the Civil Code * * * said section 395 of the Code of Civil Procedure * * * applies to persons both natural and artificial and whether the corporation is a domestic or a foreign corporation." Bohn v. Better Biscuits, Inc., 26 Cal.App.2d. 61, 64, 65, 78 P.2d. 1177, 1179, 80 P.2d. 484.*
> *[Western-Knapp Engineering Co. v. Gilbank, 129 F.2d. 135 (9th Cir., 1942)]*

Keep in mind the following important facts about the above case:

1. "Reside" is where the corporation ***physically does business***, not the place of its civil domicile.
2. One can "do business" in a geographic region without having a civil domicile there.
3. The corporation is a creation of and therefore component LEGALLY WITHIN the government that granted it, regardless of where it is physically located or where it does business. This is reflected in Federal Rule of Civil Procedure 17(b).
4. Those "doing business" in a specific geographical region are "deemed to be LEGALLY present" within the forum or civil laws they are doing business in, regardless of whether they have offices in that region under:
   4.1. The Minimum Contacts Doctrine in International Shoe Co. v. Washington, 326 U.S. 310 (1945).
   4.2. The Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Part IV, Chapter 97.
5. The fact that one "does business" within a specific region does not necessarily mean that you are "purposefully availing themself" under the laws of that region, and especially if the parties doing business have a contract between them REMOVING the government and its protections from their CIVIL relationship. How might this be done? They could have a "binding arbitration" agreement or contract that relegates all disputes to a private third party, for instance.
6. The civil statutory laws of a place are a social compact, and it would constitute eminent domain without compensation over those who have neither a "domicile" nor a "residence" in the region to impose or enforce these laws against them. That is the foundation of the Minimum Contacts Doctrine itself, in fact.
7. One can be legally present UNDER THE COMMON LAW while being NOT PRESENT under civil statutory law. That would be the condition of a nonresident foreign corporation such as the one in the case above.
8. "Residing" somewhere implies an effective legal "residence" under the Minimum Contacts Doctrine ONLY if one is ALSO "doing business", and ONLY for that specific transaction and for NO other purpose.

11.14.6 PRACTICAL EXAMPLE 1: Opening a bank account

Let us give you a practical business example of this phenomenon in action whereby a person becomes a "resident" from a legal perspective by exercising their right to contract. You want to open a checking account at a bank. You go to the bank to open the account. The clerk presents you with an agreement that you must sign before you open the account. If you won't sign the agreement, then the clerk will tell you that they can't open an account for you. Before you sign the account agreement, the bank doesn't know anything about you and you don't have an account there, so you are the equivalent of an "alien". An "alien" is someone the bank will not recognize or interact with or help. They can only lawfully help "customers", not "aliens". After you exercise your right to contract by signing the bank account agreement, then you now become a "resident" of the bank. You are a "resident" because:

1. You are a "thing" that they can now "identify" in their computer system and their records because you have an "account" there. A "res" is legally defined as a "thing". They now know your name and "account number" and will recognize you when you walk in the door to ask for help. Hence "res-ident".

2. You are the "person" described in their account agreement. Before you signed it, you were a "foreigner" not subject to it.
3. They issued you an ATM card and a PIN so you can control and manage your "account". These things that they issued you are the "privileges" associated with being party to the account agreement. No one who is not party to such an agreement can avail themselves of such "privileges".
4. The account agreement gives you the "privilege" to demand "services" from the bank of one kind or another. The legal requirement for the bank to perform these "services" creates the legal equivalent of "agency" on their part in doing what you want them to do. In effect, you have "hired" them to perform a "service" that you want and need.
5. The account agreement gives the bank the legal right to demand certain behaviors out of you of one kind or another. For instance, you must pay all account fees and not overdraw your account and maintain a certain minimum balance. The legal requirement to perform these behaviors creates the legal equivalent of "agency" on your part in respect to the bank.
6. The legal obligations created by the account agreement give the two parties to it legal jurisdiction over each other defined by the agreement or contract itself. The contract fixes the legal relations between the parties. If either party violates the agreement, then the other party has legal recourse to sue for exceeding the bounds of the "contractual agency" created by the agreement. Any litigation that results must be undertaken consistent with what the agreement authorizes and in a mode or "forum" (e.g. court) that the agreement specifies.

11.14.7 PRACTICAL EXAMPLE 2: Creation of the "resident" under a government civil franchise

When two parties execute a franchise agreement or contract between them, they are engaging in "commerce". The practical consequences of the franchise agreement are the following:

1. The main source of jurisdiction for the government is over commerce.
2. The mutual consideration passing between the parties provides the nexus for government jurisdiction over the transaction.
3. If the exchange involves a government franchise offered by the national government:
   - 3.1. An "alienation" of private rights has occurred. This alienation:
     - 3.1.1. Turns formerly private rights into public rights.
     - 3.1.2. Accomplishes the equivalent of a "donation" of private property to a public use, public purpose, and public office in order to procure the "benefits" of the franchise by the former owner of the property.
   - 3.2. Parties to the franchise agreement cannot engage in a franchise without implicitly surrendering governance over disputes to the government granting the franchise. In that sense, their effective domicile shifts to the location of the seat of the government granting the franchise.
   - 3.3. The parties to the franchise agreement mutually and implicitly surrender their sovereign immunity under the Foreign Sovereign Immunities Act, 28 U.S.C. §1605(a)(2), which says that commerce within the legislative jurisdiction of the "United States" constitutes constructive consent to be sued in the courts of the United States. This is discussed in more detail in the previous section.

Another surprising result of engaging in franchises and public "benefits" that most people overlook is that the commerce it represents, in fact, can have the practical effect of making an "alien" or "nonresident" party into a "resident" for the purposes of statutory jurisdiction. Here is the proof:

> *In International Shoe Co. v. Washington, 326 U.S. 310 (1945) , the Supreme Court held that a court may exercise personal jurisdiction over a defendant consistent with due process only if he or she has "certain minimum contacts" with the relevant forum "such that the maintenance of the suit does not offend 'traditional notions of fair play and substantial justice.' " Id. at 316 (quoting Milliken v. Meyer, 311 U.S. 457, 463 (1940)).* ***Unless a defendant's contacts with a forum are so substantial, continuous, and systematic that the defendant can be deemed to be "present" in that forum for all purposes, a forum may exercise only "specific" jurisdiction - that is, jurisdiction based on the relationship between the defendant's forum contacts and the plaintiff's claim.*** *The parties agree that only specific jurisdiction is at issue in this case.*
>
> *In this circuit, we analyze specific jurisdiction according to a three-prong test:*
>
> *(1) The non-resident defendant must purposefully direct his activities or consummate some transaction with the forum or resident thereof; or perform some act by which he purposefully avails himself of the privilege of conducting activities in the forum, thereby invoking the benefits and protections of its laws;*
> *(2) the claim must be one which arises out of or relates to the defendant's forum-related activities; and*
> *(3) the exercise of jurisdiction must comport with fair play and substantial justice, i.e. it must be reasonable.*

> *Schwarzenegger v. Fred Martin Motor Co., 374 F.3d. 797, 802 (9th Cir. 2004) (quoting Lake v. Lake, 817 F.2d. 1416, 1421 (9th Cir. 1987)). The first prong is determinative in this case. We have sometimes referred to it, in shorthand fashion, as the "purposeful availment" prong. Schwarzenegger, 374 F.3d. at 802. Despite its label, this prong includes both purposeful availment and purposeful direction. It may be satisfied by purposeful availment of the privilege of doing business in the forum; by purposeful direction of activities at the forum; or by some combination thereof.*
>
> *We have typically treated "purposeful availment" somewhat differently in tort and contract cases. In tort cases, we typically inquire whether a defendant "purposefully direct[s] his activities" at the forum state, applying an "effects" test that focuses on the forum in which the defendant's actions were felt, whether or not the actions themselves occurred within the forum. See Schwarzenegger, 374 F.3d. at 803 (citing Calder v. Jones, 465 U.S. 783, 789-90 (1984)). By contrast, in contract cases, we typically inquire whether a defendant "purposefully avails itself of the privilege of conducting activities" or "consummate[s] [a] transaction" in the forum, focusing on activities such as delivering goods or executing a contract. See Schwarzenegger, 374 F.3d. at 802. However, this case is neither a tort nor a contract case. Rather, it is a case in which Yahoo! argues, based on the First Amendment, that the French court's interim orders are unenforceable by an American court.*
> *[Yahoo! Inc. v. La Ligue Contre Le Racisme Et L'Antisemitisme, 433 F.3d. 1199 (9th Cir. 01/12/2006)]*

Legal treatises on domicile also confirm that those who are "wards" or "dependents" of the state or the government assume the same domicile or "residence" as their care giver. The practical effect of this is that by participating in government franchises, we become "wards" of the government in receipt of welfare payments such as Social Security, Medicare, etc. As "wards" under "guardianship" of the government, we assume the same domicile as the government who is paying us the "benefits", which means the District of Columbia. Our domicile is whatever the government, meaning the "court" wants it to be for their convenience:

> *PARTICULAR PERSONS*
> *§ 24. Wards*
>
> ***While it appears that an infant ward's domicile or residence ordinarily follows that of the guardian*** *it does not necessarily do so,[56] as so a guardian has been held to have no power to control an infant's domicile as against her mother.[57] Where a guardian is permitted to remove the child to a new location, the child will not be held to have acquired a new domicile if the guardian's authority does not extend to fixing the child's domicile.* ***Domicile of a child who is a ward of the court is the location of the court.***[58]
>
> ***Since a ward is not sui juris, he cannot change his domicile*** *by removal,[59] nor or does the removal of the ward to another state or county by relatives or friends, affect his domicile.[60]* ***Absent an express indication by the court, the authority of one having temporary control of a child to fix the child's domicile is ascertained by interpreting the court's orders.***[61]
> *[Corpus Juris Secundum (C.J.S.), Domicile, §24 (2003);*
> *SOURCE:* http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf*]*

This change in domicile of those who participate in government franchises and thereby become "wards" of the government is also consistent with the U.S. Supreme Court's view of the government's relationship to those who participate in government franchises. It calls the government a "parens patriae" in relation to them!:

> *"The proposition is that* ***the United States, as the grantor of the franchises of the company [a corporation, in this case], the author of its charter, and the donor of lands, rights, and privileges of immense value, and as parens patriae, is a trustee, invested with power to enforce the proper use of the property and franchises granted for the benefit of the public."***
> *[U.S. v. Union Pac. R. Co., 98 U.S. 569 (1878)]*
>
> ---
>
> *PARENS PATRIAE. Father of his country; parent of the country. In England,* ***the king****. In the United States, the state, as a sovereign-****referring to the sovereign power of guardianship over persons under disability****; In re Turner, 94 Kan. 115, 145 P. 871, 872, Ann.Cas.1916E, 1022; such as minors, and insane and incompetent persons; McIntosh v. Dill, 86 Okl. 1, 205 P. 917, 925.*

[56] Ky.--City of Louisville v. Sherley's Guardian, 80 Ky. 71.

[57] Ky.--Garth v. City Sav. Bank. 86 S.W. 520, 120 Ky. 280, 27 Ky.L. 675.

[58] Wash.-Matter of Adoption of Buehl, 555 P.2d. 1334, 87 Wash.2d. 649.

[59] Cd.-In re Henning's Estate, 60 P. 762, 128 C. 214.

[60] Md.Sudler v. Sudler, 88 A. 26, 121 Md. 46.

[61] Wash.-Matter of Adoption of Buehl, 555 P.2d. 1334, 87 Wash.2d. 649.

[Black's Law Dictionary, Sixth Edition, p. 1269]

One Congressman during the debates over the proposal of the Social Security Act in 1933 criticized the very adverse effects of the franchise upon people's rights, including that upon the domicile of those who participate, when he said:

> *Mr. Logan: "...Natural laws cannot be created, repealed, or modified by legislation. Congress should know there are many things which it cannot do..."*
>
> *"It is now proposed to make the Federal Government the guardian of its citizens. If that should be done, the Nation soon must perish. There can only be a free nation when the people themselves are free and administer the government which they have set up to protect their rights. Where the general government must provide work, and incidentally food and clothing for its citizens, freedom and individuality will be destroyed and eventually the citizens will become serfs to the general government..."*
> *[Congressional Record-Senate, Volume 77- Part 4, June 10, 1933, Page 12522;*
> *SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Sovereignty-CongRecord-Senate-JUNE101932.pdf]*

The Internal Revenue Code franchise agreement itself contains provisions which recognize this change in effective domicile to the District of Columbia within 26 U.S.C. §7408(d) and 26 U.S.C. §7701(a)(39).

> *TITLE 26 > Subtitle F > CHAPTER 79 > § 7701*
> *§ 7701. Definitions*
>
> *(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—*
>
> *(39) Persons residing outside United States*
>
> ***If any citizen or resident of the United States does not reside in (and is not found in) any United States judicial district, such citizen or resident shall be treated as residing ["domiciled"] in the District of Columbia*** *for purposes of any provision of this title relating to—*
> *(A) jurisdiction of courts, or*
> *(B) enforcement of summons.*
>
> ---
>
> *TITLE 26 > Subtitle F > CHAPTER 76 > Subchapter A > § 7408*
> *§7408. Action to enjoin promoters of abusive tax shelters, etc.*
>
> *(d) Citizens and residents outside the United States If any citizen or resident of the United States does not reside in, and does not have his principal place of business in, any United States judicial district, such citizen or resident shall be treated for purposes of this section as residing in the District of Columbia.*

Since your Constitutional right to contract is unlimited, then you can have as many temporary and transient "residences" as you like, but you can have only *one* legal "domicile", because your allegiance must be undivided or you will have a conflict of interest and allegiance.

> *"No one can serve **two masters**; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. You cannot serve God and mammon."*
> *[Matt. 6:23-25, Bible, NKJV]*

Now do you understand the reasoning behind the following maxim of law? You become a "subject" and a "resident" under the jurisdiction of a government's civil law by demanding its protection! If you want to "fire" the government as your "protector", you MUST quit demanding anything from it by filling out government forms or participating in its franchises:

> *Protectio trahit subjectionem, subjectio projectionem.*
> *Protection draws to it subjection, subjection, protection. Co. Litt. 65.*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

Remember, "resident" is a combination of two word roots: "res", which is legally defined as a "thing", and "ident", which stands for "identified".

> ***Res**. Lat. The subject matter of a trust or will. In the civil law, a thing; an object. As a term of the law, this word has a very wide and extensive signification, including not only things which are objects of property, but*

> *also such as are not capable of individual ownership. And in old English law it is said to have a general import, comprehending both corporeal and incorporeal things of whatever kind, nature, or species. By "res," according to the modern civilians, is meant everything that may form an object of rights, in opposition to "persona," which is regarded as a subject of rights. "Res," therefore, in its general meaning, comprises actions of all kinds; while in its restricted sense it comprehends every object of right, except actions. This has reference to the fundamental division of the Institutes that all law relates either to persons, to things, or to actions.*
>
> ***Res is everything that may form an object of rights and includes an object, subject-matter or status**. In re Riggle's Will, 11 A.D.2d. 51 205 N.Y.S.2d. 19, 21, 22. **The term is particularly applied to an object, subject-matter, or status, considered as the defendant in an action, or as an object against which, directly, proceedings are taken.** Thus, in a prize case, the captured vessel is "the res"; and proceedings of this character are said to be in rem. (See In personam; In Rem.) "Res" may also denote the action or proceeding, as when a cause, which is not between adversary parties, it entitled "In re _____".*
> *[Black's Law Dictionary, Sixth Edition, pp. 1304-1306]*

The "*object, subject matter, or status*" they are talking about above is the ALL CAPS incarnation of your legal birth name and the government-issued number, usually an SSN, that is associated with it. Those two things constitute the "straw man" or "trust" or "res" which you implicitly agree to represent at the time you sign up for any franchise, benefit, or "public right". When the government attacks someone for a tax liability or a debt, they don't attack you as a *private* person, but rather the collection of rights that attach to the ALL CAPS trust name and associated Social Security Number trust. They start by placing a lien on the number, which actually is THEIR number and not YOURS. That number associates PRIVATE property with PUBLIC TRUST property. Merriam-Webster's Dictionary definition 5(b) for "Trust" is "office":

> *"**Trust:** **5a**(1)**:** a charge or duty imposed in faith or confidence or as a condition of some relationship (2)**:** something committed or entrusted to one to be used or cared for in the interest of another **b:** responsible charge or office **c:** CARE, CUSTODY <the child committed to her trust>."*
> *[Merriam-Webster's 11th Collegiate Dictionary]*

20 C.F.R. §422.103(d) says the number is THEIR property. They can lien their property, which is public property in your temporary use and custody as a "trustee" of the "public trust". Everything that number is connected to acts as private property donated temporarily to a public use to procure the "benefits" of the franchise. It is otherwise illegal to mix public property, such as the Social Security Number, with private property, because that would constitute illegal and criminal embezzlement in violation of 18 U.S.C. §912.

> *"Men are endowed by their Creator with certain unalienable rights,-'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted. **That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation.***
> *[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

Below is how the U.S. Supreme Court describes the practical effect of creating the trust and placing its "residence" or "domicile" within the jurisdiction of the specific government or "state" granting the franchise:

> *"**Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes**. Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, **the fact of residence creates universally reciprocal duties [e.g. CONTRACTUAL DUTIES!!] of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter.** Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located."*
> *[Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954)]*

The implication is that you cannot be sovereign if either you or the entities you voluntarily represent have a "domicile" or "residence" in any man-made government or in any place other than Heaven or the Kingdom of Heaven on Earth. If you choose a "domicile" or "residence" any place on earth, then you become a "subject" in relation to that place and voluntarily forfeit your sovereignty. This is NOT the status you want to have! A "resident" by definition MUST therefore be within the legislative jurisdiction of the government, because the government cannot lawfully write laws that will allow them to recognize or act upon anything that is NOT within their legislative jurisdiction.

All law is prima facie territorial in nature, and can act only upon the territory under the exclusive control of the government or upon its franchises, contracts, and real and chattel property, which are "property" under its management and control pursuant to Article 4, Section 3, Clause 2 of the United States Constitution. The only lawful way that government laws can reach beyond the territory of the sovereign who controls them is through explicit, informed, mutual consent of the individual parties involved, and this field of law is called "private law".

> *"Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the law of comity must necessarily rest, the following maxims: First 'that* ***every nation possesses an exclusive sovereignty and jurisdiction within its own territory****'; secondly, '****that no state or nation can by its laws directly affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural born subjects or others.****' The learned judge then adds: 'From these two maxims or propositions there follows a third, and that is that whatever force and obligation the laws of one country have in another depend solely upon the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and upon its own express or tacit consent." Story on Conflict of Laws §23."*
> *[Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio.St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]*

11.15 Legal presumptions about domicile

It is important also to recognize that state and federal law often establishes certain rebuttable "presumptions" about one's "residence" as an "alien"/ "resident". Below is an example from the Arizona Revised Statutes:

> *Arizona Revised Statutes*
> *Title 43: Taxation of Income*
> *Section 43-104 Definitions*
>
> *19. "Resident" includes:*
>
> *(a) Every individual who is in this state for other than a temporary or transitory purpose.*
>
> *(b) Every individual who is domiciled in this state and who is outside the state for a temporary or transitory purpose. Any individual who is a resident of this state continues to be a resident even though temporarily absent from the state.*
>
> *(c) Every individual who spends in the aggregate more than nine months of the taxable year within this state shall be presumed to be a resident.* ***The presumption may be overcome by competent evidence that the individual is in the state for a temporary or transitory purpose.***

The above presumption is rebuttable, and the way to rebut it is to make our intentions known:

> ***"This right of domicile, he continues, is not established unless the person makes sufficiently known his intention of fixing there, either tacitly or by an express declaration****. Vatt. Law Nat. pp. 92, 93."*
> *[Fong Yue Ting v. United States, 149 U.S. 698 (1893)]*

How do we make our "intentions" known to the protector we are nominating?:

1. By sending the following form according to the instructions:
   Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001
   http://sedm.org/Forms/FormIndex.htm
2. By sending the state a written notification of domicile, or a Department of Motor Vehicles change of address form. Most change of address forms have a block for indicating one's "residence". Line out the word "residence" and replace it with "domicile" or else you will establish yourself as a privileged alien.
3. Whenever we write a physical address on any especially government or financial institution form, next to the address we should write "This is NOT my domicile." This is a VERY important habit to get into that will avoid all false presumptions about your legal domicile.
4. By revoking our voter registration.

We can also encourage other false presumptions by the government relating to our legal domicile based on the words we use to describe ourself. For instance, if we describe ourself as either a "citizen" or a "resident" or "inhabitant" on any government form, then we are declaring ourself to be a "domiciliary" in respect to the government who is accepting the form. Otherwise, we would be a "transient foreigner" outside of the jurisdiction of that government. This is further explained in the following two articles:

1. *You're not a STATUTORY "citizen" under the Internal Revenue Code*, Family Guardian Fellowship: http://famguardian.org/Subjects/Taxes/Citizenship/NotACitizenUnderIRC.htm
2. *You're not a STATUTORY "resident" under the Internal Revenue Code*, Family Guardian Fellowship: http://famguardian.org/Subjects/Taxes/Citizenship/Resident.htm

Within federal law, persons who are "citizens", "residents", or "inhabitants" are described as:

1. "Individuals". See 5 U.S.C. §552a(a)(2) and 26 C.F.R. §1.1441-1(c)(3).

> *5 U.S.C. §552a(2) Records maintained on individuals*
>
> *(2) the term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence* ["resident"]*;*

2. "U.S. persons". See 26 U.S.C. §7701(a)(30).

> *TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701.*
> *Sec. 7701. - Definitions*
>
> *(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—*
>
> *(30) United States person*
>
> *The term "United States person" means -*
> *(A) a citizen or resident of the United States,*
> *(B) a domestic partnership,*
> *(C) a domestic corporation,*
> *(D) any estate (other than a foreign estate, within the meaning of paragraph (31)), and*
> *(E) any trust if -*
> *(i) a court within the United States is able to exercise primary supervision over the administration of the trust, and*
> *(ii) one or more United States persons have the authority to control all substantial decisions of the trust.*

3. "domestic". Both "domicile" and "domestic" have the root "dom" as their source. Both imply the same thing. Within the Internal Revenue Code, "domestic" is defined as follows:

> *TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701.*
> *Sec. 7701. - Definitions*
>
> *(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—*
>
> *(4) Domestic*
>
> *The term "domestic" when applied to a corporation or partnership* ***means created or organized in the United States or under the law of the United States or of any State unless, in the case of a partnership, the Secretary provides otherwise by regulations.***

Therefore, "domestic" means "subject to the laws of the United States". Under Federal Rule of Civil Procedure 17(b), you cannot be "subject" to the laws without having a domicile in the territory where those laws apply.

Those who are "non-resident non-persons", "nontaxpayers" and "transient foreigners" therefore cannot declare themselves as being either "citizens", "residents", "inhabitants", "U.S. persons", "individuals", or "domestic" on any federal government form, or they forfeit their status and become "taxpayers", "domiciliaries", and "subjects" and tenants living on the king's land. For an important example of how the above concept applies, examine the IRS Form W-8BEN:

http://famguardian.org/TaxFreedom/Forms/IRS/IRSFormW8ben.pdf

Block 3 is used by the applicant to declare both the entity type AND their legal domicile as well. The declaration of "domicile" is "hidden" in the word "individual". Notice there is no block on the form for either "human being" or

"transient foreigner". The only block a human being can fill out is "individual". 5 U.S.C. §552(a)(2) identifies an "individual" as either a "citizen" or a "resident", and a person who is a "nonresident alien" cannot be either. Therefore, the form essentially coerces the applicant into committing perjury by not providing an option to accurately describe themselves, such as a box for "transient foreigner" or "human being". This defect is remedied in the amended version of the form available below, which adds to Block 3 an option called "transient foreigner":

http://famguardian.org/TaxFreedom/Forms/IRS/IRSFormW8BENAmendeds.pdf

The regulations relating to "aliens" also establish the following presumptions:

1. All "aliens" are presumed to be "nonresident aliens" but this may be overcome upon presentation of proof:

> *Title 26: Internal Revenue*
> *PART 1—INCOME TAXES*
> *nonresident alien individuals*
> *§ 1.871-4 Proof of residence of aliens.*
>
> *(a) Rules of evidence. The following rules of evidence shall govern in determining whether or not an alien within the United States has acquired residence therein for purposes of the income tax.*
>
> *(b) Nonresidence presumed. An alien by reason of his alienage, is presumed to be a nonresident alien.*
>
> *(c) Presumption rebutted—*
>
> *(1) Departing alien.*
>
> *In the case of an alien who presents himself for determination of tax liability before departure from the United States, the presumption as to the alien's nonresidence may be overcome by proof--*

2. An "alien" who has acquired permanent residence retains that residence until he physically departs from the "United States", which is defined as federal territory in 26 U.S.C. §7701(a)(9) and (a)(10) and 4 U.S.C. §110(d) and is not expressly expanded anywhere else in the I.R.C. to include any other place. The purpose for this presumption is to perpetuate the jurisdiction to tax aliens:

> *Title 26: Internal Revenue*
> *PART 1—INCOME TAXES*
> *nonresident alien individuals*
> *§1.871-5 Loss of residence by an alien.*
>
> *An alien who has acquired residence in the United States retains his status as a resident until he abandons the same and actually departs from the United States. An intention to change his residence does not change his status as a resident alien to that of a nonresident alien. Thus, an alien who has acquired a residence in the United States is taxable as a resident for the remainder of his stay in the United States.*

If you are state domiciled state national and a "non-resident non-person", don't let the above concern you, because you are not an "alien" as defined in 26 U.S.C. §7701(b)(1)(A), but rather an "non-resident non-person" if not engaged in a public office or a "nonresident alien" as defined in 26 U.S.C. §7701(b)(1)(B) if engaged in a public office.

11.16 Effect of domicile on citizenship and synonyms for domicile

Now let's summarize what we have just learned so far to show graphically the effect that one's choice of domicile has on their citizenship status. Below are some authorities upon which we will base our summary and analysis.

> *"Domicile and citizen are synonymous in federal courts, Earley v. Hershey Transit Co., D.C. Pa., 55 F.Supp. 981, 982; inhabitant, resident and citizen are synonymous, Standard Stoker Co. v. Lower, D.C.Md., 46 F.2d. 678, 683."*
> *[Black's Law Dictionary, Fourth Edition, p. 311]*
>
> ---
>
> *"The term 'citizen', as used in the Judiciary Act with reference to the jurisdiction of the federal courts, is substantially synonymous with the term 'domicile'. Delaware, L. & W.R. Co. v. Petrowsky, 2 Cir., 250 F. 554, 557."*

[Earley v. Hershey Transit Co., 55 F.Supp. 981, D.C.PA. (1944)]

The terms "citizen" and "citizenship" are distinguishable from "resident" or "inhabitant." Jeffcott v. Donovan, C.C.A.Ariz., 135 F.2d. 213, 214; and from "domicile," Wheeler v. Burgess, 263 Ky. 693, 93 S.W.2d. 351, 354; First Carolinas Joint Stock Land Bank of Columbia v. New York Title & Mortgage Co., D.C.S.C., 59 F.2d. 350, 351. The words "citizen" and citizenship," however, usually include the idea of domicile, Delaware, L. & W.R. Co. v. Petrowsky, C.C.A.N.Y., 250 F. 554, 557; citizen inhabitant and resident often synonymous, Jonesboro Trust Co. v. Nutt, 118 Ark. 368, 176 S.W. 322, 324; Edgewater Realty Co. v. Tennessee Coal, Iron & Railroad Co., D.C.Md., 49 F.Supp. 807, 809; and citizenship and domicile are often synonymous. Messick v. Southern Pa. Bus Co., D.C.Pa., 59 F.Supp. 799, 800.
[Black's Law Dictionary, Fourth Edition, p. 310]

We will now present a table based on the above consistent with the entire content of the document which you can use for all future reference. The term "Domestic National" in the table below refers to a person born in any state of the Union, or in a territory or possession of the United States:

Table 3: Effect of domicile on citizenship status

	CONDITION		
Description	**Domicile WITHIN the FEDERAL ZONE and located in FEDERAL ZONE**	**Domicile WITHIN the FEDERAL ZONE and temporarily located abroad in foreign country**	**Domicile WITHOUT the FEDERAL ZONE and located WITHOUT the FEDERAL ZONE**
Location of domicile	"United States" per 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), 7408(d)	"United States" per 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), 7408(d)	Without the "United States" per 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), 7408(d)
Physical location	Federal territories, possessions, and the District of Columbia	Foreign nations ONLY (NOT states of the Union)	Foreign nations states of the Union Federal possessions
Tax Status	"U.S. Person" 26 U.S.C. §7701(a)(30)	"U.S. Person" 26 U.S.C. §7701(a)(30)	"Nonresident alien individual" if a public officer in the U.S. government. 26 C.F.R. §1.1441-1(c)(3) for definition of "individual". "Non-resident NON-person" if NOT a public officer in the U.S. government
Tax form(s) to file	IRS Form 1040	IRS Form 1040 plus 2555	IRS Form 1040NR: "alien individuals", "nonresident alien individuals" No filing requirement: "non-resident NON-person"
Status if DOMESTIC "national of the United States*"	"national and citizen of the United States** at birth" per 8 U.S.C. §1401 and "citizen of the United States**" per 8 U.S.C. §1101(a)(22)(A) if born in on federal territory. (Not required to file if physically present in the "United States" because no statute requires it)	Citizen abroad 26 U.S.C. §911 (Meets presence test)	"non-resident" if born in a state of the Union 8 U.S.C. §1408, 8 U.S.C. §1452, and 8 U.S.C. §1101(a)(22)(B)if born in a possession.
Status if FOREIGN "national" pursuant to 8 U.S.C. §1101(a)(21)	"Resident alien" 26 U.S.C. §7701(b)(1)(A)	"Resident alien abroad" 26 U.S.C. §911 (Meets presence test)	"Nonresident alien individual" if a public officer in the U.S. government. 26 C.F.R. §1.1441-1(c)(3) for definition of "individual". "Non-resident NON-person" if NOT a public officer in the U.S. government

NOTES:

1. "United States" is defined as federal territory within 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39), and 7408(d), and 4 U.S.C. §110(d). It does not include any portion of a Constitutional state of the Union.
2. The "District of Columbia" is defined as a federal corporation but not a physical place, a "body politic", or a de jure "government" within the District of Columbia Act of 1871, 16 Stat. 419, 426, Sec. 34. See: *Corporatization and Privatization of the Government*, Form #05.024; http://sedm.org/Forms/FormIndex.htm.
3. "nationals" of the United States of America who are domiciled outside of federal jurisdiction, either in a state of the Union or a foreign country, are "nationals" but not "citizens" under federal law. They also qualify as "nonresident aliens" under 26 U.S.C. §7701(b)(1)(B) if and only if they are engaged in a public office. See sections 4.11.2 of the *Great IRS Hoax*, Form #11.302 for details.
4. Temporary domicile in the middle column on the right must meet the requirements of the "Presence test" documented in IRS publications.

5. District of Columbia, Puerto Rico, and the territories and insular possessions of the United States in the above table.
6. The term "individual" as used on the IRS Form 1040 means an "alien" engaged in a "trade or business". All "taxpayers" are "aliens" engaged in a "trade or business". This is confirmed by 26 C.F.R. §1.1441-1(c)(3), 26 C.F.R. §1.1-1(a)(2)(ii), and 5 U.S.C. §552a(a)(2). Statutory "U.S. citizens" as defined in 8 U.S.C. §1401 are not "individuals" unless temporarily abroad pursuant to 26 U.S.C. §911 and subject to an income tax treaty with a foreign country. In that capacity, statutory "U.S. citizens" interface to the I.R.C. as "aliens" rather than "U.S. citizens" through the tax treaty.

Based on the above table, we can see that when a person within any government identifies you as a "citizen", they presuppose that you maintain a "domicile" within their jurisdiction. The same thing goes for the term "inhabitant", which also describes a person with a domicile within the jurisdiction of the local government where he lives. Note the use of the phrase "reside actually and permanently in a given place and has a domicile there" in the definition of inhabitant:

> ***"Inhabitant**. One who **reside actually and permanently in a given place, and has his domicile there.** Ex parte Shaw, 145 U.S. 444, 12 S.Ct. 935, 36 L.Ed. 768.*
>
> *The words "inhabitant," "citizen," and "resident," as employed in different constitutions to define the qualifications of electors, means substantially the same thing; and, in general, one is an inhabitant, resident, or citizen at the place where he has his domicile or home. But the terms "resident" and "inhabitant" have also been held not synonymous, the latter implying a more fixed and permanent abode than the former, and importing privileges and duties to which a mere resident would not be subject. A corporation can be an inhabitant only in the state of its incorporation. Sperry Products v. Association of American Railroads, C.C.A.N.Y., 132 F.2d. 408, 411. See also Domicile; Residence."*
> *[Black's Law Dictionary, Sixth Edition, p. 782]*

The legal dictionary is careful to disguise the requirement for "domicile" in their definition of "resident". To admit that domicile was a prerequisite for being a "resident", they would open the door for a mass exodus of the tax system by most people, so they beat around the bush. For instance, here is the definition of "resident" from Black's Law Dictionary:

> ***Resident**. "Any person who occupies a dwelling within the State, has a present intent to remain within the State for a period of time, and manifests the genuineness of that intent by establishing an ongoing physical presence within the State together with indicia that his presence within the State is something other than merely transitory in nature. The word "resident" when used as a noun means a dweller, habitant or occupant; one who resides or dwells in a place for a period of more, or less, duration; it signifies one having a residence, or one who resides or abides. Hanson v. P.A. Peterson Home Ass'n, 35 Ill.App.2d. 134, 182 N.E.2d. 237, 240.*
>
> *Word "resident" has many meanings in law, largely determined by statutory context in which it is used. [Kelm v. Carlson, C.A.Ohio, 473, F.2d. 1267, 1271]*
> *[Black's Law Dictionary, Sixth Edition, p. 1309]*

The Law of Nations, which is mentioned in Article 1, Section 8 of our Constitution and was used by the Founding Fathers to write the Constitution, is much more clear in its definition of "resident", and does essentially admit a requirement for "domicile" in order for an "alien" to be classified as a "resident":

> *"**Residents, as distinguished from citizens, are aliens who are permitted to take up a permanent abode in the country**. Being bound to the society by reason of their [intention of] dwelling in it, they are subject to its laws so long as they remain there, and, being protected by it, they must defend it, although they do not enjoy all the rights of citizenship. They have only certain privileges which the law, or custom, gives them. Permanent residents are those who have been given the right of perpetual residence. They are a sort of citizen of a less privileged character, and are subject to the society without enjoying all its advantages. Their children succeed to their status; for the right of perpetual residence given them by the State passes to their children."*
> *[The Law of Nations, p. 87, E. De Vattel, Volume Three, 1758, Carnegie Institution of Washington; emphasis added.]*

You can read the above yourself at:

http://famguardian.org/TaxFreedom/CitesByTopic/Resident-LawOfNations.pdf

Since the only definition of "resident" found anywhere in the Internal Revenue Code or the Treasury Regulations is that of a "resident alien", found in 26 U.S.C. §7701(b)(1)(A), then we:

1. Are not "residents" because we are not "aliens" and do not have a "domicile" in the "United States" (federal territory). Therefore, we do not have a "residence".
2. Do not have a "residence", because only "aliens" can have a "residence" under 26 C.F.R. §1.871-2(a). "nonresident aliens" are NOT a subset of statutory "residents" but a SUPERSET.
3. Are "non-resident non-persons" if not engaged in a public office and "nonresident aliens" under 26 U.S.C. §7701(b)(1)(B) if engaged in a public office.
4. Are "nationals" under 8 U.S.C. §1101(a)(21) but not statutory "citizens" under 8 U.S.C. §1401.
5. Are "transient foreigners":

> *"**Transient foreigner**. One who visits the country, without the intention of remaining."*
> *[Black's Law Dictionary, Sixth Edition, p. 1498]*

If you want to read more about this "resident" scam, consult section 4.10 of the free *Great IRS Hoax*, Form #11.302 book.

11.17 Civil Status

The term "civil status" describes the process by which human beings become "persons" under civil statutory law. It is what the courts call a "res" which gives them civil control over you under one of three different systems of civil law. Civil status is VERY important, because it is the source of civil statutory jurisdiction of courts over you and their right to "personal jurisdiction" over you. It also describes how your actions affect "choice of law" and your "status" in any court cases you bring. This article summarizes the major aspects of this important subject.

Human beings who are "sovereign" in fact:

1. Have no "civil status" under statutory law.
2. Only have a "civil status" under the constitution and the common law.
3. Are governed mainly by the "civil laws" found in the Holy Bible. This is a protected First Amendment right to practice their religion. Laws of the Bible, Litigation Tool #09.001.

You cannot have a "civil status" under the laws a place WITHOUT at least one of the following conditions:

1. A physical presence in that place. The status would be under the COMMON law.
2. CONSENSUALLY doing business in that place. The status would be under the common law.
3. A domicile in that place. This would be a status under the civil statutes of that place.
4. CONSENSUALLY representing an artificial entity (a legal fiction) that has a domicile in that place. This would be a status under the civil statutes of that place.

If any of the above rules are violated, you are a victim of criminal identity theft:

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

"civil status" is further discussed in:

1. Civil Status (important!)-Article under "Litigation->Civil Status (important!) on the SEDM menus
   https://sedm.org/civil-status/
2. Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008
   http://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf
3. Proof that There is a "Straw Man", Form #05.042
   https://sedm.org/Forms/05-MemLaw/StrawMan.pdf
4. Legal Fictions, Form #09.071
   https://sedm.org/Forms/09-Procs/LegalFictions.pdf

11.17.1 Basis for your EXCLUSIVE right to declare and establish your civil status[62]

The right to declare and establish your civil and statutory status is tied to the legal definition of "property" itself. "Property" as legally defined is that which you EXCLUSIVELY own and control, and can deprive all others of using or benefitting from:

> ***Property.*** *That which is peculiar or proper to any person; that which* ***belongs exclusively to one****. In the strict legal sense,* ***an aggregate of rights which are guaranteed and protected by the government****. Fulton Light, Heat & Power Co. v. State, 65 Misc.Rep. 263, 121 N.Y.S. 536. The term is said to extend to every species of valuable right and interest. More specifically, ownership; the unrestricted and exclusive right to a thing; the right to dispose of a thing in every legal way, to possess it, to use it, and to exclude everyone else from interfering with it. That dominion or indefinite right of use or disposition which one may lawfully exercise over particular things or subjects. The exclusive right of possessing, enjoying, and disposing of a thing. The highest right a man can have to anything; being used to refer to that right which one has to lands or tenements, goods or chattels, which no way depends on another man's courtesy.*
>
> *The word is also commonly used to denote everything which is the subject of ownership, corporeal or incorporeal, tangible or intangible, visible or invisible, real or personal, everything that has an exchangeable value or which goes to make up wealth or estate.* ***It extends to every species of valuable right and interest, and includes real and personal property, easements, franchises, and incorporeal hereditaments, and includes every invasion of one's property rights by actionable wrong.*** *Labberton v. General Cas. Co. of America, 53 Wash.2d. 180, 332 P.2d. 250, 252, 254.*
>
> *Property embraces everything which is or may be the subject of ownership, whether a legal ownership. or whether beneficial, or a private ownership. Davis v. Davis. TexCiv-App., 495 S.W.2d. 607. 611. Term includes not only ownership and possession but also the right of use and enjoyment for lawful purposes. Hoffmann v. Kinealy, Mo., 389 S.W.2d. 745, 752.*
>
> *Property, within constitutional protection, denotes group of rights inhering in citizen's relation to physical thing, as right to possess, use and dispose of it. Cereghino v. State By and Through State Highway Commission, 230 Or. 439, 370 P.2d. 694, 697.*
>
> *Goodwill is property, Howell v. Bowden, TexCiv. App., 368 S.W.2d. 842, &18; as is an insurance policy and rights incident thereto, including a right to the proceeds, Harris v. Harris, 83 N.M. 441,493 P.2d. 407, 408.*
>
> *Criminal code. "Property" means anything of value. including real estate, tangible and intangible personal property, contract rights, choses-in-action and other interests in or claims to wealth, admission or transportation tickets, captured or domestic animals, food and drink, electric or other power. Model Penal Code. Q 223.0. See also Property of another, infra. Dusts. Under definition in Restatement, Second, Trusts, Q 2(c), it denotes interest in things and not the things themselves.*
> *[Black's Law Dictionary, Fifth Edition, p. 1095]*

Note that YOUR BODY, your labor, and all that you own at least STARTS OUT as exclusively your property, and by EXCLUSIVELY we mean that it is PRIVATE property beyond the civil control or regulation of any government. Only by donating it or some portion of it to a "public use", "public purpose", or "public office" can its use be civilly regulated by any government.

> *"Every man has a natural right to the fruits of his own labor, is generally admitted; and* ***no other person can rightfully deprive him of those fruits, and appropriate them against his will****..."*
> *[The Antelope, 23 U.S. 66, 10 Wheat 66, 6 L.Ed. 268 (1825)]*
>
> _____
>
> *"We have repeatedly held that, as to property reserved by its owner for private use, "the right to exclude [others is] `one of the most essential sticks in the bundle of rights that are commonly characterized as property.' " Loretto v. Teleprompter Manhattan CATV Corp., 458 U.S. 419, 433 (1982), quoting Kaiser Aetna v. United States, 444 U.S. 164, 176 (1979). "*
> *[Nollan v. California Coastal Comm'n, 483 U.S. 825 (1987)]*
>
> _____
>
> *"In this case, we hold that the "right to exclude," so universally held to be a fundamental element of the property right,[63] falls within this category of interests that the Government cannot take without compensation."*

[62] Source: *Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008, Section 2; https://sedm.org/Forms/FormIndex.htm.

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

The only time a government can take away your property without compensation in return and without your consent is when you have hurt someone with it, and that deprivation can only occur AFTER the injury, not BEFORE. Any deprivation BEFORE the injury must involve your express consent to donate the property or some interest in the property to a "public use", "public purpose", and/or "public office". These rules were identified by the U.S. Supreme Court as follows:

> *"Men are endowed by their Creator with certain unalienable rights,- 'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted.* ***That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit [e.g. SOCIAL SECURITY, Medicare, and every other public "benefit"]; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation.*** *"*
> *[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

The only way one can rationally disagree with the conclusions of this section is to advocate one of the following positions, all of which corrupt and destroy the notion of private property that is behind any and every great republic:

1. That there is no PRIVATE property and that EVERYTHING is PUBLIC property owned by the government.
2. That the government is the LEGAL owner of EVERYTHING and that they only LOAN it to you.
3. That "taxes" are the "rent" you pay to use GOVERNMENT property. If you don't pay the taxes, they can take it away from you and thereby EXCLUDE you from using or benefitting from it.

All the above premises are the foundation of socialism, in which the government either completely owns or at least CONTROLS ALL property.

> ***"socialism*** *n (1839) 1: any of various economic and political theories* ***advocating collective or governmental ownership and administration of the means of production and distribution of goods*** *2 a:* ***a system of society or group living in which there is no private property*** *b: a system or condition of society in which the means of production are owned and controlled by the state 3: a stage of society in Marxist theory transitional between capitalism and communism and distinguished by unequal distribution of goods and pay according to work done."*
> *[Webster's Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 1118]*

Lastly, we emphasize that the purpose for which ALL governments are established, is to protect PRIVATE rights and PRIVATE property, according to our Declaration of Independence. Anyone who argues with this section indirectly is advocating that we DO NOT have a "government" as defined by our founding documents:

> *"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That* ***to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed****, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."*
> *[Declaration of Independence]*

Furthermore, anyone who takes the position that there is no PRIVATE property and that the GOVERNMENT owns EVERYTHING, indirectly must advocate atheism and is a THIEF, because the Bible itself says that GOD owns THE WHOLE EARTH AND THE HEAVENS. Caesar cannot own or even control that which does not belong to him:

> *"Behold, the heaven and the heaven of heavens is the LORD's thy God, the earth also, with all that therein is."*
> *[Deuteronomy 10:12-14, Bible, NKJV]*

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

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

11.17.2 What do we mean by "civil status"?[64]

A civil status is a term defined or described in the either the constitution or statutes or the common law to which either obligations or rights attach. Example "civil statuses" would be "person" (under a civil statute), "taxpayer" (under the tax code), "driver" (under the vehicle code), "individual", etc. Every obligation gives rise to a corresponding right on the part of the entity or person to whom the obligation is owed. An obligation, in turn, could include the requirement to perform a specific service, or it could include some measure of control over property in your custody or control. Obligations are always enforceable through some type of legal penalty or administrative or judicial enforcement for non-performance.

> *California Civil Code - CIV*
> *DIVISION 3. OBLIGATIONS [1427 - 3272.9]*
> *(Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14.)*
> *PART 1. OBLIGATIONS IN GENERAL [1427 - 1543] (Part 1 enacted 1872.)*
> *TITLE 1. DEFINITION OF OBLIGATIONS [1427 - [1428.]] (Title 1 enacted 1872.)*
>
> *1427. An obligation is a legal duty, by which a person is bound to do or not to do a certain thing.*
>
> *(Enacted 1872.)*

The ONLY method for lawfully creating obligations is either through your consent in the form of a contract or "operation of law". "Operation of law" involves a case where your actions or inactions have injured the equal rights of someone else. That injury violates the concept of "justice" itself, which is the "right to be let alone".[65]

> *California Civil Code – CIV*
> *DIVISION 3. OBLIGATIONS [1427 - 3272.9]*
> *(Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14.)*
> *PART 1. OBLIGATIONS IN GENERAL [1427 - 1543] (Part 1 enacted 1872.)*
> *TITLE 1. DEFINITION OF OBLIGATIONS [1427 - [1428.]] (Title 1 enacted 1872.)*
> *[1428.] Section Fourteen Hundred and Twenty-eight.*
>
> *An obligation arises either from:*
>
> *One — The contract of the parties; or,*
>
> *Two — The operation of law. An obligation arising from operation of law may be enforced in the manner provided by law, or by civil action or proceeding.*
>
> *(Amended by Code Amendments 1873-74, Ch. 612.)*

A violation of the above rules for creating obligations constitutes one of the following:

1. Unconstitutional taking of private property under the Fifth Amendment or equivalent state constitution.
2. Involuntary servitude, in the case of the Thirteenth Amendment, if the thing compelled is some kind of service or physical performance.

For a detailed study of obligations owed to governments or citizens protected by government statutes generally, see:

1. *Lawfully Avoiding Government Obligations*, Form #12.040
   https://sedm.org/Forms/FormIndex.htm
2. *Proof of Claim: Your Main Defense Against Government Greed and Corruption*, Form #09.073
   https://sedm.org/Forms/FormIndex.htm

The use of the term "status" in this memorandum:

1. Is associated with the domicile of the party in question. Before one may have any kind of civil status, one must:
   1.1. CONSENSUALLY have a domicile or residence within the forum or jurisdiction in question.
   1.2. Have legal evidence of said domicile admissible in court to prove the domicile they claim.

[64] Source: *Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008, Section 3; https://sedm.org/Forms/FormIndex.htm.

[65] See *What is "Justice"?*, Form #05.050 for an exhaustive definition of "justice"; SOURCE: https://sedm.org/Forms/FormIndex.htm.

1.3. Acquire statutory "citizen" or "resident" status under the civil laws of the place by virtue of choosing a domicile within that place.

2. Relates exclusively to the civil status of a party under the CIVIL STATUTORY laws of a specific jurisdiction.
   2.1. Civil statutory laws only pertain to those consensually domiciled within the forum or jurisdiction.
   2.2. They may not be enforced against non-residents or those not domiciled within the forum or jurisdiction unless the non-resident satisfies the "Minimum Contacts Doctrine" spoken of by the U.S. Supreme Court in International Shoe Co. v. Washington, 326 U.S. 310 (1945).
3. Does NOT relate to the CRIMINAL laws. Criminal laws do not attach to the status of the parties or to their consent in any way. Instead, they attach at the point when a harmful act is committed against a specific party on the territory to which said law attaches.

A well-known book on domicile explains the origin of "civil status" as follows:

> *§ 29. Status.[66] It may be laid down that the status-or, as it is sometimes called, civil status, in contradistinction to political status - of a person depends largely, although not universally, upon domicil. The older jurists, whose opinions are fully collected by Story[67] and Burge[68] maintained, with few exceptions, the principle of the ubiquity of status, conferred by the lex domicilii with little qualification. Lord Westbury, in Udny v. Udny[69] thus states the doctrine broadly: "The civil status is governed by one single principle, namely, that of domicil, which is the criterion established by law for the purpose of determining civil status. For it is on this basis. that the personal rights of the party - that is to say, the law which determines his majority and minority, his marriage, succession, testacy, or intestacy-must depend." Gray, C. J., in the late Massachusetts case of Ross v. Ross[70] speaking with special reference to capacity to inherit, says: "It is a general principle that the status or condition of a person, the relation in which he stands to another person, and by which he is qualified or made capable to take" certain rights in that other's property, is fixed by the law of the domicil; and that this status and capacity are to be recognized and upheld in every other State, so far as they are not inconsistent with its own laws and policy."*
>
> *But great difficulty in the discussion of this subject has arisen by reason of the loose and varying use of the term status and the want of any clear definition of what is meant by it. Savigny[71] understood it to mean " capacity to have rights and to act;" and this undoubtedly was the sense in which it was understood by the older jurists. In Niboyet v. Niboyet,[72] Brett, L. J., gives this definition: "The status of an individual, used as a legal term, means the legal position of the individual in or with regard to the rest of a community." But whatever may be the definition of the term, or whatever rules applicable to status in general may be looked upon as having received general acceptance, there are certain prominent states or conditions of persons, which have been treated of by writers and considered by the courts, and these it will be well to examine separately, with a view to ascertain how far they are affected by domicil.*
> *[Treatise on the Law of Domicil, M.W. Jacobs, 1887; Little Brown and Company, §29, pp. 38-39]*

Below is an example of the above, from the U.S. Supreme Court. The "status" spoken in this case of is that of being "married" under the laws of a specific state:

> *"To prevent any misapplication of the views expressed in this opinion, it is proper to observe that we do not mean to assert, by any thing we have said, that a State may not authorize proceedings to* ***determine the status of one of its citizens towards a non-resident, which would be binding within the State****, though made without service of process or personal notice to the non-resident.* ***The jurisdiction which every State possesses to determine the civil status and capacities of all its inhabitants involves authority to prescribe the conditions on which proceedings affecting them may be commenced and carried on within its territory.*** *The State, for*

[66] On this general subject, see Story, Confl. of L. ch. 4; Burge, For. & Col. L. vol. i ch. 3 et. seq.; Phillimore, Int. L. vol. iv. ch. 17; Westlake, Priv. Int. L. 1st ed. ch. 13; id. 2d ed. ch. 2, 3; Foote, Priv. Int. L. ch. 8; Wharton, Conf. of L. ch. 3; Dicey, Dom. pt. 3, ch. 2; Piggott, For. Judgments, ch. 10; Savigny, System, etc. vol. viii. §§ 362-365 (Guthrie's trans. p. 148 et. seq.); Bar, Int. Priv. und Strafrecht, §§ 42-46 (Gillespie's trans. p. 160 et. seq.); and see particularly the leamed and elaborate opinion of Gray, C. J., in Rosa v. Ross, 129 Mass. 243 (given infra, §32, note 2). In these places the reader will find collected almost all of the important authorities upon the subject of status.

[67] Ubi supra.

[68] Ubi supra.

[69] L.R. 1 Sch. App. 441, 457.

[70] 129 Mass. 243, 246.

[71] System, etc. §361 (Guthrie's Trans, p. 139). Bar understands status in the same sense, §44 (Gillespie's trans. p.172). Gray, C. J., in the case above cited, thus distinguishes the two phases of capacity which go to make up status: "The capacity or qualification to inherit or succeed to property, which is an incident of the status or condition, requiring no action to give it effect, is to be distinguished from the capacity or competency to enter into contracts that confer rights upon others. A capacity to take and have differs from a capacity to do and contract; in short, a capacity of holding from a capacity to act." Ross v. Ross, ubi supra.

[72] L. B. 4 P. D. 1, 11.

*example, has absolute 735*735 right to prescribe the conditions upon which the marriage relation between its own citizens shall be created, and the causes for which it may be dissolved. One of the parties guilty of acts for which, by the law of the State, a dissolution may be granted, may have removed to a State where no dissolution is permitted. The complaining party would, therefore, fail if a divorce were sought in the State of the defendant; and if application could not be made to the **tribunals of the complainant's domicile** in such case, and proceedings be there instituted without personal service of process or personal notice to the offending party, the injured citizen would be without redress. Bish. Marr. and Div., sect. 156."*
[Pennoyer v. Neff, 95 U.S. 714 (1878)]

"Domicile" and "Nationality" are distinguished in the following U.S. Supreme Court case:

*In Udny v. Udny (1869) L. R. 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: '**The question of naturalization and of allegiance is distinct from that of domicile.**' Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: '**The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,—one by virtue of which he becomes the subject [NATIONAL] of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.**' And then, **while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which 'the personal rights of the party—that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy— must depend,' he yet distinctly recognized that a man's political status, his country (patria), and his 'nationality**,—that is, natural allegiance,'—'may depend on different laws in different countries.' Pages 457, 460. He evidently used the word 'citizen,' not as equivalent to 'subject,' but rather to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British dominion are natural-born subjects.*
[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ;
SOURCE: http://scholar.google.com/scholar_case?case=3381955771263111765]

In law, all rights are property. Hence, "civil rights" attach to the CIVIL STATUTORY STATUS of a "person":

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

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

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

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

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

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

Those who do not have a domicile in a specific municipal jurisdiction are regarded as "non-residents", and hence, they have no "civil status" or "status" under the "civil laws" of the jurisdiction they are non-resident in relation to. An example of this phenomenon is found in Federal Rule of Civil Procedure 17(b), in which jurisdiction is described as follows:

> *IV. PARTIES > Rule 17.*
> *Rule 17. Parties Plaintiff and Defendant; Capacity*
>
> *(b) Capacity to Sue or be Sued.*
>
> ***Capacity to sue or be sued is determined as follows:***
>
> ***(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;***
> ***(2) for a corporation[the "United States", in this case, or its officers on official duty representing the corporation], by the law under which it was organized [laws of the District of Columbia]; and***
> *(3) for all other parties, by the law of the state where the court is located, except that:*
> *(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and*
> *(B) 28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.*
> *[SOURCE: http://www.law.cornell.edu/rules/frcp/Rule17.htm]*

A human being with no domicile within federal territory, based on the above:

1. Has no capacity to sue or be sued in federal court under the CIVIL statutes of the national government.
2. Has no "status" or "civil status" under any federal civil statute, including:
   2.1. "person".
   2.2. "individual".
3. Is not a statutory "citizen" under federal law such as 26 U.S.C. §3121(e) and 26 C.F.R. §1.1-1(c), but rather a statutory "non-resident non-person". If they are ALSO a public officer in the national government, they are also a statutory "individual" and "nonresident alien" (26 U.S.C. §7701(b)(1)(B)) in relation to the national government.
4. May STILL sue under the constitution and the common law because both of these sources of law attach to the TERRITORY rather than the "civil status" of the physical people ON that physical territory. This is, in part, because the CONSTITUTION is "self-executing" and needs no statutes to enforce:[73]:

> *"It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it."*
> *[Balzac v. Porto Rico, 258 U.S. 298 (1922)]*

We must emphasize at this point that the ABSENCE of a STATUTORY "civil status" is ALSO a "civil status", but under a DIFFERENT system of law, which is that of the ORGANIC law rather than the STATUTORY law. As an extension of your right to associate/disassociate and contract/not contract under the First Amendment, you can choose to be a CONSTITUTIONAL "PERSON" WITHOUT being a STATUTORY "PERSON". The state in such a case STILL has a

[73] On the subject of the "self-executing" nature of the Constitution, the U.S. Supreme Court has held:

> *The design of the Fourteenth Amendment has proved significant also in maintaining the traditional separation of powers 524*524 between Congress and the Judiciary.* ***The first eight Amendments to the Constitution set forth self-executing prohibitions on governmental action, and this Court has had primary authority to interpret those prohibitions.*** *The Bingham draft, some thought, departed from that tradition by vesting in Congress primary power to interpret and elaborate on the meaning of the new Amendment through legislation. Under it, "Congress, and not the courts, was to judge whether or not any of the privileges or immunities were not secured to citizens in the several States." Flack, supra, at 64. While this separation-of-powers aspect did not occasion the widespread resistance which was caused by the proposal's threat to the federal balance, it nonetheless attracted the attention of various Members. See Cong. Globe, 39th Cong., 1st Sess., at 1064 (statement of Rep. Hale) (noting that Bill of Rights, unlike the Bingham proposal,* ***"provide[s] safeguards to be enforced by the courts, and not to be exercised by the Legislature"****); id., at App. 133 (statement of Rep. Rogers) (prior to Bingham proposal it "was left entirely for the courts . . . to enforce the privileges and immunities of the citizens"). As enacted, the Fourteenth Amendment confers substantive rights against the States which, like the provisions of the Bill of Rights, are self-executing. Cf. South Carolina v. Katzenbach, 383 U.S., at 325 (discussing Fifteenth Amendment). The power to interpret the Constitution in a case or controversy remains in the Judiciary.*
> *[City of Boerne v. Flores, 521 U.S. 507 (1997)]*

duty to protect THAT LACK OF STATUS under the CIVIL STATUTORY LAW and to protect the right to ONLY have a "civil status" under the CONSTITUTION or the COMMON LAW:

> *"**In all domestic concerns each state of the Union is to be deemed an independent sovereignty. As such, it is its province and its duty to forbid interference by another state as well as by any foreign power with the status of its own citizens.** Unless at least one of the spouses is a resident thereof in good faith, the courts of such sister state or of such foreign power cannot acquire jurisdiction to dissolve the marriage of those who have an established domicile in the state which resents such interference with matters which disturb its social serenity or affect the morals of its inhabitants."*
> *[Roberts v. Roberts, 81 Cal.App.2d. 871, 879 (1947);*
> *https://scholar.google.com/scholar_case?case=13809397457737233441]*

If, in fact, "consent makes the law" per the maxims of the common law, then "consent" of the PARTY claiming OR NOT CLAIMING the "civil status" makes the CIVIL STATUTORY "PERSON" as well:

> *Consensus facit legem. Consent makes the law. A contract is a law between the parties, which can acquire force only by consent.*
> *[Bouvier's Maxims of Law, 1856;*
> *https://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

An example of a "status" that one not domiciled on federal territory cannot lawfully have is that of statutory "taxpayer" as defined in 26 U.S.C. §7701(a)(14) . All tax liability is a CIVIL liability which attaches to a CIVIL statutory status:

> *TITLE 26 > Subtitle F > CHAPTER 79 > § 7701*
> *§ 7701. Definitions*
>
> *(a)When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—*
>
> *(14) Taxpayer*
>
> *The term "taxpayer" means any person **subject to** any internal revenue tax.*

In a sense then, all civil statutory law acts as the equivalent of a "protection franchise" that you have to consent to before you become party to. "Privileges" under the protection franchise attach to the status of "citizen". Those who are non-residents are not parties to the franchise contract and are not bound by the franchise contract:

> *There is but one law which, from its nature, needs unanimous consent. This is the social compact; for civil association is the most voluntary of all acts. Every man being born free and his own master, no one, under any pretext whatsoever, can make any man subject without his consent. To decide that the son of a slave is born a slave is to decide that he is not born a man.*
>
> ***If then there are opponents when the social compact is made, their opposition does not invalidate the contract, but merely prevents them from being included in it. They are foreigners among citizens. When the State is instituted, residence constitutes consent; to dwell within its territory is to submit to the Sovereign.**[1]*
>
> ***Apart from this primitive contract, the vote of the majority always binds all the rest.** This follows from the contract itself. But it is asked how a man can be both free and forced to conform to wills that are not his own. How are the opponents at once free and subject to laws they have not agreed to?*
>
> *I retort that the question is wrongly put. **The citizen gives his consent to all the laws, including those which are passed in spite of his opposition, and even those which punish him when he dares to break any of them.** The constant will of all the members of the State is the general will; by virtue of it they are citizens and free[2]. When in the popular assembly a law is proposed, what the people is asked is not exactly whether it approves or rejects the proposal, but whether it is in conformity with the general will, which is their will. Each man, in giving his vote, states his opinion on that point; and the general will is found by counting votes. When therefore the opinion that is contrary to my own prevails, this proves neither more nor less than that I was mistaken, and that what I thought to be the general will was not so. If my particular opinion had carried the day I should have achieved the opposite of what was my will; and it is in that case that I should not have been free.*
>
> ***This presupposes, indeed, that all the qualities of the general will still reside in the majority: when they cease to do so, whatever side a man may take, liberty is no longer possible.***
>
> *In my earlier demonstration of how particular wills are substituted for the general will in public deliberation, I have adequately pointed out the practicable methods of avoiding this abuse; and I shall have more to say of*

them later on. I have also given the principles for determining the proportional number of votes for declaring that will. A difference of one vote destroys equality; a single opponent destroys unanimity; but between equality and unanimity, there are several grades of unequal division, at each of which this proportion may be fixed in accordance with the condition and the needs of the body politic.

There are two general rules that may serve to regulate this relation. First, the more grave and important the questions discussed, the nearer should the opinion that is to prevail approach unanimity. Secondly, the more the matter in hand calls for speed, the smaller the prescribed difference in the numbers of votes may be allowed to become: where an instant decision has to be reached, a majority of one vote should be enough. The first of these two rules seems more in harmony with the laws, and the second with practical affairs. In any case, it is the combination of them that gives the best proportions for determining the majority necessary.
[The Social Contract or Principles of Political Right, Jean Jacques Rousseau, 1762, Book IV, Chapter 2]

There is one last very important point we wish to make. That point is that the civil statutory laws and the domicile they attach to are not the ONLY method of civilly protecting one's rights. Some types of civil protection do not require consent of party. For instance, the U.S. Constitution is an example of a limitation upon government that does NOT require the express consent of those who are protected by it.

1. The USA Constitution is a "compact" or contract.
2. It establishes a public trust, which is an artificial "person" in which:
   2.1. The corpus of the trust is all public rights and public property.
   2.2. The trustees of the trust are people working in the government.
   2.3. All constitutional but not statutory citizens are the "beneficiaries".
3. The parties who established this public trust are the States of the Union and the government they created. Individual human beings are NOT party to it or trustees under it:
4. The Bill of Rights portion of the constitution attaches to LAND protected by the constitution, and NOT the civil status of people ON the land:

"It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it."
[Balzac v. Porto Rico, 258 U.S. 298 (1922)]

5. The Bill of Rights is a "self-executing" restraint upon all government officers and agents upon all those physically present but not necessarily domiciled on the land it attaches to. Because the rights it covers are "self-executing", no statutory civil law is needed to give them "the force of law" against any officer of the government in relation to a person physically present upon land protected by the constitution.

*The design of the Fourteenth Amendment has proved significant also in maintaining the traditional separation of powers 524*524 between Congress and the Judiciary.* ***The first eight Amendments to the Constitution set forth self-executing prohibitions on governmental action, and this Court has had primary authority to interpret those prohibitions.*** *The Bingham draft, some thought, departed from that tradition by vesting in Congress primary power to interpret and elaborate on the meaning of the new Amendment through legislation. Under it, "Congress, and not the courts, was to judge whether or not any of the privileges or immunities were not secured to citizens in the several States." Flack, supra, at 64. While this separation-of-powers aspect did not occasion the widespread resistance which was caused by the proposal's threat to the federal balance, it nonetheless attracted the attention of various Members. See Cong. Globe, 39th Cong., 1st Sess., at 1064 (statement of Rep. Hale) (noting that Bill of Rights, unlike the Bingham proposal,* ***"provide[s] safeguards to be enforced by the courts, and not to be exercised by the Legislature"****); id., at App. 133 (statement of Rep. Rogers) (prior to Bingham proposal it "was left entirely for the courts . . . to enforce the privileges and immunities of the citizens"). As enacted, the Fourteenth Amendment confers substantive rights against the States which, like the provisions of the Bill of Rights, are* ***self-executing****. Cf.* South Carolina *v.* Katzenbach, *383 U.S., at 325 (discussing Fifteenth Amendment). The power to interpret the Constitution in a case or controversy remains in the Judiciary.*
[City of Boerne v. Flores, 521 U.S. 507 (1997)]

Those injured by the actions of the government, whether civilly domiciled there and therefore a "citizen" there OR NOT, are protected by the Bill of Rights and have standing to sue in ANY state or federal court for a violation of that right.

In confirmation of this section, examine the content of 1 U.S.C. §8:

1 U.S. Code § 8 - "Person", "human being", "child", and "individual" as including born-alive infant

(a) In determining the meaning of any Act of Congress, or of any ruling, regulation, or interpretation of the various administrative bureaus and agencies of the United States, the words "person", "human being",

"child", and "individual", shall include every infant member of the species homo sapiens who is born alive at any stage of development.

(b) As used in this section, the term "born alive", with respect to a member of the species homo sapiens, means the complete expulsion or extraction from his or her mother of that member, at any stage of development, who after such expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, cesarean section, or induced abortion.

(c) Nothing in this section shall be construed to affirm, deny, expand, or ***contract any legal status or legal right applicable to any member of the species homo sapiens at any point prior to being "born alive" as defined in this section.***

[1 U.S.C. §8, Downloaded 9/13/2014]

11.17.3 Effect of domicile on CIVIL STATUTORY "status"

The law of domicile is almost exclusively the means of determining one's "civil status" under the civil statutory laws of a given territory:

§ 29. Status

It may be laid down that the, status- or, as it is sometimes called, civil status, in contradistinction to political status - of a person depends largely, although not universally, upon domicil. The older jurists, whose opinions are fully collected by Story I and Burge, maintained, with few exceptions, the principle of the ubiquity of status, conferred by the lex domicilii with little qualification. Lord Westbury, in Udny v. Udny, thus states the doctrine broadly: "The civil status is governed by one single principle, namely, that of domicil, which is the criterion established by law for the purpose of determining civil status. For it is on this basis that the personal rights of the party - that is to say, the law which determines his majority and minority, his marriage, succession, testacy, or intestacy-must depend." Gray, C. J., in the late Massachusetts case of Ross v. Ross, speaking with special reference to capacity to inherit, says: "It is a general principle that the status or condition of a person, the relation in which he stands to another person, and by which he is qualified or made capable to take certain rights in that other's property, is fixed by the law of the domicil; and that this status and capacity are to be recognized and upheld in every other State, so far as they are not inconsistent with its own laws and policy."
[A Treatise on the Law of Domicil, National, Quasi-National, and Municipal, M.W. Jacobs, Little, Brown, and Company, 1887, p. 89]

We have already established that civil law attaches to one's VOLUNTARY choice of civil domicile. Civil law, in turn, enforces and thereby delivers certain "privileges" against those who are subject to it. In that sense, the civil law acts as a voluntary franchise or "protection franchise" that is only enforceable against those who voluntarily consent to avail themselves of its "benefits" or "protections". Those who voluntarily and consensually avail themselves of such "benefits" and who are therefore SUBJECT to the "protection franchise" called domicile, in turn, are treated as public officers within the government under federal law, as is exhaustively established in the following memorandum:

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

The key thing to understand about all franchises is that the Congressionally created privileges or "public rights" they enforce attach to specific STATUSES under them. An example of such statuses include:

1. "Person" or "individual".
2. "Alien"
3. "Nonresident alien"
4. "Driver" under the vehicle code of your state.
5. "Spouse" under the family code of your state.
6. "Taxpayer" under the Internal Revenue Code at 26 U.S.C. §7701(a)(14).
7. "Citizen", "resident", or "inhabitant" under the civil laws of your state.

The above civil statutory statuses:

1 Are contingent for their existence on a DOMICILE in the geographical place or territory that the law applies to. Hence, a "nonresident alien" or even "alien" civil status within the Internal Revenue Code, for instance, only applies if one is PHYSCIALLY PRESENT on federal territory or consensually domiciled there. If you are not physically on federal territory and not domiciled there and not representing a public office domiciled there, you CANNOT be ANYTHING under the Internal Revenue Code.
2 Are TEMPORARY, because your domicile can change.
3 Extinguish when you terminate your domicile and/or your presence in that place.
4 Are the very SAME "statuses" you find on ALL government forms and applications, such as voter registrations, drivers' license applications, marriage license applications, etc. The purpose of filling out all such applications is to CONTRACT to PROCURE the status indicated on the form and have it RECOGNIZED by the government grantor who created the privileges you are pursuing under the civil law franchises that implement the form or application.

The ONLY way to AVOID contracting into the civil franchise if you are FORCED to fill out government forms is to:

1. Define all terms on the form in a MANDATORY attachment so as to EXCLUDE those found in any government law. Write above your signature the following:

> *"Not valid, false, fraudulent, and perjurious unless accompanied by the SIGNED attachment entitled _____, consisting of ___ pages."*

2. Indicate "All rights reserved, U.C.C. §1-308" near the signature line on the application.
3. Indicate "Non assumpsit" on the application, or scribble it as your signature.
4. Indicate "duress" on the form.
5. Resubmit the form after the fact either in person or by mail fixing the application to indicate duress and withdraw your consent.
6. Ask the government accepting the application to indicate that you are not qualified because you do not consent and consent is mandatory. Then show that denial to the person who is trying to FORCE you to apply.
7. Submit a criminal complaint against the party instituting the duress to get you to apply.
8. Notify the person instituting the unlawful duress that they are violating your rights and demand that they retract their demand for you to apply for something.

Below is an authority proving this phenomenon as explained by the U.S. Supreme Court:

> *In Udny v. Udny (1869), L.R., 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: '**The question of naturalization and of allegiance is distinct from that of domicile.**' Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: '**The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,—one by virtue of which he becomes the subject [NATIONAL] of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.**' And then, **while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which 'the personal rights of the party—that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy— must depend,' he yet distinctly recognized that a man's political status, his country (patria), and his 'nationality,**—that is, natural allegiance,'—'may depend on different laws in different countries.' *Pages 457, 460. He evidently used the word 'citizen,' not as equivalent to 'subject,' but rather to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British dominion are natural-born subjects.*
> *[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ;*
> *SOURCE: http://scholar.google.com/scholar_case?case=3381955771263111765]*

The protections of the Constitution and the common law, on the other hand, attach NOT to your STATUTORY status, but to the LAND you stand on at the time you receive an injury from either the GOVERNMENT or a PRIVATE human being, respectively:

> *"It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it."*
> *[Balzac v. Porto Rico, 258 U.S. 298 (1922)]*

The thing that we wish to emphasize about this important subject are the following VERY IMPORTANT facts:

1. Your STATUS under the civil STATUTORY law is exclusively determined by the exercise of your PRIVATE, UNALIENABLE right to both contract and associate, which are protected by the First Amendment to the United States Constitution.
2. The highest exercise of your right to sovereignty is the right to determine and enforce the STATUS you have CONSENSUALLY and VOLUNTARILY acquired under the civil laws of the community you are in.
3. Anyone who tries to associate a CIVIL statutory status with you absent your DEMONSTRATED, EXPRESS, WRITTEN consent is:
   3.1. Violating due process of law.
   3.2. STEALING property or rights to property from you. The "rights" or "public rights" that attach to the status are the measure of WHAT is being "stolen".
   3.3. Exercising eminent domain without compensation against otherwise PRIVATE property in violation of the state constitution. The property subject to the eminent domain are all the rights that attach to the status they are FORCING upon you. YOU and ONLY YOU have the right to determine the compensation you are willing to accept in exchange for your private rights and private property.
   3.4. Compelling you to contract with the government that created the franchise status, because all franchises are contracts.
   3.5. Kidnapping your legal identity and moving it to a foreign state, if the STATUS they impute to you arises under the laws of a foreign state. This, in turn is an act of INTERNATIONAL TERRORISM in criminal violation of 18 U.S.C. §2331(1)(B)(iii).
4. All de jure government civil law is TERRITORIAL in nature and attaches ONLY to the territory upon which they have EXCLUSIVE or GENERAL jurisdiction. It does NOT attach and CANNOT attach to places where they have only SUBJECT matter jurisdiction, such as in states of the Union.

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

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

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

5. The prerequisite to having ANY statutory STATUS under the civil law of any de jure government is a DOMICILE within the EXCLUSIVE jurisdiction of the that specific government that enacted the statute.
6. You CANNOT lawfully acquire a statutory STATUS under the CIVIL laws of a foreign jurisdiction if you have:
   6.1. Never physically been present within the exclusive jurisdiction of the foreign jurisdiction.
   6.2. Never EXPRESSLY consented to be treated as a "citizen", "resident", or "inhabitant" within that jurisdiction, even IF physically present there.
   6.3. NOT been physically present in the foreign jurisdiction LONG ENOUGH to satisfy the residency requirements of that jurisdiction.
7. Any government that tries to REMOVE the domicile prerequisite from any of the franchises it offers by any of the following means is acting in a purely private, commercial capacity using PRIVATE and not PUBLIC LAW and the statutes then devolve essentially into an act of PRIVATE contracting. Methods of acting in such a capacity include, but are not limited to the following devious methods by dishonest and criminal and treasonous public servants:
   7.1. Treating EVERYONE as "persons" or "individuals" under the franchise statutes, INCLUDING those outside of their territory.

7.2. Saying that EVERYONE is eligible for the franchise, no matter where they PHYSCIALLY are, including in places OUTSIDE of their exclusive or general jurisdiction.
7.3. Waiving the domicile prerequisite as a matter of policy, even though the statutes describing it require that those who participate must be "citizens", "residents", or "inhabitants" in order to participate. The Social Security does this by unconstitutional FIAT, in order to illegally recruit more "taxpayers".

8. When any so-called "government" waives the domicile prerequisite by the means described in the previous step, the following consequences are inevitable and MANDATORY:
8.1. The statutes they seek to enforce are "PRIVATE LAW".
8.2. It is FRAUD to call the statutes "PUBLIC LAW" that applies equally to EVERYONE.

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

8.3. They agree to be treated on an equal footing with every other PRIVATE business.
8.4. Their franchises are on an EQUAL footing to every other type of private franchise such as McDonalds franchise agreements.
8.5. They implicitly waive sovereign immunity and agree to be sued in the courts within the extraterritorial jurisdiction they are illegally operating under the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Part IV, Chapter 97. Sovereign immunity is ONLY available as a defense against DE JURE government activity in the PUBLIC interest that applies EQUALLY to any and every citizen.
8.6. They may not enforce federal civil law against the party in the foreign jurisdiction that they are illegally offering the franchise in.
8.7. If the foreign jurisdiction they are illegally enforcing the franchise within is subject to the constraint that the members of said community MUST be treated equally under the requirements of their constitution, then the franchise cannot make them UNEQUAL in ANY respect. This would be discrimination and violate the fundamental law.

Consistent with the above, below is how the U.S. Supreme Court describes attempts to enforce income taxes against NONRESIDENT parties domiciled in a legislatively foreign state, such as either a state of the Union or a foreign country:

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

An example of how the government cannot assign the statutory status of "taxpayer" upon you per 26 U.S.C. §7701(a)(14) is found in 28 U.S.C. §2201(a), which reads:

> *United States Code*
> *TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE*

PART VI - PARTICULAR PROCEEDINGS
CHAPTER 151 - DECLARATORY JUDGMENTS
Sec. 2201. Creation of remedy

> *(a) **In a case of actual controversy within its jurisdiction, except with respect to Federal taxes other than actions brought under section 7428 of the Internal Revenue Code of 1986**, a proceeding under section 505 or 1146 of title 11, or in any civil action involving an antidumping or countervailing duty proceeding regarding a class or kind of merchandise of a free trade area country (as defined in section 516A(f)(10) of the Tariff Act of 1930), as determined by the administering authority, **any court of the United States, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration**, whether or not further relief is or could be sought. Any such declaration shall have the force and effect of a final judgment or decree and shall be reviewable as such.*

Consistent with the federal Declaratory Judgments Act, 28 U.S.C. §2201, federal courts who have been petitioned to declare a litigant to be a "taxpayer" have declined to do so and have cited the above act as authority:

> *Specifically, Rowen seeks a declaratory judgment against the United States of America with respect to "whether or not the plaintiff is a taxpayer pursuant to, and/or under 26 U.S.C. §7701(a)(14) ." (See Compl. at 2.) **This Court lacks jurisdiction to issue a declaratory judgment "with respect to Federal taxes other than actions brought under section 7428 of the Internal Revenue Code of 1986," a code section that is not at issue in the instant action. See 28 U.S.C. §2201; see also Hughes v. United States, 953 F.2d. 531, 536-537 (9th Cir. 1991)** (affirming dismissal of claim for declaratory relief under § 2201 where claim concerned question of tax liability). Accordingly, defendant's motion to dismiss is hereby GRANTED, and the instant action is hereby DISMISSED.*
> *[Rowen v. U.S., 05-3766MMC. (N.D.Cal. 11/02/2005)]*

The implications of the above are that:

1. The federal courts have no lawful delegated authority to determine or declare whether you are a "taxpayer".
2. If federal courts cannot *directly* declare you a "taxpayer", then they also cannot do it *indirectly* by, for instance:
   2.1. Presuming that you are a "taxpayer". This is a violation of due process of law that renders a void judgment. Presumptions are not evidence and may not serve as a SUBSTITUTE for evidence.
   2.2. Calling you a "taxpayer" before you have called yourself one.
   2.3. Arguing with or penalizing you if you rebut others from calling you a "taxpayer".
   2.4. Quoting case law as authority relating to "taxpayers" against a "nontaxpayer". That's FRAUD and it also violates Federal Rule of Civil Procedure 17(b).
   2.5. Quoting case law from a franchise court in the Executive rather than Judicial branch such as the U.S. Tax Court against those who are not franchisees called "taxpayers".
   2.6. Treating you as a "taxpayer" if you provide evidence to the contrary by enforcing any provision of the I.R.C. Subtitle A "taxpayer" franchise agreement against you as a "nontaxpayer".

> *"Revenue Laws relate to taxpayers [instrumentalities, officers, employees, and elected officials of the national Government] and not to non-taxpayers [non-resident non-persons domiciled within the exclusive jurisdiction of a state of the Union and not subject to the exclusive jurisdiction of the national Government]. The latter are without their scope. No procedures are prescribed for non-taxpayers and no attempt is made to annul any of their Rights or Remedies in due course of law."*
> *[Economy Plumbing & Heating v. U.S., 470 F.2d. 585 (1972)]*

Authorities supporting the above include the following:

> *"**It is almost unnecessary to say, that what the legislature cannot do directly, it cannot do indirectly**. The stream can mount no higher than its source. The legislature cannot create corporations with illegal powers, nor grant unconstitutional powers to those already granted."*
> *[Gelpcke v. City of Dubuque, 68 U.S. 175, 1863 W.L. 6638 (1863)]*

> *"Congress cannot do indirectly what the Constitution prohibits directly."*
> *[Dred Scott v. Sandford, 60 U.S. 393, 1856 W.L. 8721 (1856)]*

> *"In essence, the district court used attorney's fees in this case as an alternative to, or substitute for, punitive damages (which were not available). **The district court cannot do indirectly what it is prohibited from doing directly**."*
> *[Simpson v. Sheahan, 104 F.3d. 998, C.A.7 (Ill.) (1997)]*

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*"**It is axiomatic that the government cannot do indirectly (i.e. through funding decisions) what it cannot do directly.**"*
[Com. of Mass. v. Secretary of Health and Human Services, 899 F.2d. 53, C.A.1 (Mass.) (1990)]

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*"Almost half a century ago, this Court made clear that the government "may not enact a regulation providing that no Republican ... shall be appointed to federal office." Public Workers v. Mitchell, 330 U.S. 75, 100, 67 S.Ct. 556, 569, 91 L.Ed. 754 (1947). What the *78 **First Amendment precludes the government**2739 from commanding directly, it also precludes the government from accomplishing indirectly. See Perry, 408 U.S., at 597, 92 S.Ct., at 2697 (citing Speiser v. Randall, 357 U.S. 513, 526, 78 S.Ct. 1332, 1342, 2 L.Ed.2d. 1460 (1958))**; see supra, at 2735."*
[Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S.Ct. 2729, U.S.Ill. (1990)]

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*"Similarly, **numerous cases have held that governmental entities cannot do indirectly that which they cannot do directly. See *841 Board of County Comm'rs v. Umbehr, 518 U.S. 668, 674, 116 S.Ct. 2342, 135 L.Ed.2d. 843 (1996) (holding that the First Amendment protects an independent contractor from termination or prevention of the automatic renewal of his at-will government contract in retaliation for exercising his freedom of speech); El Dia, Inc. v. Rossello, 165 F.3d. 106, 109 (1st Cir.1999) (holding that a government could not withdraw advertising from a newspaper which published articles critical of that administration because it violated clearly established First Amendment law prohibiting retaliation for the exercising of freedom of speech); North Mississippi Communications v. Jones, 792 F.2d. 1330, 1337 (5th Cir.1986) (same).** The defendants violated clearly established Due Process and First Amendment law by boycotting the plaintiffs' business in an effort to get them removed from the college."*
[Kinney v. Weaver, 111 F.Supp.2d. 831, E.D.Tex. (2000)]

If you would like further evidence proving that it is a violation of your constitutional rights for the government to associate any civil status against you without your consent, see:

Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008 http://sedm.org/Forms/FormIndex.htm

11.17.4 Four methods of acquiring a civil status[74]

There are four methods of lawfully acquiring a civil status:

1. Physical presence in the venue without a domicile. This triggers common law jurisdiction. If the venue is protected by the constitution, it also triggers constitutional jurisdiction.
2. Physical presence WITH a consensual domicile. This triggers civil statutory jurisdiction. If the venue is protected by the constitution, it also triggers constitutional jurisdiction.
3. Not physically present in the venue but purposefully and consensually doing business in the venue. This triggers common law jurisdiction. This ordinarily does NOT trigger constitutional jurisdiction, even if the venue is protected by the constitution.
4. Not physically present in the venue but domiciled in the venue. This triggers statutory jurisdiction. This ordinarily does NOT trigger constitutional jurisdiction, even if the venue is protected by the constitution.

Those who don't fit any of the criteria must be considered by the civil courts to be:

1. "nonresidents".
2. "transient foreigners".
3. "stateless" but not civil statutory "persons".
4. "in transitu".
5. "transient".
6. "sojourner".
7. "civilly dead".

Below is a table summarizing the above:

[74] Source: *Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008, Section 5; https://sedm.org/Forms/FormIndex.htm.

Table 4: Four method of acquiring civil status

#	Physically present in venue?	Civil Domicile?	Common law jurisdiction?	Constitutional protections?	Civil statutory jurisdiction?	Consent implied?
1	Yes	No	Yes	Yes	No	No
2	Yes	Yes	No	Yes	Yes	Yes (domicile)
3	No	No	Yes	No	No	No
4	No	Yes	No	No	Yes	Yes (domicile)

NOTES:

1. Constitutional protection attaches to land and not to the civil status of the people physically ON that land.

> *"It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it."*
> *[Balzac v. Porto Rico, 258 U.S. 298 (1922)]*

2. Common law jurisdiction is the default law system applying equally to all in the absence of express or implied consent of the party. See:

Wikipedia: Civil Law (legal system) https://en.wikipedia.org/wiki/Civil_law_(legal_system)

3. Domicile and civil statutory protection are synonymous. See Federal Rule of Civil Procedure 17(b).
4. Domicile and common law jurisdiction are mutually exclusive and cannot exist in the same place at the same time. This is because domicile is consensual and anything you consent to cannot form the basis for a common law injury:

> *"Volunti non fit injuria.*
> *He who consents cannot receive an injury. 2 Bouv. Inst. n. 2279, 2327; 4 T. R. 657; Shelf. on mar. & Div. 449.*
>
> *Consensus tollit errorem.*
> *Consent removes or obviates a mistake. Co. Litt. 126.*
>
> *Melius est omnia mala pati quam malo concentire.*
> *It is better to suffer every wrong or ill, than to consent to it. 3 Co. Inst. 23.*
>
> *Nemo videtur fraudare eos qui sciunt, et consentiunt.*
> *One cannot complain of having been deceived when he knew the fact and gave his consent. Dig. 50, 17, 145."*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

5. Accepting a "benefit" or claiming the "benefit" of a civil statute while physically outside the venue but domiciled there causes a waiver of constitutional rights in the context of ONLY the statutes administering the "benefit", if the granting authority is not physically located on land protected by the Constitution. The District of Columbia, by the way, IS protected by the constitution. See Downes v. Bidwell, 182 U.S. 244, 251, 21 S.Ct. 770, 773, 45 L.Ed. 1088 (1901).

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

6. You CANNOT accept a statutory "benefit" without a domicile in the location granting the benefit.
   6.1. This is because you cannot claim the benefit without a civil status there and you can't have a civil status WITHOUT a domicile:

> *"There are certain general principles which control the disposition of this case. They are, in the main, well settled; the difficulty lies in their application to the particular facts of the case in hand.* ***It is elementary that "every state has an undoubted right to determine the* status*, or domestic and social condition, of the persons domiciled within its territory, except in so far as the powers of the states in this respect are restrained, or duties and obligations imposed upon them by the constitution of the United States."*** *Strader v. Graham, 10 How. 93.* ***Again, the civil* status *is governed universally by one single principle, namely, that of domicile, which is the criterion established by law for the purpose of determining the civil* status*; for it is on this basis that the personal rights of a party, — that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy, — must depend. Udny v. Udny, L.R., 1 H. L. Sc. 457.***
> *[Woodward v. Woodward, 11 S.W. 892, 87 Tenn. 644 (Tenn., 1889)]*

> *"domicile. A person's legal home. That place where a man has his true, fixed, and* ***permanent home*** *and principal establishment, and to which whenever he is absent he has* ***the intention of*** *returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and* ***the intention*** *to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he* ***intends to*** *return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile.* ***The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.****"*
> *[Black's Law Dictionary, Sixth Edition, p. 485]*

   6.2. A government that offers or enforces a "benefit" to nonresidents with no domicile is a DE FACTO government as described in:

De Facto Government Scam, Form #05.043 https://sedm.org/Forms/FormIndex.htm

7. You have a common law right to NOT receive or pay for a "benefit" or to terminate eligibility of a "benefit" you previously consented to at any time. You also have a right to define HOW you consent to receive the benefit and can specify how that consent is procured.

> *Cujus est commodum ejus debet esse incommodum.*
> *He who receives the benefit should also bear the disadvantage.*

> *Que sentit commodum, sentire debet et onus.*
> *He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433.*

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

> *Injuria propria non cadet in beneficium facientis.*
> *One's own wrong shall not benefit the person doing it.*

> *Privatum incommodum publico bono peusatur.*
> *Private inconvenience is made up for by public benefit.*

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

> *Non videtur consensum retinuisse si quis ex praescripto minantis aliquid immutavit.*
> *He does not appear to have retained his consent, if he have changed anything through the means of a party threatening. Bacon's Max. Reg. 33."*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

11.18 Jesus refused a domicile, refused to participate in all human franchises, benefits, and privileges, and refused the "civil status" that made them possible[75]

Jesus definitely participated in God's franchise, being a member of the Holy Trinity. However, he refused to participate in human franchises. It may interest the reader to learn that Jesus had NO civil status under man's law and refused to participate in any government "benefit", franchise, or privilege:

> ***The Humbled and Exalted Christ***
>
> *"Let this mind be in you which was also in Christ Jesus, who, being in the form of God, did not consider it robbery to be equal with God,* ***but made Himself of no reputation, taking the form of a bondservant, and coming in the likeness of men. And being found in appearance as a man, He humbled Himself and became obedient to the point of death, even the death of the cross****. Therefore God also has highly exalted Him and given Him the name which is above every name, that at the name of Jesus every knee should bow, of those in heaven, and of those on earth, and of those under the earth, and that every tongue should confess that Jesus Christ is Lord, to the glory of God the Father."*
> *[Phil 2:5-11, Bible, NKJV]*

Below is a famous Bible commentary on the above passage:

> *"Think of yourselves the way Christ Jesus thought of himself.* ***He had equal status with God but didn't think so much of himself that he had to cling to the advantages of that status no matter what. Not at all. When the time came, he set aside the privileges of deity and took on the status of a slave, became human! Having become human, he stayed human. It was an incredibly humbling process. He didn't claim special privileges. Instead, he lived a selfless, obedient life and then died a selfless, obedient death—and the worst kind of death at that—a crucifixion."***
>
> *"Because of that obedience, God lifted him high and honored him far beyond anyone or anything, ever, so that all created beings in heaven and on earth—even those long ago dead and buried—will bow in worship before this Jesus Christ, and call out in praise that he is the Master of all, to the glorious honor of God the Father."*
> *[Peterson, E. H. (2005).* The Message: the Bible in contemporary language *(Php 2:5–11). Colorado Springs, CO: NavPress]*

Below is a summary of lessons learned from the above amplified version of the same passage, put into the context of privileges, civil status, and franchises:

1. Jesus forsook having a civil status and the privileges and franchises of the Kingdom of Heaven franchise that made that status possible.
2. He instead chose a civil status lower for Himself than other mere humans below him in status.
3. BECAUSE He forsook the "benefits", privileges, and franchises associated with the civil status of "God" while here on earth, he was blessed beyond all measure by God.

Moral of the Story: We can only be blessed by God if we do not seek to use benefits, privileges, and franchises to elevate ourself above anyone else or to pursue a civil status above others.

> *"Pure and undefiled religion before God and the Father is this: to visit orphans and widows in their trouble, and to keep oneself* ***unspotted*** *["foreign", "sovereign", and/or "alien"] from the world [and the corrupt BEAST governments and rulers of the world]."*
> *[James 1:27, Bible, NKJV]*

One cannot be "unspotted from the world" without surrendering and not pursuing any and all HUMAN civil statuses, franchises, or benefits. Those who are Christians, however, cannot avoid the privileged status and office of "Christian" under God's laws.

The OPPOSITE of being "unspotted from the world" is the following. The pursuit of government "benefits" or the civil status that makes them possible is synonymous with the phrase "your desire for pleasure" in the following passage.

> *"Where do wars and fights come from among you?* ***Do they not come from your desires for pleasure [unearned money or "benefits", privileges, or franchises, from the government] that war in your members***

[75] Source: *Government Instituted Slavery Using Franchises*, Form #05.030, Section 2.17; ; https://sedm.org/Forms/FormIndex.htm.

[and your democratic governments]? You lust [after other people's money] and do not have. *You murder [the unborn to increase your standard of living] and covet [the unearned] and cannot obtain [except by empowering your government to STEAL for you!]. You fight and war [against the rich and the nontaxpayers to subsidize your idleness]. Yet you do not have because you do not ask [the Lord, but instead ask the deceitful government]. You ask and do not receive, because you ask amiss, that you may spend it on your pleasures.* ***Adulterers and adulteresses! Do you not know that friendship [statutory "citizenship"] with the world [or the governments of the world] is enmity with God?*** *Whoever therefore wants to be a friend [STATUTORY "citizen", "resident", "inhabitant", "person" franchisee] of the world [or the governments of the world] makes himself an enemy of God."*
[James 4:4, Bible, NKJV]

The personification of those who did the OPPOSITE of Jesus and pursued civil status, rewards, benefits, privileges, and franchises were the Pharisees, and these people were the ONLY people Jesus got mad at. Here's what He said about them in one of his very few angry tirades. Back then, they had a theocracy and the Bible was their law book, so the term "religion scholars" meant the lawyers of that time, not the pastors of today's time.

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

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

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

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

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

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

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

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

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

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

Keep in mind that the term "hypocrite" is defined in the following passages as "trusting in privileges", meaning franchises: Jer 7:4; Mt 3:9.

It is also VERY interesting that when Satan wanted to tempt Jesus, He took him up to a high mountain above everyone else and tempted him with a civil status ABOVE everyone else but BELOW Satan, thus making Satan an object of idolatry and worship in violation of the First Commandment within the Ten Commandments.

> *"Again, the devil took Him [Jesus] up on an exceedingly high [civil/legal status above all other humans] mountain, and showed Him all the kingdoms of the world and their glory. And he said to Him, "**All these things ["BENEFITS"] I will give You if You will fall down [BELOW Satan but ABOVE other humans] and worship [serve as a PUBLIC OFFICER] me.**"*
>
> *Then Jesus said to him, **"Away with you, Satan! For it is written, 'You shall worship the LORD your God, and Him only you shall serve.'"***
>
> *Then the devil left Him, and behold, angels came and ministered to Him."*
> *[Matt. 4:8-11, Bible, NKJV]*

As we described earlier in Section 10.1 through 10.2 the "mountain" mentioned above is symbolic of a political kingdom in competition with God's kingdom. The preposition "exceedingly high" indicates that Satan wanted his political kingdom to be ABOVE everyone else. The preposition "fall down" indicates that Satan wanted Christ to "worship" and "serve" His political kingdom and to place the importance of God's kingdom BELOW Satan in his priority list. This would cause Christ to commit idolatry. Idolatry, after all, is nothing more than disordered priorities that knock God out of first place. That is why the Bible often refers to God as "The Most High":

> *"You shall have no other gods before Me.*
>
> *"You shall not make for yourself a carved image—any likeness of anything that is in heaven above, or that is in the earth beneath, or that is in the water under the earth; you shall not **bow down** to them nor serve them. For I, the LORD your God, am a jealous God, visiting the iniquity of the fathers upon the children to the third and fourth generations of those who hate Me, but showing mercy to thousands, to those who love Me and keep My commandments."*
> *[Exodus 20:3-6, Bible, NKJV]*

The phrase "bow down" indicates that you cannot place anything other than God higher than yourself, meaning that God is ALWAYS your first priority as a human being. This, in turn, forbids any civil ruler to be above you and forbids any civil ruler from having superior or supernatural powers in relation to any human beings. Jesus was keenly aware that God and Government are ALWAYS in competition with each other for the affection, obedience, allegiance, and sponsorship of the people.[76] Instead, God's design for government is to serve from below rather than to rule from above. Below is Jesus' most important command on the subject of government:

> *"You know that the rulers of the Gentiles [unbelievers] lord it over them [govern from ABOVE as pagan idols] , and those who are great exercise authority over them [supernatural powers that are the object of idol worship]. Yet it shall not be so among you; but whoever desires to become great among you, let him be your servant [serve the sovereign people from BELOW rather than rule from above]. And whoever desires to be first among you, let him be your slave—just as the Son of Man did not come to be served, but to serve, and to give His life a ransom for many."*
> *[Matt. 20:25-28, Bible, NKJV]*

Jesus kept Himself unspotted from the world by not choosing a domicile there. The phrase "nowhere to lay His head" in the following passage is synonymous with a legal home or domicile.

> ***The Cost of Discipleship***
>
> *And when Jesus saw great multitudes about Him, He gave a command to depart to the other side. Then a certain scribe came and said to Him, "Teacher, I will follow You wherever You go."*
>
> *And Jesus said to him, "**Foxes have holes and birds of the air have nests, but the Son of Man has nowhere to lay His head.**"*
> *[Matt. 8:18-20, Bible, NKJV]*
>
> _____

[76] See: *Great IRS Hoax*, Form #11.302, Section 4.4.5: How government and God compete to provide "protection"; https://sedm.org/Forms/FormIndex.htm.

*"If you were of the world, the world would love its own. **Yet because you are not of [domiciled within] the world, but I [Jesus] chose you [believers] out of the world, therefore the world hates you.** Remember the word that I said to you, 'A [public] servant is not greater than his [Sovereign] master.' If they persecuted Me, they will also persecute you. If they kept My word, they will keep yours also [as trustees of the public trust]. But all these things they will do to you for My name's sake, because they do not know Him [God] who sent Me."*
[Jesus in John 15:19-21, Bible, NKJV]

It is perhaps because of the content of this section that Jesus was widely regarded as an "anarchist". See:

Jesus Is An Anarchist, James Redford
http://famguardian.org/Subjects/Spirituality/ChurchvState/JesusAnarchist.htm

11.19 Satan's greatest sin was abusing "privileges" and "franchises" to make himself equal to or above God[77]

In the previous section, we showed how Christ refused privileges, benefits, and franchises and insisted on equality towards every other human. In this chapter, we compare that approach to Satan's approach. It should interest the Christian reader to know that Satan's greatest sin in the Bible was to abuse the "privileges" and therefore franchises bestowed by God to try to elevate himself to an equal or superior relation to God. By doing so, he insisted on being above every other creation of God, including humans. He did this out of pride, vanity, conceit, and covetousness.

Satan abused the "benefits" of the Bible franchise to try to become superior rather than remain equal to all other humans or believers. Below is what one commentary amazingly says on the subject:

WHAT WAS SATAN'S SIN?

Satan's sin was done from a privileged position. He was not a deprived creature who had not drunk deeply of the blessings of God before he sinned. Indeed, Ezekiel 28:11–15 declares some astounding things about the privileged position in which he sinned. *That this passage has Satan in view seems most likely if one eliminates the idea that it is a mythical tale of heathen origin and if one takes the language at all plainly and not merely as filled with Oriental exaggerations.* ***Ezekiel "saw the work and activity of Satan, whom the king of Tyre was emulating in so many ways." Satan's privileges included (1) full measure of wisdom (v. 12), (2) perfection in beauty (v. 12), (3) dazzling appearance (v. 13), (4) a place of special prominence as the anointed cherub that covered God's throne (v. 14)****. Verse 15 (ASV) says all that the Bible says about the origin of sin—"till unrighteousness was found in thee." It is clear, however, that Satan was not created as an evil being, for the verse clearly declares he was perfect when created. Furthermore, God did not make him sin; he sinned of his own volition and assumed full responsibility for that sin; and because of his great privileges, it is obvious that Satan sinned with full knowledge.*

Satan's sin was pride (1 Ti 3:6)*. The specific details of how that pride erupted are given in Isaiah 14:13–14 and are summarized in the assertion, "I will be like the most High" (v. 14).*
[Ryrie, C. C. (1972). A survey of Bible doctrine. Chicago: Moody Press]

Christ's greatest glory, on the other hand, was to do the OPPOSITE of Satan in this regard:

1. Jesus made his own desires and flesh "invisible" and became an agent and fiduciary of God 24 hours a day, 7 days a week:

""Whoever receives this little child in My name receives Me; and whoever receives Me receives Him who sent Me. For he who is least among you all will be great.""
[Luke 9:48, Bible, NKJV]

"Father, if it is Your will, take this cup away from Me; nevertheless not My will, but Yours, be done."
[Luke 22:42, Bible, NKJV]

"And the Father Himself, who sent Me, has testified of Me. You have neither heard His voice at any time, nor seen His form."
[John 5:37, Bible, NKJV]

"For I have come down from heaven, not to do My own will, but the will of Him who sent Me."

[77] Source: *Government Instituted Slavery Using Franchises*, Form #05.030, Section 2.18; ; https://sedm.org/Forms/FormIndex.htm.

[John 6:38, Bible, NKJV]

"Then Jesus cried out and said, "He who believes in Me, believes not in Me but in Him who sent Me."
[John 12:44, Bible, NKJV]

2. Jesus did NOT abuse the "privileges", "franchises", or "benefits" of God to elevate himself in importance or "rights" either above any other human or above God:

> *"Think of yourselves the way Christ Jesus thought of himself.* ***He had equal status with God but didn't think so much of himself that he had to cling to the advantages of that status no matter what. Not at all. When the time came, he set aside the privileges of deity and took on the status of a slave, became human! Having become human, he stayed human. It was an incredibly humbling process. He didn't claim special privileges. Instead, he lived a selfless, obedient life and then died a selfless, obedient death—and the worst kind of death at that—a crucifixion."***
>
> ***"Because of that obedience, God lifted him high and honored him far beyond anyone or anything, ever, so that all created beings in heaven and on earth—even those long ago dead and buried—will bow in worship before this Jesus Christ, and call out in praise that he is the Master of all, to the glorious honor of God the Father.****"*
> *[Peterson, E. H. (2005).* The Message: the Bible in contemporary language *(Php 2:5–11). Colorado Springs, CO: NavPress]*

Basically, Jesus had a servant's heart and required the same heart of all those who intend to lead others in government:

> *"But you, do not be called 'Rabbi'; for One is your Teacher, the Christ, and you are all brethren. Do not call anyone on earth your father; for One is your Father, He who is in heaven. And do not be called teachers; for One is your Teacher, the Christ.* ***But he who is greatest among you shall be your servant. And whoever exalts himself will be humbled, and he who humbles himself will be exalted****".*
> *[Jesus in Matt. 23:8-12, Bible, NKJV]*
>
> *But Jesus called them to Himself and said to them, "You know that those who are considered rulers over the Gentiles lord it over them, and their great ones exercise authority over them. Yet it shall not be so among you; but* ***whoever desires to become great among you shall be your servant. And whoever of you desires to be first shall be slave of all****. For even the Son of Man did not come to be served, but to serve, and to give His life a ransom for many."*
> *[Mark 10:42–45, Bible, NKJV. See also Matt. 20:25-28]*

Those in government who follow the above admonition in fact are implementing what the U.S. Supreme Court called "a society of law and not men" in Marbury v. Madison. The law is the will of the people in written form. Those who put that law above their own self-interest and execute it faithfully are:

1. Agents and/or officers of We the People.
2. "Trustees" and managers over God's property. The entire Earth belongs to the Lord, according to the Bible.[78]
3. Acting in a fiduciary duty towards those who have entrusted them with power.

> *"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer.* [79] ***Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts****.* [80] ***That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves.*** [81] ***and owes a fiduciary duty to the public.*** [82] ***It has***

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

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

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

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

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

> ***been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual.*** [83] ***Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual [PRIVATE] rights is against public policy.***[84] "
> *[63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)]*

4. Implementing a "covenant" or "contract" or "social compact" between them and the people. All civil and common law is based on compact.[85]
5. "Creatures [CREATIONS] of the law" as the U.S. Supreme Court calls them.[86]
6. Violating their oath and/or covenant if they use the property or rights they are managing or protecting for any aspect of private gain. In fact, 18 U.S.C. §208 makes it a crime to preside over a matter that you have a financial conflict of interest in.

All of the people in the Bible that God got most excited about were doing the above. There are many verses like those below:

1. Lev. 25:42:

> *"**For they are My servants**, whom I brought out of the land of Egypt; they shall not be sold as slaves."*

2. Lev. 25:55:

> *"**For the children of Israel are servants to Me; they are My servants** whom I brought out of the land of Egypt: I am the LORD your God."*

3. Numbers 14:24:

> *"But **My servant Caleb**, because he has a different spirit in him and has followed Me fully, I will bring into the land where he went, and his descendants shall inherit it."*

4. Joshua 1:2-5:

> *"**Moses My servant** is dead. Now therefore, arise, go over this Jordan, you and all this people, to the land which I am giving to them—the children of Israel. Every place that the sole of your foot will tread upon I have given you, as I said to Moses. From the wilderness and this Lebanon as far as the great river, the River Euphrates, all the land of the Hittites, and to the Great Sea toward the going down of the sun, shall be your territory. No man shall be able to stand before you all the days of your life; as I was with Moses, so I will be with you. I will not leave you nor forsake you. "*

5. 2 Sam. 3:18:

> *"Now then, do it! For the LORD has spoken of David, saying, 'By the hand of **My servant David**, I will save My people Israel from the hand of the Philistines and the hand of all their enemies.'"*

6. 2 Sam. 7:8-9:

> *"Now therefore, thus shall you say to **My servant David**, 'Thus says the LORD of hosts: "I took you from the sheepfold, from following the sheep, to be ruler over My people, over Israel. And I have been with you wherever you have gone, and have cut off all your enemies from before you, and have made you a great name, like the name of the great men who are on the earth."*

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

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

[85] **"A body politic," as aptly defined in the preamble of the Constitution of Massachusetts, "is a social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good."** [United States v. Winstar Corp., 518 U.S. 839 (1996)]

[86] "No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are **creatures of the law**, and are bound to obey it." [*United States* v. *Lee*, 106 U. S., at 220]

God also said that you shall NOT abuse your power or commerce generally to enslave or coerce anyone:

> *'**If one of your brethren becomes poor [desperate], and falls into poverty among you, then you shall help him, like a stranger or a sojourner, that he may live with you.***
>
> ***Take no usury or interest from him**; but fear your God, that your brother may live with you.*
>
> ***You shall not lend him your money for usury, nor lend him your food at a profit.***
>
> *I am the LORD your God, who brought you out of the land of Egypt, to give you the land of Canaan and to be your God.*
>
> *'**And if one of your brethren who dwells by you becomes poor, and sells himself to you, you shall not compel him to serve as a slave.***
>
> *As a hired servant and a sojourner he shall be with you, and shall serve you until the Year of Jubilee.*
>
> *And then he shall depart from you—he and his children with him—and shall return to his own family. He shall return to the possession of his fathers.*
>
> ***For they are My servants, whom I brought out of the land of Egypt; they shall not be sold as slaves.***
>
> *You shall not rule over him with rigor, but you shall fear your God.*
> *[Lev. 25:35-43, Bible, NKJV]*

Note above that it says that people who are poor or desperate should be treated not as slaves, but as "sojourners", which today means "nonresidents" and "transient foreigners". This is exactly the condition that our members are required to have.

The most famous example in the Bible of the violation of the above prohibition against usury was how Pharaoh used a famine to enslave his entire country, including the Israelites. See Gen. 47:13-26:

> ***Joseph Deals with the Famine***
>
> *[13] Now* there was *no bread in all the land; for the famine* was *very severe, so that the land of Egypt and the land of Canaan languished because of the famine. [14] And Joseph gathered up all the money that was found in the land of Egypt and in the land of Canaan, for the grain which they bought; and Joseph brought the money into Pharaoh's house.*
>
> *[15] So when the money failed in the land of Egypt and in the land of Canaan, all the Egyptians came to Joseph and said, "Give us bread, for why should we die in your presence? For the money has failed."*
>
> *[16] Then Joseph said, "Give your livestock, and I will give you* bread *for your livestock, if the money is gone." [17] So they brought their livestock to Joseph, and Joseph gave them bread* in exchange *for the horses, the flocks, the cattle of the herds, and for the donkeys. Thus he fed them with bread* in exchange *for all their livestock that year.*
>
> *[18] When that year had ended, they came to him the next year and said to him, "We will not hide from my lord that our money is gone; my lord also has our herds of livestock. There is nothing left in the sight of my lord but our bodies and our lands. [19] Why should we die before your eyes, both we and our land? Buy us and our land for bread, and we and our land will be servants of Pharaoh; give* us *seed, that we may live and not die, that the land may not be desolate."*
>
> *[20] Then Joseph bought all the land of Egypt for Pharaoh; for every man of the Egyptians sold his field, because the famine was severe upon them. So the land became Pharaoh's. [21] And as for the people, he moved them into the cities, from* one *end of the borders of Egypt to the* other *end. [22] Only the land of the priests he did not buy; for the priests had rations* allotted to them *by Pharaoh, and they ate their rations which Pharaoh gave them; therefore they did not sell their lands.*
>
> *[23] Then Joseph said to the people, "Indeed I have bought you and your land this day for Pharaoh. Look,* here is *seed for you, and you shall sow the land. [24] And it shall come to pass in the harvest that you shall give one-fifth to Pharaoh. Four-fifths shall be your own, as seed for the field and for your food, for those of your households and as food for your little ones."*

> [25] *So they said, "You have saved our lives; let us find favor in the sight of my lord, and we will be Pharaoh's servants."* [26] *And Joseph made it a law over the land of Egypt to this day,* that *Pharaoh should have one-fifth, except for the land of the priests only,* which *did not become Pharaoh's.*
> *[Gen. 47:13-26, Bible, NKJV]*

Eventually, God liberated the Israelites in the famous story of Moses' exodus out of Egypt, but not before he brought a series of curses on Pharaoh for his usury in Exodus 4. Another similar source of usury was the Canaanites in the Bible, if you wish to investigate further. We talk about this subject in *Government Instituted Slavery Using Franchises*, Form #05.030, Section 22.4. It is very interesting that the above history of usury occurred in the land of Canaan for that very reason.

It is interesting to note that the main political objection that most Muslim countries have to the United States is related to usury created by the abuse of commerce. The Koran forbids lending money at interest. Libya and Iraq both became the target of war and intervention because they wanted to abandon the Federal Reserve fiat currency system and implement gold instead of paper money. Muslims refer to this usury as "imperialism" and literally hate it. Iran's own leader calls for "death to America" and usury is the main reason he does so. There is no question that the abuse of commerce to create inequality, servitude, and usury is satanic because the Bible says this was the essence of Satan's greatest sin. The Muslims are correct to PEACEFULLY protest it and oppose it.

> *"You* were *the seal of perfection,*
> *Full of wisdom and perfect in beauty.*
> [13] *You were in Eden, the garden of God;*
> *Every precious stone* was *your covering:*
> *The sardius, topaz, and diamond,*
> *Beryl, onyx, and jasper,*
> *Sapphire, turquoise, and emerald with gold.*
> *The workmanship of your timbrels and pipes*
> *Was prepared for you on the day you were created.*
>
> [14] *"You* were *the anointed cherub who covers;*
> *I established you;*
> *You were on the holy mountain of God;*
> *You walked back and forth in the midst of fiery stones.*
> [15] *You* were *perfect in your ways from the day you were created,*
> *Till iniquity was found in you.*
>
> ***[16] "By the abundance of your trading***
> ***You became filled with violence within,***
> ***And you sinned;***
> ***Therefore I cast you as a profane thing***
> ***Out of the mountain of God;***
> ***And I destroyed you, O covering cherub,***
> ***From the midst of the fiery stones.***
>
> [17] *"Your heart was lifted up because of your beauty;*
> *You corrupted your wisdom for the sake of your splendor;*
> *I cast you to the ground,*
> *I laid you before kings,*
> *That they might gaze at you.*
>
> ***[18] "You defiled your sanctuaries***
> ***By the multitude of your iniquities,***
> ***By the iniquity of your trading;***
> ***Therefore I brought fire from your midst;***
> ***It devoured you,***
> ***And I turned you to ashes upon the earth***
> *In the sight of all who saw you.*
> [19] *All who knew you among the peoples are astonished at you;*
> *You have become a horror,*
> *And* shall be *no more forever."'"*
> *[Ezekiel 28:13-19, Bible, NKJV]*

That is not to say that we condone the use of violence or terrorism to oppose usury, however. More peaceful means are available, and especially that of withdrawing our domicile and sponsorship of usurious governments and becoming non-resident non-persons. We talk about this approach in:

We conclude in the above document that the only way that changing domicile and thereby removing funding and civil jurisdiction from the government can result in violence is if the government actively interferes with you receiving the "benefits" of doing so. When they do that, violence, revolution, anarchy, and even war is inevitable eventually.

We refer to the systematic implementation of usury as the greatest sin of our present government because it was Satan's greatest sin. The Federal Reserve counterfeiting franchise is its foundation. We describe the government as an economic terrorist, the District of Columbia as the District of Criminals, and politicians as criminals because of it. It's all based on "the love of money":

> *"For the love of money is a root of all kinds of evil, for which some have strayed from the faith in their greediness, and pierced themselves through with many sorrows."*
> *[1 Tim. 6:10, Bible, NKJV]*

It is our sincere belief that if we as a country had stuck to the requirements of Lev. 25:35-43 earlier in our external relations, the problems we have with terrorism from foreign nations could be significantly reduced. The United States commits usury and economic terrorism against foreign countries, so they reciprocate with violent terrorism, but both types of terrorism are equally evil. The economic interventionism and the coercion that the usury leads to is a direct violation of the requirements of justice itself. "Justice" is legally defined as the right to be left alone. If we want to be "left alone" by the terrorists and treated with respect, then we have to quit meddling in their affairs, invading and bombing their countries mainly for economic reasons, or using our economic might to coerce them with sanctions. You will always reap what you sow.

The United States as a country sows economic violence so we reap physical violence. This is the inevitable consequence of the fact that we are all equal and any attempt to make us unequal inevitably produces wars, violence, anarchy, and political instability:

> *"Therefore, whatever you want men to do to you, do also to them, for this is the Law and the Prophets."*
> *[Matt. 7:12, Bible, NKJV]*

The U.S. Supreme Court stated the above slightly differently, when they declared the first income tax unconstitutional, which was implemented as a franchise tax that discriminated against one class of people at the expense of another and therefore, produced INEQUALITY:

> *"**The income tax law under consideration is marked by discriminating features which affect the whole law. It discriminates between those who receive an income of four thousand dollars and those who do not. It thus vitiates, in my judgment, by this arbitrary discrimination, the whole legislation.** Hamilton says in one of his papers, (the Continentalist,) "the genius of liberty reprobates everything arbitrary or discretionary in taxation. It exacts that every man, by a definite and general rule, should know what proportion of his property the State demands; whatever liberty we may boast of in theory, it cannot exist in fact while [arbitrary] assessments continue." 1 Hamilton's Works (Ed. 1885) 270. The legislation, in the discrimination it makes, is class legislation. **Whenever a distinction is made in the burdens a law imposes or in the benefits it confers on any citizens by reason of their birth, or wealth, or religion, it is class legislation, and leads inevitably to oppression and abuses, and to general unrest and disturbance in society [e.g. wars, political conflict, violence, anarchy].** It was hoped and believed that the great amendments to the Constitution which followed the late civil war had rendered such legislation impossible for all future time. But the objectionable legislation reappears in the act under consideration. It is the same in essential character as that of the English income statute of 1691, which taxed Protestants at a certain rate, Catholics, as a class, at double the rate of Protestants, and Jews at another and separate rate. Under wise and constitutional legislation every citizen should contribute his proportion, however small the sum, to the support of the government, and it is no kindness to urge any of our citizens to escape from that obligation. If he contributes the smallest mite of his earnings to that purpose he will have a greater regard for the government and more self-respect 597*597 for himself feeling that though he is poor in fact, he is not a pauper of his government. And it is to be hoped that, whatever woes and embarrassments may betide our people, they may never lose their manliness and self-respect. Those qualities preserved, they will ultimately triumph over all reverses of fortune."*
>
> *[. . .]*
>
> *"Here I close my opinion. I could not say less in view of questions of such gravity that go down to the very foundation of the government. If the provisions of the Constitution can be set aside by an act of Congress, where is the course of usurpation to end? **The present assault upon capital is but the beginning. It will be but***

the stepping-stone to others, larger and more sweeping, till our political contests will become a war of the poor against the rich; a war constantly growing in intensity and bitterness."

*"**If the court sanctions the power of discriminating taxation, and nullifies the uniformity mandate of the Constitution," as said by one who has been all his life a student of our institutions, "it will mark the hour when the sure decadence of our present government will commence."** If the purely arbitrary limitation of $4000 in the present law can be sustained, none having less than that amount of income being assessed or taxed for the support of the government, the limitation of future Congresses may be fixed at a much larger sum, at five or ten or twenty thousand dollars, parties possessing an income of that amount alone being bound to bear the burdens of government; or the limitation may be designated at such an amount as a board of "walking delegates" may deem necessary. There is no safety in allowing the limitation to be adjusted except in strict compliance with the mandates of the Constitution which require its taxation, if imposed by direct taxes, to be apportioned among the States according to their representation, and if imposed by indirect taxes, to be uniform in operation and, so far as practicable, in proportion to their property, equal upon all citizens. **Unless the rule of the Constitution governs, a majority may fix the limitation at such rate as will not include any of their own number."***
[Pollock v. Farmers' Loan & Trust Co., 157 U.S. 429 (Supreme Court 1895)]

We talk about our opposition to usurious commerce that produces inequality in our Disclaimer, Section 9:

SEDM Disclaimer

9. APPROACH TOWARDS "HATE SPEECH" AND HATE CRIME

This website does not engage in, condone, or support hate speech or hate crimes, violent thoughts, deeds or actions against any particular person(s), group, entity, government, mob, paramilitary force, intelligence agency, overpaid politician, head of state, queen, dignitary, ambassador, spy, spook, soldier, bowl cook, security flunky, contractor, dog, cat or mouse, Wal-Mart employee, amphibian, reptile, and or deceased entity without a PB (Physical Body). By "hate speech" and "hate crime", we mean in the context of religious members of this site trying to practice their faith:

1. Compelling members to violate any aspect of the Laws of the Bible, Form #13.001. This includes commanding them to do things God forbids or preventing or punishing them from doing God commands.

2. Persecution or "selective enforcement" directed against those whose religious beliefs forbid them from contracting with, doing business with, or acquiring any civil status in relation to any and all governments. These people must be "left alone" by law and are protected in doing so by the First Amendment and the right to NOT contract protected by the Constitution. The group they refuse to associate with is civil statutory "persons". We call these people "non-resident non-persons" on this site as described in Form #05.020. See Proof That There Is a "Straw Man", Form #05.042 for a description of the civil "person" scam.

3. Engaging in legal "injustice" (Form #05.050). By "justice" we mean absolutely owned private property (Form #10.002), and equality of TREATMENT and OPPORTUNITY (Form #05.033) under REAL LAW (Form #05.048). "Justice" is defined here as God defines it in Form #05.050.

4. Any attempt to treat anyone unequally under REAL "law". This includes punishing or preventing actions by members to enforce against governments under their own franchise (Form #06.027) the same way governments enforce against them. See What is "law"?, Form #05.048.

5. Offering, implementing, or enforcing any civil franchise (Form #05.030). This enforces superior powers on the part of the government as a form of inequality, results in religious idolatry, and violates the First Commandment of the Ten Commandments (Exodus 20). This includes:

5.1 Making justice (Form #05.050) into a civil public privilege

5.2 Turning CONSTITUTIONAL PRIVATE citizens into STATUTORY PUBLIC citizens engaged in a public office and a franchise.

5.3 Any attempt to impose equality of OUTCOME by law, such as by abusing taxing powers to redistribute wealth. See Great IRS Hoax, Form #11.302.

Franchises are the main method of introducing UNEQUAL treatment by the government. See Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006.

*6. Any attempt to outlaw or refuse to recognize or enforce **absolutely owned private property (Form #12.025)**. This makes everyone into slaves of the government, which then ultimately owns ALL*

property and can place unlimited conditions upon the use of their property. It also violates the last six commandments of the Ten Commandments, which are the main religious laws that protect PRIVATE property and prevent it from being shared with any government. This includes:

6.1 Refusing to provide civil statuses on government forms that recognize those who are exclusively private and their right to be left alone.

6.2 Refusing to provide government forms that recognize those who are exclusively private such as "nontaxpayers" or "non-resident non-persons" and their right to be left alone.

The result of the above forms of omission are hate, discrimination, and selective enforcement against those who refuse to become ***"customers" or franchisees (Form #05.030)*** *of government. See Avoiding Traps in Government Forms Course, Form #12.023.*

7. Any attempt by government to use judicial process or administrative enforcement to enforce any civil obligation derived from any source OTHER than express written consent or to an injury against the equal rights of others demonstrated with court admissible evidence. See Lawfully Avoiding Government Obligations, Form #12.040.

There is no practical difference between discriminating against or targeting people because of the groups they claim membership in and punishing them for refusing to consent to join a group subject to legal disability, such as those participating in government franchises. Members of such DISABILITY groups include civil statutory "persons", "taxpayers", "individuals" (under the tax code), "drivers" (under the vehicle code), "spouses" (under the family code). Both approaches lead to the same result: discrimination and selective enforcement. The government claims an exemption from being a statutory "person", and since it is a government of delegated powers, the people who gave it that power must ALSO be similarly exempt:

> *"The sovereignty of a state does not reside in the persons who fill the different departments of its government, but in the People, from whom the government emanated; and they may change it at their discretion. Sovereignty, then in this country, abides with the constituency, and not with the agent; and this remark is true, both in reference to the federal and state government."*
> *[Spooner v. McConnell, 22 F. 939 @ 943]*

> *"In common usage, the term 'person' does not include the sovereign, and statutes employing the word are ordinarily construed to exclude it."*
> *[Wilson v. Omaha Indian Tribe 442 U.S. 653, 667 (1979)]*

> *"Since in common usage the term `person' does not include the sovereign, statutes employing that term are ordinarily construed to exclude it."*
> *[U.S. v. Cooper, 312 U.S. 600,604, 61 S.Ct. 742 (1941)]*

> *"In common usage, the term `person' does not include the sovereign and statutes employing it will ordinarily not be construed to do so."*
> *[U.S. v. Cooper, 312 U.S. 600,604, 61 S.Ct. 742 (1941)]*

> *"There is no such thing as a power of inherent sovereignty in the government of the United States .... In this country sovereignty resides in the people, and Congress can exercise no power which they have not, by their Constitution entrusted to it: All else is withheld."*
> *[Juilliard v. Greenman, 110 U.S. 421 (1884)]*

The foundation of the religious beliefs and practices underlying this website is a refusal to contract with or engage in commerce with any and every government. Black's Law Dictionary defines "commerce" as "intercourse".

> *"***Commerce***. ...* ***Intercourse*** *by way of trade and traffic [money instead of semen] between different peoples or states and the citizens or inhabitants thereof, including not only the purchase, sale, and exchange of commodities, but also the instrumentalities [governments] and agencies by which it is promoted and the means and appliances by which it is carried on..."*
> *[Black's Law Dictionary, Sixth Edition, p. 269]*

Hence this website advocates a religious refusal to engage in sex or intercourse or commerce with any government. In fact, the Bible even describes people who VIOLATE this prohibition as "playing the harlot" (Ezekiel 16:41) and personifies that harlot as "Babylon the Great Harlot" (Rev. 17:5), which is fornicating with the Beast, which it defines as governments (Rev. 19:19).

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

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

So it was, when the Angel of the LORD spoke these words to all the children of Israel, that the people lifted up their voices and wept.
[Judges 2:1-4, Bible, NKJV]

"Do you not know that friendship with the world is enmity with God? ***Whoever therefore wants to be a friend ["citizen", "resident", "taxpayer", "inhabitant", or "subject" under a king or political ruler] of the world [or any man-made kingdom other than God's Kingdom] makes himself an enemy of God.*** *"*
[James 4:4, Bible, NKJV]

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

"Pure and undefiled religion before God and the Father is this: to visit orphans and widows in their trouble, and ***to keep oneself unspotted from the world [the obligations and concerns of the world].*** *"*
[James 1:27, Bible, NKJV]

"You shall have no other gods [including political rulers, governments, or Earthly laws] before Me [or My commandments]."
[Exodus 20:3, Bible, NKJV]

"Then all the elders of Israel gathered together and came to Samuel [the priest in a Theocracy] at Ramah, and said to him, 'Look, you [the priest within a theocracy] are old, and your sons do not walk in your ways. ***Now make us a king [or political ruler] to judge us like all the nations*** *[and be OVER them]'.*

*"But the thing displeased Samuel when they said, '****Give us a king [or political ruler] to judge us.'*** *So Samuel prayed to the Lord.* ***And the Lord said to Samuel, 'Heed the voice of the people in all that they say to you; for they have rejected Me [God], that I should not reign over them.*** *According to all the works which they have done since the day that I brought them up out of Egypt, even to this day—****with which they have forsaken Me [God as their ONLY King, Lawgiver, and Judge] and served other gods—so they are doing to you also*** *[government or political rulers becoming the object of idolatry]."*
[1 Sam. 8:4-8, Bible, NKJV]

"Do not walk in the statutes of your fathers [the heathens], nor observe their judgments, nor defile yourselves with their [pagan government] idols. I am the LORD your God: Walk in My statutes, keep My judgments, and do them; hallow My Sabbaths, and they will be a sign between Me and you, that you may know that I am the LORD your God."
[Ezekial 20:10-20, Bible, NKJV]

Where is "separation of church and state" when you REALLY need it, keeping in mind that Christians AS INDIVIDUALS are "the church" and secular society is the "state" as legally defined? The John Birch Society agrees with us on the subject of not contracting with anyone in the following video:

Trading Away Your Freedom by Foreign Entanglements, John Birch Society *https://www.youtube.com/watch?v=2Q24tWlrRdk*

Pastor David Jeremiah of Turning Point Ministries also agrees with us on this subject:

The Church in Satan's City, March 20, 2016 https://youtu.be/oujXpO5pejQ

President Obama also said that it is the right of EVERYONE to economically AND politically disassociate with the government so why don't the agencies of the government recognize this fact on EVERY form you use to interact with them?.

President Obama Says US Will NOT Impose Its Political or Economic System on Anyone, Exhibit #05.053 https://youtu.be/2t_ZRQSIPr0

We wrote an entire book on how to economically and politically disassociate in fulfillment of Obama's promise above, and yet the government hypocritically actively interferes with economically and politically disassociating, in defiance of President Obama's assurances and promises. HYPOCRITES!

Non-Resident Non-Person Position, Form #05.020 http://sedm.org/Forms/FormIndex.htm

Government's tendency to compel everyone into a commercial or civil legal relationship (Form #05.002) with them is defined by the Bible as the ESSENCE of Satan himself! The personification of that evil is dramatized in the following video:

Devil's Advocate: Lawyers http://sedm.org/what-we-are-up-against/

Therefore, the religious practice and sexual orientation of avoiding commerce and civil legal relationships (Form #05.002) with governments is the essence of our religious faith:

> *"I [God] brought you up from Egypt [government slavery] and brought you to the land of which I swore to your fathers; and I said, 'I will never break My covenant [Bible contract] with you. And* **you shall make no covenant [contract, franchise, "social compact", or agreement of ANY kind] with the inhabitants of this [corrupt pagan] land; you shall tear down their** ***[man/government worshipping socialist] altars.*** *' But you have not obeyed Me. Why have you done this?*
>
> *"Therefore I also said,* **'I will not drive them out before you; but they will become as thorns [*** ***terrorists and persecutors*** *] in your side and their gods will be a snare [slavery!] to you.'"**
>
> *So it was, when the Angel of the LORD spoke these words to all the children of Israel, that the people lifted up their voices and wept.*
> *[Judges 2:1-4, Bible, NKJV]*
>
> _____
>
> *"By the* ***abundance*** *of your [Satan's]* ***trading*** *You became filled with violence within,* ***And*** *you sinned; Therefore I cast you as a profane thing Out of the mountain of God;* ***And*** *I destroyed you, O covering cherub, From the midst of the fiery stones."*
> *[Ezekial 28:16, Bible, NKJV]*
> _____
>
> *"As religion towards God is a branch of universal righteousness (he is not an honest man that is not devout), so* ***righteousness towards men is a branch of true religion, for he is not a godly man that is not honest****, nor can he expect that his devotion should be accepted; for,*
>
> ***1. Nothing is more offensive to God than deceit in commerce. A false balance is here put for all manner of unjust and fraudulent practices [of our public dis-servants] in dealing with any person [within the public], which are all an abomination to the Lord, and render those abominable [hated] to him that allow themselves in the use of such accursed arts of thriving. It is an affront to justice, which God is the patron of, as well as a wrong to our neighbour, whom God is the protector of. Men [in government] make light of such frauds, and think there is no sin in that which there is money to be got by, and, while it passes undiscovered, they cannot blame themselves for it; a blot is no blot till it is hit, Hos. 12:7, 8. But they are not the less an abomination to God, who will be the avenger of those that are defrauded by their brethren.***

> ***2. Nothing is more pleasing to God than fair and honest dealing, nor more necessary to make us and our devotions acceptable to him: A just weight is his delight.*** *He himself goes by a just weight, and holds the scale of judgment with an even hand, and therefore is pleased with those that are herein followers of him.*
>
> ***A [false] balance, [whether it be in the federal courtroom or in the government or in the marketplace,] cheats, under pretence of doing right most exactly, and therefore is the greater abomination to God."***
> *[Matthew Henry's Commentary on the Whole Bible; Henry, M., 1996, c1991, under Prov. 11:1]*

Any individual, group, or especially government worker that makes us the target of discrimination, violence, "selective enforcement", or hate because of this form of religious practice or "sexual orientation" or abstinence is practicing HATE SPEECH based BOTH on our religious beliefs AND our sexual orientation as legally defined. Furthermore, all readers and governments are given reasonable timely notice that the terms of use for the information and services available through this website mandate that any attempt to compel us into a commercial or tax relationship with any government shall constitute:

1. *"purposeful availment" in satisfaction of the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97.*
2. *A waiver of official, judicial, and sovereign immunity.*
3. *A commercial invasion within the meaning of Article 4, section 4 of the United States Constitution.*
4. *A tort cognizable as a Fifth Amendment taking without compensation.*
5. *A criminal attempt at identity theft by wrongfully associating us with a civil status of "citizen", "resident", "taxpayer", etc.*
6. *Duress as legally defined. See Affidavit of Duress: Illegal Tax Enforcement by De Facto Officers, Form #02.005.*
7. *Express consent to the terms of this disclaimer.*

The result of the waivers of immunity above is to restore EQUALITY under REAL LAW between members and corrupt governments intent on destroying that equality by offering or enforcing civil franchises. All freedom derives from equality between you and the government in the eyes of REAL law in court. See Requirement for Equal Protection and Equal Treatment, Form #05.033.

The GOVERNMENT crimes documented on this website fall within the ambit of 18 U.S.C. §2381: Treason. The penalty mandated by law for these crimes is DEATH. We demand that actors in the Department of Justice for both the states and the federal government responsible for prosecuting these crimes of Treason do so as required by law. A FAILURE to do so is ALSO an act of Treason punishable by death. Since murder is not only a crime, but a violent crime, pursuant to 18 U.S.C. §1111, then the government itself can also be classified as terrorist. It is also ludicrous to call people who demand the enforcement of the death penalty for the crimes documented as terrorists. If that were true, every jurist who sat on a murder trial in which the death penalty applied would also have to be classified as and prosecuted as a terrorist. Hypocrites.

For those members seeking to prosecute government actors practicing hate speech or hate crime against them, see the following resource:

Discrimination and Racism Page, Section 5: Hate Speech and Hate Crime *https://famguardian.org/Subjects/Discrimination/discrimination.htm#HATE_SPEECH*

[SEDM Disclaimer, Section 9;
SOURCE: http://sedm.org/disclaimer.htm]

The moral of the story is that the main difference between Christ and Satan was how they handled "privileges" and "franchises" and whether they tried to use them as a means to create inequality or usury or slavery or servitude between them and others while they were on the earth.

As we say repeatedly throughout this document, franchises are the main method used to destroy and undermine equality of all under the law. Any attempt to implement them in any governmental system is SATANIC and emulates Satan's greatest sin. Those in government who institute or enforce franchises will therefore get the same punishment as Satan did for exactly the same reasons.

11.20 How to answer questions about your civil domicile at a government deposition

When one of the members of this ministry was deposed by the government, one of the first questions posed by the U.S. Attorney who deposed him was his civil domicile. Here is the HILARIOUS interchange that completely destroyed their civil jurisdiction. We begin the interchange after the line below. It is quite insightful.

QUESTION 1: Where do you live?

ANSWER 1: In my body.

QUESTION 2: Where does your body sleep at night?

ANSWER 2: In a bed.

QUESTION 3: Where is the bed?

ANSWER 3: On the floor.

QUESTION 4: Where is the floor?

ANSWER 4: On the ground.

QUESTION 5: And where is the ground?

ANSWER 5: On the territory of my ONLY Sovereign, who is God. The Bible says in Gen. 1:1, Psalm 24:1, Psalm 89:11-13, Isaiah 45:12, and Deut. 10:14 that God and NOT Caesar owns the Heaven and the Earth.

> *"The earth is the LORD's, and all its fullness,*
> *The world and those who dwell therein."*
> *[Psalm 24:1, Bible, NKJV]*

> *The heavens are Yours [God's], the earth also is Yours;*
> *The world and all its fullness, You have founded them.*
> *The north and the south, You have created them;*
> *Tabor and Hermon rejoice in Your name.*
> *You have a mighty arm;*
> *Strong is Your hand, and high is Your right hand."*
> *[Psalm 89:11-13, Bible, NKJV]*

> *"I have made the earth,*
> *And created man on it.*
> *I—My hands—stretched out the heavens,*
> *And all their host I have commanded."*
> *[Isaiah 45:12, Bible, NKJV]*

> *"Indeed heaven and the highest heavens belong to the Lord your God, also the earth with all that is in it."*
> *[Deuteronomy 10:14, Bible, NKJV]*

God is therefore the only one who can make laws or "rules" for that Earth, just like Caesar is the only one who can make "rules" for his property under Article 4, Section 3, Clause 2 of the Constitution. The Earth is under HOSTILE temporary foreign possession to the injury of its real owner, who is God. Caesar is renting out STOLEN property. Everything he earns from renting that property is criminally laundered money.

> *For the upright will dwell in the land,*
> *And the blameless will remain in it;*
> *But the wicked [covetous public servants, Form #11.401] will be cut off from the earth,*
> *And the unfaithful will be uprooted from it.*
> *[Prov. 2:21-22, Bible, NKJV]*

As God's full-time ambassador on a temporary mission to this Earth, all property in my name is really held by God under the authority of my delegation of authority order, which is the Holy Bible trust indenture. The corpus of that trust is the entire Heavens and the Earth. This is EXACTLY the same way as how the Constitution and the government it created works, but it has a different Sovereign to serve and a different set of property to manage. I am a mere agent, but God is the

Principal under the laws of agency. This is because He owns the NAME I use. My delegation of authority order is documented in:

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

If you want to interfere with the above delegation of authority order, you are violating the First Amendment. THAT, in fact, is WHY its the FIRST Amendment: Because violating it breaks down the separation between the CIVIL statutory law, which is CONSENSUAL, and the CRIMINAL statutory law, which is NOT.

Jesus said in Matt. 22:21 "Render to Caesar that which is Caesar's". A tax collector and the FIRST person called to repentance by Jesus wrote that. Now that we know that EVERYTHING belongs to God, we know what Jesus REALLY meant when He said that. There is NOTHING to Render to Caesar! By saying this, Jesus ALSO clarified where the authority to tax CAME from, which is that the OWNER of the property is the ONLY one who can tax or regulate it or control it or write rules or laws for it.

If my property is in fact PRIVATE and absolutely owned by me, you can't tax it and I can make ANY rule or condition I want on the use of that property, including the right to exclude YOU from using or benefitting from or taxing it. The protection of absolute ownership of PRIVATE property is the ONLY purpose for establishing government! By trying to interfere with absolute ownership in these legal proceedings, you are PROVING that you are NOT in fact a "government" as the Declaration of Independence defines it, because you REFUSE to even acknowledge the existence of the origin of your authority to even EXIST as a "government", which is PRIVATE, absolutely owned property:

> *"**[It is an] essential, unalterable right in nature, engrafted into the British constitution as a fundamental law, and ever held sacred and irrevocable by the subjects within the realm, that what a man has honestly acquired is absolutely his own, which he may freely give, but cannot be taken from him without his consent.**"*
> *[Samuel Adams, The Massachusetts Circular Letter, February 11, 1768; SOURCE: https://founders.archives.gov/documents/Adams/99-02-02-7094]*
>
> _____
>
> *"**For the principal aim of society is to protect individuals in the enjoyment of those absolute rights [meaning ABSOLUTE OWNERSHIP of PRIVATE property], which were vested in them by the immutable laws of nature; but which could not be preserved in peace without the mutual assistance and intercourse, which is gained by the institution of friendly and social communities. Hence it follows, that the first and primary end of human laws is to maintain and regulate these absolute rights of individuals.**"*
>
> *"By the absolute rights [such as ABSOLUTE ownership of property] of individuals we mean those which are so in their primary and strictest sense; such as would belong to their persons merely in a state of nature, and which every man is entitled to enjoy whether out of society [as a non-resident non-person, Form #05.020] or in it [as a STATUTORY or CONSTITUTIONAL citizen, Form #05.006]." - Ibid.*
> *[William Blackstone, Commentaries on the Laws of England (1765), Book 1, Chapter 1; SOURCE: https://lonang.com/library/reference/blackstone-commentaries-law-england/bla-101/]*
>
> _____
>
> *"We have repeatedly held that, as to property reserved by its owner for private use, "the right to exclude [others is] `one of the most essential sticks in the bundle of rights that are commonly characterized as property.' " Loretto v. Teleprompter Manhattan CATV Corp., 458 U.S. 419, 433 (1982), quoting Kaiser Aetna v. United States, 444 U.S. 164, 176 (1979). "*
> *[Nollan v. California Coastal Comm'n, 483 U.S. 825 (1987)]*
>
> _____
>
> *"In this case, we hold that the "right to exclude," so universally held to be a fundamental element of the property right,[11] falls within this category of interests that the Government cannot take without compensation."*
> *[Kaiser Aetna v. United States, 444 U.S. 164 (1979)]*
>
> ____
>
> *[11] See, e. g., United States v. Pueblo of San Ildefonso, 206 Ct.Cl. 649, 669-670, 513 F.2d. 1383, 1394 (1975); United States v. Lutz, 295 F.2d. 736, 740 (CA5 1961). As stated by Mr. Justice Brandeis, "[a]n essential element of individual property is the legal right to exclude others from enjoying it." International News Service v. Associated Press, 248 U.S. 215, 250 (1918) (dissenting opinion).*

If I can't exclude you but you can exclude me, then I'm not the real owner and there is NO "government" as classically defined. Furthermore, you are committing FRAUD to call yourself a government. You are a criminal PROTECTION RACKET with a monopoly on protection who should be in jail!

For more on the above, see:

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

God COMMANDS me to have my domicile and my STATUTORY citizenship, which are both synonymous, in the Kingdom of Heaven and not within the man-made jurisdiction.

> *"For our citizenship [and DOMICILE] is in heaven [and NOT Earth], from which we also eagerly wait for the Savior, the Lord Jesus Christ"*
> *[Philippians 3:20, Bible, NKJV]*

> *"Now, therefore, you are no longer strangers and foreigners, but* ***fellow citizens with the saints and members of the household of God****."*
> *[Ephesians 2:19, Bible, NKJV]*

> *"These all died in faith, not having received the promises, but having seen them afar off were assured of them, embraced them* ***and confessed that they were strangers and pilgrims [transient foreigners] on the earth.****"*
> *[Hebrews 11:13, Bible, NKJV]*

> *"Beloved, I beg you* ***as sojourners and pilgrims****, abstain from fleshly lusts which war against the soul…"*
> *[1 Peter 2:11, Bible, NKJV]*

That is the ONLY way He can be my judge and lawgiver as His delegation order commands and requires.

> *"For the Lord is our Judge, the Lord is our Lawgiver, The Lord is our King; He will save [and CIVILLY protect] us."*
> *[Isaiah 33:22, Bible, NKJV]*

President Obama furthermore acknowledged that churches and ministries are the FOUNDATION of freedom and that all good Christians are "foreigners and strangers" on the Earth. Watch for yourself:

1. President Obama admits that Christian Churches are the Foundation of Justice and Liberty for All
   https://www.youtube.com/watch?v=ZvtglUESv3o&list=PLin1scINPTOvaVMZUlNCbab1r0z61UzGg
2. President Obama Admits that People of Faith are foreigners and strangers in their Own Society
   https://www.youtube.com/watch?v=UeKbkAkASX4&list=PLin1scINPTOvaVMZUlNCbab1r0z61UzGg

What MAKES the above true is PRECISELY the fact that the First Commandment of the Ten Commandments in Exodus 20 states that Christians CANNOT place any man-made god, political ruler, or government ABOVE God in importance. That means that all political rulers and Governments MUST be BELOW them and serve them, rather than ABOVE them, as Jesus commanded:

> *"You know that the* ***rulers of the Gentiles lord it over [ABOVE] them****, and* ***those who are great*** *exercise* ***authority over*** *them. Yet it shall not be so among you; but whoever desires to become great among you, let him be your servant. And whoever desires to be first among you, let him be your slave— just as the Son of Man did not come to be served, but to serve, and to give His life a ransom for many."*
> *[Matt. 20: 25-28, Bible, NKJV. See also Mark 10:42-45]*

To allow any political ruler to be my civil lawgiver would be to DEFEAT and undermine the above command and violate not only the First Commandment, but the First Amendment as well.

QUESTION: Are you a public SERVANT, or a public MASTER. And if the answer is SERVANT, who are you here to serve today? Am I a CUSTOMER of OPTIONAL civil protection, or a statutory public EMPLOYEE who is presumed to take orders from you within a DULOCRACY?

12.People with either no domicile or a domicile outside the government at the place they live

12.1 Divorcing the "state": Persons with no domicile, who create their own "state", or a domicile in the Kingdom of Heaven

If we divorce the society where we were born, do not abandon our nationality and allegiance to the state of our birth, but then choose a domicile in a place *other* than where we physically live and which is outside of any government that might have jurisdiction in the place where we live, then we become "transient foreigners" and "de facto stateless persons" in relation to the government of the place we occupy.

> *"Transient foreigner. One who visits the country, without the intention of remaining."*
> *[Black's Law Dictionary, Sixth Edition, p. 1498]*

A "de facto stateless person" is anyone who is *not* entitled to claim the protection or aid of the government in the place where they live:

> ***Social Security Program Operations Manual System (POMS)***
> ***RS 02640.040 Stateless Persons***
>
> *A. DEFINITIONS*
>
> *[. . .]*
>
> **DE FACTO**—Persons who have left the country of which they were nationals and no longer enjoy its protection and assistance. They are usually political refugees. They are legally citizens of a country because its laws do not permit denaturalization or only permit it with the country's approval.
>
> *[. . .]*
>
> 2. De Facto Status
>
> *Assume an individual is de facto stateless if he/she:*
>
> *a. says he/she is stateless but cannot establish he/she is de jure stateless; and*
>
> *b. establishes that:*
>
> - *he/she has taken up residence* [chosen a **legal domicile**] *outside the country of his/her nationality;*
> - *there has been an event which is hostile to him/her, such as a sudden or radical change in the government, in the country of nationality; and*
>
> ***NOTE: In determining whether an event was hostile to the individual, it is sufficient to show the individual had reason to believe it would be hostile to him/her.***
>
> - *he/she renounces, in a sworn statement, the protection and assistance of the government of the country of which he/she is a national and declares he/she is stateless. The statement must be sworn to before an individual legally authorized to administer oaths and the original statement must be submitted to SSA.*
>
> *De facto [stateless] status stays in effect only as long as the conditions in b. continue to exist. If, for example, the individual returns* [changes their **domicile** back] *to his/her country of nationality, de facto statelessness ends.*
> *[SOURCE: Social Security Program Operations Manual System (POMS), Section RS 02650.040 entitled "Stateless Persons"*
> https://s044a90.ssa.gov/apps10/poms.nsf/lnx/0302640040*]*

Notice the key attribute of a "de facto stateless person" is that they have abandoned the protection of their government because they believe it is hostile to him or her and is not only not protective, but is even injurious. Below is how the Supreme Court describes such persons:

> *The writers upon the law of nations distinguish between a temporary residence in a foreign country for a special purpose and a residence accompanied with an intention to make it a permanent place of abode. The latter is styled by Vattel [in his book The Law of Nations as] "domicile," which he defines to be "a habitation fixed in any place, with an intention of always staying there." **Such a person, says this author, becomes a member of the new society at least as a permanent inhabitant, and is a kind of citizen of the inferior order from the native citizens, but is, nevertheless, united and subject to the society**, without participating in all its advantages. **This right of domicile, he continues, is not established unless the person makes sufficiently known his intention of fixing there, either tacitly or by an express declaration**. Vatt. Law Nat. pp. 92, 93. **Grotius nowhere uses the word "domicile," but he also distinguishes between those who stay in a foreign country by the necessity of their affairs, or from any other temporary cause, and those who reside there from a permanent cause. The former he denominates "strangers," and the latter, "subjects."** The rule is thus laid down by Sir Robert Phillimore:*
>
> *There is a class of persons which cannot be, strictly speaking, included in either of these denominations of naturalized or native citizens, namely, the class of those who have ceased to reside [maintain a domicile] in their native country, and have taken up a permanent abode in another. **These are domiciled inhabitants. They have not put on a new citizenship through some formal mode enjoined by the law or the new country. They are de facto, though not de jure, citizens of the country of their [new chosen] domicile.***
> *[Fong Yue Ting v. United States, 149 U.S. 698 (1893)]*

We must remember that in America, the People, and not our public servants, are the Sovereigns. We The People, who are the Sovereigns, choose our associations and govern ourselves through our elected representatives.

> *"**The words 'people of the United States' and 'citizens,' are synonymous terms, and mean the same thing. They both** describe the political body who, according to our republican institutions, form the sovereignty, and who **hold the power and conduct the government through their representatives. They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty.** ..."*
> *[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]*

When those representatives cease to have our best interests or protection in mind, then we have not only a moral ***right***, but a ***duty***, according to our Declaration of Independence, 1776, to alter our form of self-government by whatever means necessary to guarantee our future security.

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

The lawful and most peaceful means of altering that form of government is simply to do one of the following:

1. Form our own self-government based on the de jure constitution and change our domicile to it. See:
   Self Government Federation: Articles of Confederation, Form #13.002
   http://sedm.org/Forms/FormIndex.htm
2. Choose an existing government or country that is already available elsewhere on the planet as our protector.
3. Choose a domicile in a place that doesn't have a government. For instance, choose a domicile somewhere you have been in the past that doesn't have a government. For example, if you have legal evidence that you took a cruise, then choose your domicile in the middle of the ocean somewhere where the ship went.
4. Use God's laws as the basis for your own self-government and protection, as suggested in this book.

By doing one of the above, we are "firing" our local servants in government because they are not doing their job of protection adequately, and when we do this, we cease to have any obligation to pay for their services through taxation and they cease to have any obligation to provide any services. If we choose God and His laws as our form of government, then we choose Heaven as our domicile and our place of primary allegiance and protection. We then become:

1. "citizens of Heaven".
2. "nationals but not citizens" of the country in which we live.
3. Transient foreigners.
4. Ambassadors and ministers of a foreign state called Heaven.

Below is how one early state court described the absolute right to "divorce the state" by choosing a domicile in a place other than where we physically are at the time:

> *"When a change of government takes place, from a monarchial to a republican government, the old form is dissolved. Those who lived under it, and did not choose to become members of the new, had a right to refuse their allegiance to it, and to retire elsewhere. By being a part of the society subject to the old government, they had not entered into any engagement to become subject to any new form the majority might think proper to adopt. That the majority shall prevail is a rule posterior to the formation of government, and results from it. It is not a rule upon mankind in their natural state. There, every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowmen without his consent"*
> *[Cruden v. Neale, 2 N.C., 2 S.E. 70 (1796)]*

How do we officially and formally notify the "state" that we have made a conscious decision to legally divorce it by moving our domicile outside its jurisdiction? That process is documented in the references below:

1. Sovereignty Forms and Instructions Online, Form #10.004, Instructions: Step 3.13: Correct Government Records documenting your citizenship status. Available free at: http://famguardian.org/TaxFreedom/Instructions/3.13ChangeUSCitizenshipStatus.htm
2. Sovereignty Forms and Instructions Manual, Form #10.005, Section 4.5.3.13. Same as the above item. Available free at: http://sedm.org/ItemInfo/Ebooks/SovFormsInstr/SovFormsInstr.htm
3. By sending in the Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States. See:
   Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001
   http://sedm.org/Forms/FormIndex.htm
4. After accomplishing either of the above items, which are the same, making sure that all future government forms we fill out properly and accurately describe both our domicile and our citizenship status, in accordance with section 11.19 later.
5. By making sure that at all times, we use the proper words to describe our status so that we don't create false presumptions that might cause the government to believe we are "residents" with a domicile in the "United States" (federal territory):
   5.1. Do not describe ourselves with the following words:
      5.1.1. "individual" as defined in 5 U.S.C. §552a(a)(2) and 26 C.F.R. §1.1441-1(c)(3).
      5.1.2. "taxpayer" as defined in 26 U.S.C. §7701(a)(14).
      5.1.3. "U.S. person" as defined in 26 U.S.C. §7701(a)(30).
      5.1.4. "resident" as defined in 26 U.S.C. §7701(b)(1)(A).
      5.1.5. "alien"
   5.2. Describe ourselves with the following words and phrases:
      5.2.1. "nontaxpayer" not subject to the Internal Revenue Code. See:
         5.2.1.1. "Taxpayer" v. "Nontaxpayer", Which One Are You?:
            http://famguardian.org/Subjects/Taxes/Articles/TaxpayerVNontaxpayer.htm
         5.2.1.2. Your Rights as a "nontaxpayer", item 5.8
            http://sedm.org/LibertyU/LibertyU.htm
      5.2.2. "nonresident alien" as defined in 26 U.S.C. §7701(b)(1)(B) IF AND ONLY IF you are engaged in a public office. Otherwise you are a "non-resident non-person" or "transient foreigner".
      5.2.3. The type of "nonresident alien" defined in 26 C.F.R. §1.871-1(b)(1)(i) ONLY IF YOU ARE ENGAGED IN A PUBLIC OFFICE. Otherwise, there is no regulation that describes your status.
      5.2.4. "national" under 8 U.S.C. §1101(a)(21), but not "citizen" as defined in 8 U.S.C. §1401. This person is also described in 8 U.S.C. §1452, but only in the case of those born within U.S. possessions.
      5.2.5. Not engaged in a "trade or business" as defined in 26 U.S.C. §7701(a)(26).
      5.2.6. Have not made any "elections" under 26 U.S.C. §7701(b)(4)(B), 26 U.S.C. §6013(g) or (h), or 26 C.F.R. §1.871-1(a).
      5.2.7. A "stateless person" who does not satisfy any of the criteria for diversity of citizenship described in 28 U.S.C. §1332 and who therefore cannot be sued in federal court. See Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989) :

> *"In order to be a citizen of a State within the meaning of the diversity statute, a natural person must both be a citizen of the United States and be domiciled within the State. See Robertson v. Cease, 97 U.S. 646, 648-649 (1878); Brown v. Keene, 8 Pet. 112, 115 (1834). The problem in this case is that Bettison, although a United States citizen, has no domicile in any State. He is therefore "stateless" for purposes of § 1332(a)(3). Subsection 1332(a)(2), which confers jurisdiction in the District Court when a citizen of a State sues aliens only, also could not be satisfied because Bettison is a United States citizen. [490 U.S. 829]"*
> *[Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989)]*

We emphasize that it isn't one's citizenship but one's choice of legal "domicile" that makes one sovereign and a "nontaxpayer". The way we describe our citizenship status is ***affected by*** and ***a result of*** our choice of legal "domicile", but changing one's citizenship status is not the nexus for becoming either a "sovereign" or a "nontaxpayer".

The only legal requirement for changing our domicile is that we must reside on the territory of the sovereign to whom we claim allegiance, and must intend to make membership in the community established by the sovereign permanent. In this context, the Bible reminds us that the Earth was created by and owned by our Sovereign, who is God, and that those vain politicians who claim to "own" or control it are simply "stewards" over what actually belongs to God alone. To wit:

> *"The earth* is *the LORD's, and all its fullness,*
> *The world and those who dwell therein."*
> *[Psalm 24:1, Bible, NKJV]*
>
> ---
>
> *The heavens are Yours [God's], the earth also is Yours;*
> *The world and all its fullness, You have founded them.*
> *The north and the south, You have created them;*
> *Tabor and Hermon rejoice in Your name.*
> *You have a mighty arm;*
> *Strong is Your hand, and high is Your right hand."*
> *[Psalm 89:11-13, Bible, NKJV]*
>
> ---
>
> *"I have made the earth,*
> *And created man on it.*
> *I—My hands—stretched out the heavens,*
> *And all their host I have commanded."*
> *[Isaiah 45:12, Bible, NKJV]*
>
> ---
>
> *"Indeed heaven and the highest heavens belong to the Lord your God, also the earth with all that is in it."*
> *[Deuteronomy 10:14, Bible, NKJV]*

Some misguided Christians will try to quote Jesus, when He said of taxes the following in relation to "domicile":

> *"Render therefore to Caesar the things that are Caesar's, and to God the things that are God's."*
> *[Matt. 22:15-22, Bible, NKJV]*

However, based on the scriptures above, which identify God as the owner of the Earth and the Heavens, we must ask ourself:

> *"What is left that belongs to Caesar if EVERYTHING belongs to God?"*

The answer is NOTHING, except that which he STEALS from the Sovereign People and which they don't force him to return. Jesus knew this, but he gave a very indirect answer to keep Himself out of trouble when asked about taxes in the passage above. Therefore, when we elect or consent to change our domicile to the Kingdom of Heaven, we are acknowledging the Truth and the Authority of the Scripture and Holy Law above and the sovereignty of the Lord in the practical affairs of our daily lives. We are acknowledging our stewardship over what ultimately and permanently belongs ONLY to Him, and not to any man. Governments and civilizations come and go, but God's immutable laws are eternal. To NOT do this as a Christian amounts to mutiny against God. Either we honor the first four commandments of the Ten Commandments by doing this, or we will be dethroned as His Sovereigns and Stewards on earth.

> *"**Because you [Solomon, the wisest man who ever lived] have done this , and have not kept My covenant and My statutes [violated God's laws]**, which I have commanded you, **I will surely tear the kingdom [and all your sovereignty] away from you and give it to your [public] servant.**"*
> *[1 Kings 11:9-13, Bible, NKJV]*

By legally and civilly divorcing the "state" in changing our domicile to the Kingdom of Heaven or to someplace on earth where there is not man-made government, we must consent to be governed exclusively by God's laws and express our unfailing allegiance to Him as the source of everything we have and everything that we are. In doing so we:

1. Are following God's mandate not to serve foreign gods, laws, or civil rulers.

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

2. Escape the constraints of earthly civil statutory law. This type of law is law exclusively for government and public officers, so in a sense we are abandoning civil government, any duties under it, and any privileges, public rights, or "benefits" that it conveys based on our civil "status" under it. See:
   Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037
   http://sedm.org/Forms/FormIndex.htm
3. Cease to be a statutory "citizen", "resident", or "inhabitant". Instead we become transient foreigners and nonresidents under the civil statutory law.
4. Retain the protections of the Constitution and the common law for our natural rights.
5. Retain the protections of the criminal law. These laws are enforced whether we consent or not.
6. Are not "lawless" or an anarchist in a legal sense, because we are still subject to God's law, the common law, and the criminal law.
7. Protect and retain our equality, sovereignty, and dignity in relation to every other person under the civil law. The Declaration of Independence calls this our "separate and equal station".

The above is the nirvana described by the Apostle Paul when he very insightfully said of this process of submission to God the following:

> *"But if you are led by the Spirit, you are not under the law [man's law]."*
> *[Gal. 5:18, Bible, NKJV]*

The tendency of early Christians to do the above was precisely the reason why the Romans persecuted the Christians when Christianity was in its infancy: It lead to anarchy because Christians, like the Israelites, refused to be governed by anything but God's laws:

> *"Then Haman said to King Ahasuerus, "There is a certain people [the Jews, who today are the equivalent of Christians] scattered and dispersed among the people in all the provinces of your kingdom; their laws are different from all other people's [because they are **God's laws**!], and they do not keep the **king's [unjust] laws**. Therefore it is not fitting for the king to let them remain. If it pleases the king, let a decree be written that they be destroyed, and I will pay ten thousand talents of silver into the hands of those who do the work, to bring it into the king's treasuries."*
> *[Esther 3:8-9, Bible, NKJV]*

Christians who are doing and following the will of God are "anarchists". An anarchist is simply anyone who refuses to have an earthly ruler and who instead insists on either self-government or a theocracy in which God, whichever God you believe in, is our only King, Ruler, Lawgiver and Judge:

> *Main Entry:* ***an·ar·chy***
> *Function:* noun
> *Etymology: Medieval Latin* anarchia, *from Greek, from* anarchos ***having no [earthly] ruler***, *from* an- + archos *ruler -- more at ARCH-*
> *[Source: Merriam Webster Dictionary]*

> *"For the Lord is our Judge, the Lord is our Lawgiver, The Lord is our King; He will save us."*
> *[Isaiah 33:22, Bible, NKJV]*

For a fascinating read on this subject, see:

Jesus Is An Anarchist, James Redford http://famguardian.org/Subjects/Spirituality/ChurchvState/JesusAnarchist.htm

Christians who are doing the will of God by changing their domicile to Heaven and divorcing the "state" are likely to be persecuted by the government and privileged I.R.C. 501(c)(3) corporate churches just as Jesus was because of their anarchistic tendencies because they render organized government irrelevant and unnecessary:

> *"If the world hates you, you know that it hated Me before it hated you. If you were of the world, the world would love its own.* ***Yet because you are not of the world, but I chose you out of the world, therefore the world hates you****.* ***Remember the word that I said to you, 'A servant is not greater than his master.' If they persecuted Me, they will also persecute you.*** *If they kept My word, they will keep yours also.* ***But all these things they will do to you for My name's sake, because they do not know Him who sent Me. If I had not come and spoken to them, they would have no sin, but now they have no excuse for their sin.*** *He who hates me hated My father also****. If I had not done among them the works which no one else did, they would have no sin; but now they have seen and also hated both Me and My Father****. But this happened that the word might be fulfilled which is written in their law, 'They hated Me without a cause.'"*
> *[John 15:18-25, Bible, NKJV]*

Being "chosen out of the world" simply means, in legal terms, that we do not have a domicile here and are "transient foreigners".

Those who do choose God as their sole source of law and civil (not criminal) government:

1. Become a "foreign government" in respect to the United States government and all other governments.
2. Are committing themselves to the ultimate First Amendment protected religious practice, which is that of adopting God and His sovereign laws as their *only* form of self-government.
3. Are taking the ultimate step in personal responsibility, by assuming responsibility for every aspect of their lives by divorcing the state and abandoning all government franchises:
   Government Instituted Slavery Using Franchises, Form #05.030
   http://sedm.org/Forms/FormIndex.htm
4. Effectively become their own *self*-government and fire the government where they live in the context of all civil matters.
5. Are protected by the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Part IV, Chapter 97.
6. Are protected by the Minimum Contacts Doctrine and therefore exempt from the jurisdiction of federal and state courts except as they satisfy the provisions of the Foreign Sovereign Immunities Act or the "Longarm Statute" passed by the state where they temporarily inhabit.
7. Are internationally protected persons pursuant to 18 U.S.C. §112.
8. Are on an equal footing with any other nation and may therefore assert sovereign immunity in any proceeding against the government. This implies that:
   8.1. Any attempt to drag you into court by a government must be accompanied by proof that you consented in writing to the jurisdiction of the government attempting to sue you. Such consent becomes the basis for satisfying the criteria within the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Part IV, Chapter 97.
   8.2. You may use the same defense as the government in proving a valid contractual obligation, by showing the government the delegation of authority order constraining your delegated authority as God's "public officer". Anything another government alleges you consented in writing to must be consistent with the delegation of authority order or else none of the rights accrued to them are defensible in court. In this sense, you are using the same lame excuse they use for getting out of any obligations that you consented to, but were not authorized to engage in by the Holy Bible. This is explained in the document below:
   Delegation of Authority Order from God to Christians, Form #13.007
   http://sedm.org/Forms/FormIndex.htm
9. Become ministers, ambassadors, "employees", "public officers", and officers of a foreign state called Heaven.
10. May not simultaneously act as "public officers" for any other foreign government, which would represent a conflict of interest.

> *"No one can serve two masters [two employers, for instance]; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. You cannot serve God and mammon [government]."*
> *[Matt 6:24, Bible, NKJV. Written by a tax collector]*

11. Are expressly exempt from taxation pursuant to 26 U.S.C. §892(a)(1).
12. May file IRS Form W-8EXP as a nonresident alien and exempt all of their earnings from federal and state income taxation.
13. May use IRS Publication 515 to control their withholding as nonresident aliens if engaged in a public office, or must modify all existing forms if not engaged in a public office.

The other very interesting consequences of the above status which makes it especially appealing are the following:

1. Nowhere in the Internal Revenue Code are any of the following terms defined: "foreign", "foreign government", "government". Therefore, it would be impossible for the IRS to prove that you aren't a "foreign government".
2. The most important goal of the Constitutional Convention, and the reasons for the adoption of the Ninth and Tenth Amendment to the United States Constitution was to preserve as much ***self-government*** to the people and the states as possible. Any attempt to compel anyone to become a "subject" or accept more government than they need therefore violates the legislative intent of the United States Constitution.

> ***The determination of the Framers Convention and the ratifying conventions to preserve complete and unimpaired state self-government in all matters not committed to the general government is one of the plainest facts which emerges from the history of their deliberations****. And adherence to that determination is incumbent equally upon the federal government and the states.* ***State powers can neither be appropriated on the one hand nor abdicated on the other. As this court said in Texas v. White, 7 Wall. 700, 725, 'The preservation of the States, and the maintenance of their governments, are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National government.*** *The Constitution, in all its provisions, looks to an indestructible Union, composed of indestructible States.' Every journey to a forbidden end begins with the first step; and the danger of such a step by the federal government in the direction of taking over the powers of the states is that the end of the journey may find the states so despoiled of their powers, or-what may amount to the same thing-so [298 U.S. 238, 296] relieved of the responsibilities which possession of the powers necessarily enjoins, as to reduce them to little more than geographical subdivisions of the national domain. It is safe to say that if, when the Constitution was under consideration, it had been thought that any such danger lurked behind its plain words, it would never have been ratified.*
>
> ***And the Constitution itself is in every real sense a law-the lawmakers being the people themselves, in whom under our system all political power and sovereignty primarily resides, and through whom such power and sovereignty primarily speaks. It is by that law, and not otherwise, that the legislative, executive, and judicial agencies which it created exercise such political authority as they have been permitted to possess. The Constitution speaks for itself in terms so plain that to misunderstand their import is not rationally possible.*** *'We the People of the United States,' it says, 'do ordain and establish this Constitution.' Ordain and establish! These are definite words of enactment, and without more would stamp what follows with the dignity and character of law.* ***The framers of the Constitution, however, were not content to let the matter rest here, but provided explicitly-'This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; ... shall be the supreme Law of the Land.' (Const. art. 6, cl. 2.) The supremacy of the Constitution as law is thus declared without qualification. That supremacy is absolute; the supremacy of a statute enacted by Congress is not absolute but conditioned upon its being made in pursuance of the Constitution.*** *And a judicial tribunal, clothed by that instrument with complete judicial power, and, therefore, by the very nature of the power, required to ascertain and apply the law to the facts in every case or proceeding properly brought for adjudication, must apply the supreme law and reject the inferior stat-[298 U.S. 238, 297] ute whenever the two conflict. In the discharge of that duty, the opinion of the lawmakers that a statute passed by them is valid must be given great weight, Adkins v. Children's Hospital, 261 U.S. 525, 544 , 43 S.Ct. 394, 24 A.L.R. 1238; but their opinion, or the court's opinion, that the statute will prove greatly or generally beneficial is wholly irrelevant to the inquiry. Schechter Poultry Corp. v. United States, 295 U.S. 495, 549 , 550 S., 55 S.Ct. 837, 97 A.L.R. 947.*
> *[Carter v. Carter Coal Co., 298 U.S. 238 (1936)]*

3. If another government attempts to interfere with the affairs of your own foreign self-government, then they:
   3.1. Are violating your First Amendment right to practice your religion by living under the laws of your God. This tort is cognizable under the Religious Freedom Restoration Act, 42 U.S.C. Chapter 21B and constitutes a tort against the foreign invader.
   3.2. Are hypocrites, because they are depriving others equal right to the same authority that they themselves have. No legitimate government can claim to be operating lawfully which interferes with the equal right of others to self-government.
   3.3. Are in a sense attempting to outlaw the ultimate form of personal responsibility, which is entirely governing your own life and supporting yourself. The outlawing of personal responsibility and replacing or displacing it with collective responsibility of the "state" can never be in the public interest, especially considering how badly our present government mismanages and bankrupts nearly everything it puts its hands on.

12.2 How do "transient foreigners" and "nonresidents" protect themselves in state court?

Now that we understand the differences between those who have contracted to be protected, called "citizens", "residents", and "inhabitants", and those who have not, called "transient foreigners" or "nonresidents", the next issue we must deal with is to determine how those who are "nonresidents" or "transient foreigners" in relation to a specific state government can achieve a remedy for the protection of their rights in state court. It will interest the reader to learn that "transient foreigners" have the same constitutional protections for their rights as citizens or residents. Here is what the U.S. Supreme Court said

on this subject. Those who are "transient foreigners" are STATUTORY "non-resident non-persons" in respect to the governments identified in the cite below. The "aliens" they are talking about are foreign nationals born in foreign countries.

> *"There are literally millions of aliens within the jurisdiction of the United States[*]. **The Fifth Amendment, as well as the Fourteenth Amendment, protects every one of these persons from deprivation of life, liberty, or property without due process of law.** Wong Yang Sung v. McGrath, 339 U.S. 33, 48-51, 70 S.Ct. 445, 453-455, 94 L.Ed. 616, 627-629**;** Wong Wing v. United States, 163 U.S. 228, 238, 16 S.Ct. 977, 981, 41 L.Ed. 140, 143**; see** Russian Fleet v. United States, 282 U.S. 481, 489, 51 S.Ct. 229, 231, 75 L.Ed. 473, 476**. Even one whose presence in this country is unlawful, involuntary, or transitory is entitled to that constitutional protection. Wong Yang Sung, supra ; Wong Wing, supra.***
>
> *The fact that all persons, aliens and citizens alike, are protected by the Due Process Clause does not lead to the further conclusion that all aliens are entitled to enjoy all the advantages of citizenship or, indeed, to the conclusion that all aliens must be placed in a single homogeneous legal classification. For a host of constitutional and statutory provisions rest on the premise that a legitimate distinction between citizens and aliens may justify attributes and benefits for one class not accorded to the other; 12 and the class of aliens is itself a heterogeneous multitude of persons with a wide-ranging variety of ties to this country.13"*
> *[Mathews v. Diaz, 426 U.S. 67 (1975)*
> *SOURCE:*
> *http://scholar.google.com/scholar_case?case=18181587481530636682&q=426+U.S.+67&hl=en&as_sdt=4,60]*

In order to get to the point where we can identify how remedies for constitutional rights violations are achieved, we must first describe the TWO types of jurisdictions that the state courts exercise, because it is mainly state courts where such rights violations would be vindicated. We don't have space here to cover all the nuances of this subject, but we will summarize these differences and point you to more information if you want to look into it. There are two types of jurisdictions within each state government:

1. The de jure republic under the Articles of Confederation called the "Republic of_____". This jurisdiction controls everything that happens on land protected by the Constitution. It protects EXCLUSIVELY PRIVATE property using ONLY the common law and NOT civil law.
2. The federal corporation under the United States Constitution called the "State of_____". This jurisdiction handles everything that deals with government agency, office, employment, "benefits", "public rights", and territory and it's legislation is limited to those domiciled on federal territory or contracting with either the state or federal governments. Collectively, the subject of legislation aimed at this jurisdiction is the "public domain" or what the courts call "publici juris".

The differences between the two jurisdictions above are exhaustively described in the following fascinating document:

Corporatization and Privatization of the Government, Form #05.024 http://sedm.org/Forms/FormIndex.htm

In the above document, a table is provided comparing the two types of jurisdictions which we repeat here, extracted from section 14.7. Understanding this table is important in determining how we achieve a remedy in a state court for an injury to our constitutional PRIVATE rights.

Table 5: Comparison of Republic State v. Corporate State

#	*Attribute*	*Republic State*	*Corporate State*
1	**Nature of government**	De jure	De facto if offered, enforced, or forced against those domiciled outside of federal territory.
2	**Composition**	Physical state (Attaches to physical territory)	Virtual state (Attaches to status of people on the land)
3	**Name**	"Republic of _____" "The State"	"State of _____" "this State"
4	**Name of this entity in federal law**	Called a "state" or "foreign state"	Called a "State" as defined in 4 U.S.C. §110(d)
5	**Territory over which "sovereign"**	All land not under exclusive federal jurisdiction within the exterior borders of the Constitutional state.	Federal territory within the exterior limits of the state borrowed from the federal government under the Buck Act, 4 U.S.C. §110(d).
6	**Protected by the Bill of Rights, which is the first ten amendments to the United States Constitution?**	Yes	No (No rights. Only statutory "privileges", mostly applied for)
7	**Form of government**	Constitutional Republic	Legislative totalitarian socialist democracy
8	**A corporation?**	Yes	Yes
9	**A federal corporation?**	No	Yes
10	**Exclusive jurisdiction over its own lands?**	Yes	No. Shared with federal government pursuant to Buck Act, Assimilated Crimes Act, 18 U.S.C. §13, and Agreement on Coordination of Tax Administration (A.C.T.A.).
11	**"Possession" of the United States?**	No (sovereign and "foreign" with respect to national government)	Yes
12	**Subject to exclusive federal jurisdiction?**	No	Yes
13	**Subject to federal income tax?**	No	Yes
14	**Subject to state income tax?**	No	Yes
15	**Subject to state sales tax?**	No	Yes
16	**Subject to national military draft? (See SEDM Form #05.030 http://sedm.org/Forms/FormIndex.htm)**	No	Yes
17	**Citizenship of those domiciled therein**	1. Constitutional but not statutory citizen. 2. "national" or "state national" pursuant to 8 U.S.C. §§1101(a)(21). Not a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401.	Statutory "U.S. citizen" pursuant to 8 U.S.C. §1401
18	**Licenses such as marriage license, driver's license, business license required in this jurisdiction?**	No	Yes
19	**Voters called**	"Electors"	"Registered voters"
20	**How you declare your domicile in this jurisdiction**	1. Describing yourself as a "state national" but not a statutory "U.S. citizen on all government forms. 2. Registering as an "elector" rather than a voter. 3. Terminating participation in all federal benefit programs.	1. Describing yourself as a statutory "U.S. citizen" on any state or federal form. 2. Applying for a federal benefit. 3. Applying for and receiving any kind of state license.
21	**Standing in court to sue for injury to rights**	Constitution and the common law.	Statutory civil law
22	**"Rights" within this jurisdiction are based upon**	The Bill of Rights (PRIVATE rights)	Statutory franchises (privileges/PUBLIC rights)
23	**"Citizens", "residents", and "inhabitants" of this jurisdiction are**	Private human beings	Public entities such as government employees, instrumentalities, and corporations (franchisees of the government) ONLY
24	**Civil jurisdiction originates from**	Voluntary choice of domicile on the territory of the sovereign AND your consent. This means you must be a "citizen" or a "resident" BEFORE this type of law can be enforced against you.	Your right to contract by signing up for government franchises/"benefits". Domicile/residence is a prerequisite but is often ILLEGALLY ignored as a matter of policy rather than law.

When we say that we are a "transient foreigner" or "nonresident" within a court pleading or within this document, we must be careful to define WHICH of the TWO jurisdictions above that status relates to in order to avoid ambiguity and avoid

being called "frivolous" by the courts. Within this document and elsewhere, the term "transient foreigner" or "nonresident" relates to the jurisdiction in the *right* column above but NOT to the column on the *left*. You can be a "nonresident" of the Corporate state on the right and yet at the same time ALSO be a "citizen" or "resident" of the Republic/De Jure State on the left above. This distinction is critical. If you are at all confused by this distinction, we strongly suggest reading the *Corporatization and Privatization of the Government*, Form #05.024 document referenced above so that the distinctions are clear.

The Corporate state on the right above enacts statutes that can and do only relate to those who are public entities (called "publici juris") that are government instrumentalities, employees, officers, and franchisees of the government called "corporations", all of whom are consensually associated with the government by virtue of exercising their right to contract with the government. Technically speaking, all such statutes are franchises implemented using the civil law. This is explained further in the following:

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

The U.S. Supreme Court has held that the ability to regulate private conduct is repugnant to the Constitution. Consequently, the government cannot enact statutes or law of any kind that would regulate the conduct of private parties. Therefore, nearly all civil statutes passed by any state or municipal government, and especially those relating to licensed activities, can and do only relate to public and not private parties that are all officers of the government and not human beings. This is exhaustively analyzed and proven in the following:

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

We will now spend the rest of this section applying these concepts to how one might pursue a remedy for an injury to so-called "right" within a state court by invoking the jurisdiction of the Republic/De Jure state on the left and avoiding the jurisdiction of the Corporate state on the right.

Civil law attaches to one's voluntary choice of domicile/residence. Criminal law does not. De jure criminal law depends only on physical presence on the territory of the sovereign and the commission of an injurious act against a fellow sovereign on that territory. Laws like the vehicle code do have criminal provisions, but they are not de jure criminal law, but rather civil law that attaches to the domicile/residence of the party within a franchise agreement, which is the "driver license" and all the rights it confers to the government to regulate your actions as a "driver" domiciled in the Corporate state.

Within the forms and publications on this website there are two possible statuses that one may declare as a sovereign:

1. You are a transient foreigner and a citizen of ONLY the Kingdom of Heaven on earth. "My state" in this context means the Holy Bible.
2. You are a state national with a domicile in the Republic/De Jure state but not the Corporate state. "My state" in this context means the de jure state and excludes just about everything passed by the corporate state government, including all franchises such as marriage licenses, income taxes, etc. Franchises cannot lawfully be implemented in the De Jure State but can only occur in the Corporate State. The reason why franchises cannot lawfully be implemented in the De Jure State is because rights are "unalienable" in the De Jure State, which means you aren't allowed to contract them away to a real, de jure government.

Both of the above statuses have in common that those who declare themselves to be either cannot invoke the statutory law of the Corporate State, but must invoke only the common law and the Constitution in their defense. There is tons of reference material on the common law in the following:

Sovereignty and Freedom: Section 7, Self Government, Family Guardian Fellowship
http://famguardian.org/Subjects/Freedom/Freedom.htm

The following book even has sample pleadings for the main common law actions:

Handbook of Common Law Pleading, Second Edition, Benjamin Shipman, 1895
http://books.google.com/books?id=7gk-AAAAIAAJ&printsec=titlepage

Transient foreigners may not have a domicile or be subject to the civil laws in relation only to the place they have that status, but they don't need the civil laws to be protected. **The Constitution attaches to the land, and not the status of the persons on that land**.

> *"It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it."*
> *[Balzac v. Porto Rico, 258 U.S. 298 (1922)]*

The Constitution and the common law are the only thing one needs to protect oneself as a PRIVATE and not PUBLIC entity. That is why we place so much emphasis on the common law on this website. Englishman John Harris explains why in the following wonderful video:

It's an Illusion, John Harris
http://www.rinf.tv/video/john-harris-its-illusion

Those who are believers AND transient foreigners but not "citizens", "residents" or "inhabitants" of either the Republic/De Jure State or the Corporate State DO in fact STILL have a state, which is the Kingdom of Heaven on Earth. That state has all the elements necessary to be legitimate: territory, people, and laws. The territory is the Earth, which the Bible says belongs to the Lord and not Caesar. It has people, which are your fellow believers. The laws are itemized in the Holy Bible and enumerated below:

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

In conclusion, those who are "transient foreigners" or "nonresidents" in relation to the Corporate state can use the state court for protection, but they must:

1. Be careful to define which of the two possible jurisdictions they are operating within using the documents referenced in this section.
2. Avoid federal court. All federal circuit and district courts are Article IV territorial courts in the executive and not judicial branch of the government that may only officiate over franchises. They are not Article III constitutional courts that may deal with rights protected by the constitution. This is exhaustively proven with thousands of pages of evidence in:
   What Happened to Justice?, Form #06.012
   http://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm
3. Properly declare their status consistent with this document in their complaint. See the following forms as an example how to do this:
   3.1. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001
   http://sedm.org/Forms/FormIndex.htm
   3.2. *Federal Pleading/Motion/Petition Attachment*, Litigation Tool #01.002
   http://sedm.org/Litigation/LitIndex.htm
   3.3. *Rules of Presumption and Statutory Interpretation*, Litigation Tool #01.006
   http://sedm.org/Litigation/LitIndex.htm
4. Respond to discovery relating to their status and standing with the following:
   Citizenship, Domicile, and Tax Status Options, Form #10.003
   http://sedm.org/Forms/FormIndex.htm
5. Invoke the common law and not statutory law to be protected.
6. Be careful to educate the judge and the jury to prevent common injurious presumptions that would undermine their status. See:
   Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction, Form #05.017
   http://sedm.org/Forms/FormIndex.htm
7. Follow the rules of pleading and practice for the common law.
8. Ensure that those who sit on the jury have the same status as them by ensuring that those who are statutory "U.S. citizens" or franchise participants are excluded as having a financial conflict of interest.

12.3 Serving civil legal process on nonresidents is the crime of "simulating legal process"

Some freedom lovers try to form their own private courts or grand juries to try or indict offenses against their rights by actors within the de facto government. Such private courts are sometimes called:

1. Common law courts.
2. Ecclesiastical courts in the case of churches.
3. Franchise courts for the regulation of specific activities such as "driving". This would include family courts, traffic courts, and social security administrative courts.

Those who convene such courts must be careful how they describe their activities to those outside the group, or the participants could be indicted for simulating legal process. Legal process served by these groups can be called by a number of different names, such as the following:

1. Non-statutory abatement.
2. Private Administrative Process (PAP).

Below is a definition of "simulating legal process":

> *"A person commits the offense of simulating legal process if he or she "recklessly causes to be delivered to another any document that simulates a summons, complaint, judgment, or other court process with the intent to . . . cause another to submit to the putative authority of the document; or take any action or refrain from taking any action in response to the document, in compliance with the document, or on the basis of the document."*
> *[Texas Penal Code Annotated, § 32.48(a)(2)]*

Therefore, those forming common law courts or ecclesiastical courts may not use the words "complaint", "judgment", "summons" when issuing documents to parties OUTSIDE the group of people who expressly consented to their jurisdiction. In other words, those who are not in the group or who are not "citizens" within whatever community they have formed, may not receive documents that are connected with any existing state or municipal court or which could be confused with such courts.

Below is one ruling by a Texas court relating to a "simulating legal process" charge against an ecclesiastical court:

> *Free Exercise of Religion*
>
> *Government action may burden the free exercise of religion, in violation of the First Amendment,87[10] in two quite different ways: by interfering with a believer's ability to observe the commands or practices of his faith and by encroaching on the ability of a church to manage its internal affairs. Westbrook v. Penley, 231 S.W.3d. 389, 395 (Tex. 2007). In appellant's pro se motions, he refers to the "exercise of one's faith." More specifically, he raised the issue of ecclesiastical abstention in the trial court and cites to cases concerning this doctrine on appeal. His arguments are directed at the trial court's jurisdiction over this matter, not the constitutionality of section 32.48. So, it appears the judiciary's exercise of jurisdiction over the matter, rather than the Legislature's enactment of section 32.48, is the target of his challenge. We, then, will address that aspect of the constitutional issue he now presents on appeal; we will determine whether the trial court's exercise of jurisdiction violated appellant's right to free exercise of religion by encroaching on the ability of his church to manage its internal affairs.*
>
> *The Constitution forbids the government from interfering with the right of hierarchical religious bodies to establish their own internal rules and regulations and to create tribunals for adjudicating disputes over religious matters. See Serbian E. Orthodox Diocese v. Milivojevich, 426 U.S. 696, 708–09, 724–25, 96 S.Ct. 2372, 49 L.Ed.2d. 151 (1976). Based on this constitutionally-mandated abstention, secular courts may not intrude into the church's governance of "religious" or "ecclesiastical" matters, such as theological controversy, church discipline, ecclesiastical government, or the conformity of members to standards of morality. See In re Godwin, 293 S.W.3d. 742, 748 (Tex.App.—San Antonio 2009, orig. proceeding).*
>
> *The record shows that Coleman, to whom the "Abatement" was delivered, was not a member of appellant's church. That being so, the church's position on the custody matter is not a purely ecclesiastical matter over which the trial court should have abstained from exercising its jurisdiction.* ***This is not an internal affairs issue because the record conclusively establishes that the recipient is not a member of the church.*** *The ecclesiastical abstention doctrine does not operate to prevent the trial court from exercising its jurisdiction over this matter. We overrule appellant's final issue.*

[Michael Runningwolf v. State of Texas, 317 S.W.3d. 829 (2010);
SOURCE: http://scholar.google.com/scholar_case?case=13768262149764043927]

Therefore, if you form a common law or ecclesiastical court you should be careful to:

1. Draft a good membership or citizenship agreement.
2. Require all members to sign the membership or citizenship agreement.
3. Keep careful records that are safe from tampering.
4. NOT serve "legal process" of any kind against those who are NOT consenting members or citizens.

We take the same position in protecting OUR members from secular courts as the secular courts take toward private courts. The First Amendment requires that you have a right to either NOT associate or to associate with any group you choose INCLUDING, but not limited to the "state" having general jurisdiction where you live. That means you have a RIGHT to NOT be:

1. A "citizen" or "resident" in the area where you physically are.
2. A "driver" under the vehicle code.
3. A "spouse" under the family code.
4. A "taxpayer" under the tax code.

The dividing line between who are "members" and who are NOT members is who has a domicile in that specific jurisdiction. The subject of domicile is extensively covered in this document.

We allege that secular franchise courts such as tax court, traffic court, family court, social security administrative court, and even civil court in your area are equally culpable for the SAME crime of "simulating legal process" if they serve legal process upon anyone who is NOT a "member" of their "state" and who has notified them of that fact. As such, any at least CIVIL process served upon them by secular courts of the de facto government is ALSO a criminal simulation of legal process because instituted against non-consenting parties who are non-residents and "non-members", just as in the above case. Membership has to be consensual.

> *The record shows that Coleman, to whom the "Abatement" was delivered, was not a member of appellant's church. That being so, the church's position on the custody matter is not a purely ecclesiastical matter over which the trial court should have abstained from exercising its jurisdiction.* ***This is not an internal affairs issue because the record conclusively establishes that the recipient is not a member of the church.*** *The ecclesiastical abstention doctrine does not operate to prevent the trial court from exercising its jurisdiction over this matter. We overrule appellant's final issue.*
> *[Michael Runningwolf v. State of Texas, 317 S.W.3d. 829 (2010);*
> *SOURCE: http://scholar.google.com/scholar_case?case=13768262149764043927]*

We also argue that just like the above ruling, the secular government in fact and in deed is ALSO a church, as described in the following exhaustive proof of that fact:

Socialism: The New American Civil Religion, Form #05.016 http://sedm.org/Forms/FormIndex.htm

In support of the above, Black's Law Dictionary defines "franchise courts" such as traffic court and family court as PRIVATE courts:

> *"franchise court. Hist. A privately held court that (usu.) exists by virtue of a royal grant [privilege], with jurisdiction over a variety of matters, depending on the grant and whatever powers the court acquires over time. In 1274, Edward I abolished many of these feudal courts by forcing the nobility to demonstrate by what authority (quo warranto) they held court. If a lord could not produce a charter reflecting the franchise, the court was abolished. - Also termed courts of the franchise.*
>
> *Dispensing justice was profitable. Much revenue could come from the fees and dues, fines and amercements. This explains the growth of the second class of feudal courts, the Franchise Courts. They too were private courts held by feudal lords. Sometimes their claim to jurisdiction was based on old pre-Conquest grants ... But many of them were, in reality, only wrongful usurpations of private jurisdiction by powerful lords. These were put down after the famous Quo Warranto enquiry in the reign of Edward 1." W.J.V. Windeyer, Lectures on Legal History 56-57 (2d ed. 1949)."*
> *[Black's Law Dictionary, Seventh Edition, p. 668]*

As a BARE minimum, we think that if you get summoned into any franchise court for violations of the franchise, such as tax court, traffic court, and family court, then the government as moving party who summoned you should at LEAST have the burden of proving that you EXPRESSLY CONSENTED in writing to become a "member" of the group that created the court, such as "taxpayer", "driver", "spouse", etc. and that if they CANNOT satisfy that burden of proof, then:

1. All charges should be dismissed.
2. The franchise judge and government prosecutor should BOTH be indicted and civilly sued for simulating legal process under the common law and not statutory civil law.

13. How the corrupt government kidnaps your identity and your domicile and moves it to the federal zone or interferes with your choice of domicile

Based on the foregoing discussion, it ought to be obvious that the government doesn't want you to know any of the following facts:

1. That all civil jurisdiction originates from your choice of domicile.
2. That all income taxation is a civil liability that originates from your choice of domicile.
3. That domicile requires your consent and is the equivalent of your consent to be civilly governed as required by the Declaration of Independence.
4. That because they need your consent to choose a domicile, they can't tax or even govern you civilly without your consent.
5. That domicile is based on the coincidence of physical presence and intent/consent to permanently remain in a place.
6. That unless you choose a domicile within the jurisdiction of the government that has general jurisdiction where you live, they have no authority to institute income taxation upon you.
7. That no one can determine your domicile except you.
8. That if you don't want the protection of government, you can fire them and handle your own protection, by changing your domicile to a different place or group or government or choosing no domicile at all. This then relieves you of an obligation to pay income taxes to support the protection that you no longer want or need.

Therefore, governments have a vested interest in hiding the relationship of "domicile" to income taxation by removing it or at least obfuscating it in their "codes". We call this "The hide the presumption and hide the consent game."

There are many ways that corrupt governments will use to make you LOOK like someone who consented to their jurisdiction or to a civil domicile within their civil jurisdiction. We have written the following forms that deal with this subject:

1. *Government Identity Theft*, Form #05.046
   http://sedm.org/Forms/FormIndex.htm
2. *Avoiding Traps in Government Forms Course*, Form #12.023
   http://sedm.org/Forms/FormIndex.htm

The following subsections deal with the subset of ways that corrupt and covetous governments will use to try to change your domicile without your consent and often without your knowledge.

13.1 Inevitable effects of government interference with your choice of domicile: Anarchy and violence

A very important subject we need to study is:

> *"What are the legal and political effects when a specific government or actor within that government deliberately or maliciously INTERFERES with or coerces your choice of civil domicile or prohibits specific choices of domicile, such as the Kingdom of Heaven?"*

We will answer that question in this section.

First of all, we know that the purpose of the entire separation of powers between various components of government is to protect your PRIVATE or natural rights recognized in the Declaration of Independence.

> *"We start with first principles. The Constitution creates a Federal Government of enumerated powers. See U.S. Const., Art. I, 8. As James Madison wrote, "[t]he powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite." The Federalist No. 45, pp. 292-293 (C. Rossiter ed. 1961).* ***This constitutionally mandated division of authority "was adopted by the Framers to ensure protection of our fundamental liberties****." Gregory v. Ashcroft, 501 U.S. 452, 458 (1991) (internal quotation marks omitted). "Just as the separation and independence of the coordinate branches of the Federal Government serves to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front." Ibid. "*
> *[U.S. v. Lopez, 514* U.S. 549 (1995)]

The separation of powers BEGINS with the separation between YOU and GOVERNMENT. Separation between YOU and GOVERNMENT in a legal sense means separation between PRIVATE rights and PUBLIC rights respectively. That separation is exhaustively described in:

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

When there is no separation between YOU and GOVERNMENT, or between PRIVATE and PUBLIC respectively, you become a public officer and government statutory "employee" 24 hours a day, 7 days a week and need permission and DEMONSTRATED legal authority from U.S. Inc. federal corporation to do ANYTHING and EVERYTHING. In that scenario, you are a SLAVE and a vassal and have no "rights", choice, autonomy, or discretion to speak of. That condition of NO separation between PRIVATE and PUBLIC, by the way, was famously described by U.S. Supreme Court Justice Antonin Scalia as his rendition of hell in its most literal sense from a legal perspective:

> *"In heaven there will be no law and the Lion will lay down with the lamb. And in hell, there will be nothing BUT law, and due process will be RIGOROUSLY OBSERVED."*
> *[Justice Antonin Scalia, Hastings College School of Law, March 17, 2011, SEDM Exhibit #03.005*
> *SOURCE: https://sedm.org/Exhibits/EX03.005.mp4]*

The above quote by Scalia is an indirect reference to a more famous quote on the same subject. This quote implies that since hell is the MOST corrupt place, it will have INFINITELY many laws.

> *"The more corrupt the state, the more numerous the laws."*
> *[Tacitus, Roman historian 55-117 A.D.;*
> *SOURCE: http://famguardian.org/taxfreedom/CitesByTopic/law.htm]*

The Thirteenth Amendment outlaws all forms of involuntary servitude, and hence, outlaws any method to compel you to:

1. Surrender any aspect of your PRIVATE status or private rights.
2. Become a compelled PUBLIC officer. This includes a statutory "person", "citizen", or "resident".
3. Accept the duties of a public officer or public agent without your consent.
4. Become surety for public debt. This is called "peonage". Income taxes, for instance, pay off public debt and "taxpayers" are surety for that debt.[88]

[88] Below are a few authorities on this subject:

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

When anyone in government forces a specific domicile upon you that you don't want, they are not only engaging in a criminal violation of the Thirteenth Amendment and 18 U.S.C. Chapter 77, but they are also engaging in the legal equivalent of criminal identity theft and human trafficking. The nature of how that identity theft and human trafficking is accomplished is described in:

1. *Government Identity Theft*, Form #05.046.
   http://sedm.org/Forms/FormIndex.htm
2. *Government Identity Theft Playlist* -SEDM
   https://www.youtube.com/playlist?list=PLin1scINPTOup5IPJW1u0exug2GtgPRwF
3. *Liberty University, Section 4: Avoiding Government Franchises, Licenses, and Identity Theft*
   http://sedm.org/LibertyU/LibertyU.htm
4. *Property and Privacy Protection, Section 5: Identity Theft*-Family Guardian Fellowship
   http://famguardian.org/Subjects/PropertyPrivacy/PropertyPrivacy.htm
5. *Money, Banking, and Credit Topic, Section 6: Privacy and Identity Theft*-Family Guardian Fellowship
   http://famguardian.org/Subjects/MoneyBanking/MoneyBanking.htm
6. *The Identity Trap*-Freedom Taker
   https://www.youtube.com/watch?v=lQI4lET97o4

The inevitable result of the government slavery, identity theft, and human trafficking described above will inevitably be anarchy and violence. Why? Because withdrawing or withholding one's domicile and funding to the government is the only way to peacefully and lawfully seek a PEACEFUL remedy for government abuse:

> *"If money is wanted by Rulers who have in any manner oppressed the People, [the People] may retain [their money] until their grievances are redressed, and thus peaceably procure relief, without trusting to despised petitions or disturbing the public tranquility."*
> *[Journals of the Continental Congress, Wednesday, October 26, 1774;*
> *SOURCE: http://memory.loc.gov/cgi-bin/query/r?ammem/hlaw:@field(DOCID+@lit(jc00142))]*

The above mechanism is the SAME mechanism and the ONLY peaceful mechanism mentioned in the Declaration of Independence of procuring relief WITHOUT violence:

> *"But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism,* ***it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security****.—"*
> *[Declaration of Independence, 1776]*

The "guards for their future security" described are SELF-GOVERNMENT and the privatization of government services so that the tyrannical government is no longer funded to perform them. These privatized government services are paid for with the money removed from the tyrant government and diverted to a better government. Since domicile is the means used to justify the need to pay for the services, then we just shift our domicile from the TYRANT government to the competitor that we want. The Declaration of Independence even makes it our DUTY to do that. Any judge or politician who interferes with us doing that, in fact is committing TREASON punishable by death. 18 U.S.C. §2381: Treason.

There are those who would say that the Declaration of Independence is not "law" that can be used to obligate anyone. However, they are simply WRONG. The Declaration of Independence was enacted into law by the first official act of the brand new Congress of the United States. You can find that enactment on the FIRST page of the Statutes At Large, in fact. Anyone who says it ISN'T law is therefore LYING. Judge Andrew Napolitano, in fact, says the Declaration of Independence is the most violated law ever enacted!

> ***peonage*** ***1 a:*** *the use of laborers bound in servitude because of debt* ***b:*** *a system of convict labor by which convicts are leased to contractors* ***2:*** *the condition of a peon.*

> ***peon*** ***3 a:*** *a person held in compulsory servitude to a master for the working out of an indebtedness* ***b:*** *DRUDGE, MENIAL*
> *[Webster's Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 871]*

Judge Andrew Napolitano says the Declaration of Independence is LAW enacted by Congress, SEDM Exhibit #03.006
http://sedm.org/Exhibits/ExhibitIndex.htm

An inability to lawfully stop participating in or subsidizing an abusive government guarantees that no peaceful remedy, including a remedy in court, is rationally possible The only thing left when all peaceful remedies are destroyed is violence and political revolution. The violent American Revolution was made inevitable and certain precisely because of this exact problem. The anarchy that ensues FROM that violence and revolution will therefore ALSO be inevitable. That, folks, is exactly what we are headed for because the same problem repeats itself again today.

History is repeating itself and another revolution is inevitable. Look at the reasons given in the Declaration of Independence for the separation from Great Britain:

> *He has erected a multitude of New Offices [PUBLIC offices and franchises], and sent hither swarms of Officers to harass our people, and eat out their substance.*
>
> *[. . .]*
>
> *He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:*
>
> *[. . .]*
>
> *For imposing Taxes on us without our Consent:*
>
> *[. . .]*
>
> *He has abdicated Government here, by declaring us out of his Protection and waging War against us.*
> *[Declaration of Independence, 1776;*
> *SOURCE: http://www.archives.gov/exhibits/charters/declaration_transcript.html]*

In the above quotes from the Declaration of Independence:

1. The offices they are talking about include public offices created through franchises. The purpose of all civil franchises is to raise revenue, not to protect or help people who do not want to be helped. See:
   Government Instituted Slavery Using Franchises, Form #05.030
   http://sedm.org/Forms/FormIndex.htm
2. The "jurisdiction foreign" they are talking about is the laws of what Mark Twain calls "the District of Criminals".

> *"No man's life, liberty, or property are safe while the legislature is in session."*
> *[Mark Twain]*
>
> *"Suppose you were an idiot. And suppose you were a member of Congress. But I repeat myself."*
> *[Mark Twain]*
>
> *"There is no distinctly native American criminal class save congress."*
> *[Mark Twain]*
>
> _____
>
> *"Behold, I will make My words in your mouth fire,*
> *And this people wood,*
> *And it shall devour them.*
> ***Behold, I will bring a [foreign] nation [in the District of Columbia, Washington D.C.] against you from afar,***
> *O house of Israel," says the LORD.*
> *"It is a mighty nation,*
> *It is an ancient nation,*
> *A nation whose language [legalese] you do not know,*
> *Nor can you understand what they say [in their deceitful laws].*
> *Their quiver is like an open tomb;*
> *They are all mighty [deceitful] men.*
> ***And they [and the IRS, their henchmen] shall eat up your harvest and your bread,***
> *Which your sons and daughters should eat.*

They shall eat up your flocks and your herds;
They shall eat up your vines and your fig trees;
They shall destroy your fortified cities [and businesses and families],
In which you trust, with the sword.
[Jeremiah 5:14-17, Bible, NKJV]

3. "imposing Taxes on us without our Consent" refers to the current income tax system, which you aren't allowed to exit by removing your civil domicile, even though there is voluminous precedent authorizing this fact.

4. The "declaring us out of his Protection" above refers to the fact that the ONLY thing government protects is itself, and the law is an excuse to persecute anyone who doesn't want to participate or wishes to remain a "non-resident non-person". Those people are supposed to be protected by the common law and Constitution, and by refusing to enforce either against government actors, they are withdrawing PRIVATE people from the protection of the government FROM the government. Governments that only protect themselves and use the law as an excuse to persecute political enemies or dissidents are called a de facto government. That government is described below:

De Facto Government Scam, Form #05.043
http://sedm.org/Forms/FormIndex.htm

Below are the reasons WHY the Declaration of Independence had to be signed, penned at the first meeting of the Continental Congress two years before the Declaration of Independence was signed:

> *"Whereas, since the close of the last war, the **British parliament, claiming a power, of right, to bind the people of America by statutes in all cases whatsoever**, hath, in some acts, expressly imposed taxes on them, and in others, under various presences, but in fact for the purpose of raising a revenue, hath imposed rates and duties payable in these colonies, established a board of commissioners, with unconstitutional powers, and extended the jurisdiction of courts of admiralty, not only for collecting the said duties, but for the trial of causes merely arising within the body of a county:"*
> *[Declaration and Resolves of the First Continental Congress, October 14, 1774*
> *SOURCE: http://avalon.law.yale.edu/18th_century/resolves.asp*

Note the key language below:

> *"British parliament, claiming a power, of right, to bind the people of America by statutes in all cases whatsoever"*

The "statutes" they are talking about are the CIVIL STATUTORY LAW or what we call "the protection franchise" and the FORCED civil status and domicile of those who it is enforced against. "In all cases whatsoever" refers to the fact that ANYTHING and EVERYTHING is made a subject of legislation. The result is SLAVERY described in the Declaration of Independence:

> *"But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism [SLAVERY]"*
> *[Declaration of Independence]*

This is EXACTLY the problem we have now. Obamacare alleges an unconstitutional right to FORCE "taxpayers" to buy health insurance. The way they FORCE EVERYONE to buy health insurance is to FORCE people to fraudulently elect a domicile on federal territory and claim an illegal office in the national government called "taxpayer". That public office was illegally created in violation of 18 U.S.C. §912 and they are punished with commercial penalties they are not subject to for abandoning the illegally created public office. That public office is called a "trade or business" in 26 U.S.C. §7701(a)(26). This illegally and criminally compelled public office is described in:

The "Trade or Business" Scam, Form #05.001
http://sedm.org/Forms/FormIndex.htm

Yes, ladies and gentlemen. We are headed for a revolution, violence, and anarchy, because all peaceful means of remedy to correct the problems caused by the inability to withdraw domicile and the sponsorship that goes with it have been removed or interfered with by a malicious, covetous band of thieving lawyers using trickery, words of art, criminal identity theft, and criminal human trafficking. Here's how the Bible describes this kidnapping and human trafficking:

> *"For the upright will dwell in [ON] the land,*
> *And the blameless will remain in it;*

> ***But the wicked will be cut off from the earth [and the common law and constitution that protects the earth], And the unfaithful will be uprooted [using franchises and privileges] from it."***
> *[Prov. 2:21-22, Bible, NKJV]*

Anyone who protects the present de facto system of usury we have now, which is also described in the Declaration of Independence is committing TREASON punishable by death. THEY are the real "terrorists" and anarchists.

13.2 Compelled domicile generally

A number of irreconcilable conflicts of law are created by COMPELLING EVERYONE to have either a specific domicile or an earthly domicile. For instance:

1. If the First Amendment gives us a right to freely associate and also implies a right to DISASSOCIATE, how can we be compelled to associate with a "state" or the people in the locality where we live without violating the First Amendment? It may not be presumed that we moved to a place because we wanted to associate with the people there.
2. Domicile creates a duty of allegiance, according to the cite above. All allegiance MUST be voluntary. How can the state compel allegiance by compelling a person to have or to choose an earthly domicile? What gives them the right to insist that the only legitimate type of domicile is associated with a government? Why can't it be a church, a religious group, or simply an association of people who want to have their own police force or protection service separated from the state? Since the only product that government delivers is "protection", why can't people have the right to fire the government and provide their own protection with the tax money they would have paid the government?
3. When one chooses a domicile, they create a legal or contractual obligation to support a specific government, based on the above. By compelling everyone to choose an earthly domicile whose object is a specific government or state, isn't the state interfering with our right to contract by compelling us to contract with a specific government for our protection? The Constitution, Article 1, Section 10 says no state shall make any law impairing the obligation of contracts. Implicit in this right to contract is the right NOT to contract. Every right implies the opposite right. Therefore, how can everyone be compelled to have a domicile without violating their right to contract?
4. The U.S. Supreme Court also held that income taxation based on domicile is "quasi-contractual" in nature.

> *"Even if the judgment is deemed to be colored by the nature of the obligation whose validity it establishes, and we are free to re-examine it, and, if we find it to be based on an obligation penal in character, to refuse to enforce it outside the state where rendered, see Wisconsin v. Pelican Insurance Co., 127 U.S. 265 , 292, et seq. 8 S.Ct. 1370, compare Fauntleroy v. Lum, 210 U.S. 230 , 28 S.Ct. 641,* ***still the obligation to pay taxes is not penal. It is a statutory liability, quasi contractual in nature, enforceable, if there is no exclusive statutory remedy, in the civil courts by the common-law action of debt or indebitatus assumpsit.*** ***United States v. Chamberlin, 219 U.S. 250 , 31 S.Ct. 155; Price v. United States, 269 U.S. 492 , 46 S.Ct. 180; Dollar Savings Bank v. United States, 19 Wall. 227; and see Stockwell v. United States, 13 Wall. 531, 542; Meredith v. United States, 13 Pet. 486, 493. This was the rule established in the English courts before the Declaration of Independence.*** *Attorney General v. Weeks, Bunbury's Exch. Rep. 223; Attorney General v. Jewers and Batty, Bunbury's Exch. Rep. 225; Attorney General v. Hatton, Bunbury's Exch. Rep. [296 U.S. 268, 272] 262; Attorney General v. _ _, 2 Ans.Rep. 558; see Comyn's Digest (Title 'Dett,' A, 9); 1 Chitty on Pleading, 123; cf. Attorney General v. Sewell, 4 M.&W. 77. "*
>
> *[Milwaukee v. White, 296 U.S. 268 (1935)]*

The "quasi-contract" they are referring to above is your ***voluntary*** choice of "domicile", no doubt. How can they compel such a contract if the person who is the object of the compulsion refuses to "do business" with the state and also refuses to avail themselves of any of the benefits of membership in said state? Wouldn't that amount to slavery, involuntary servitude, and violate the Thirteenth Amendment prohibition against involuntary servitude?

Do you see how subtle this domicile thing is? It's a very sneaky way to draw you into the world system and force you to adopt and comply with earthly laws and a government that are hostile towards and foreign to God's laws. All of the above deceptions and ruses are designed to keep you enslaved and entrapped to support a government that does nothing for you and which you may even want to abandon or disassociate with.

> ***The New Man***

> *This I say, therefore, and testify in the Lord, that you should no longer walk as the rest of the Gentiles walk, in the futility of their mind, having their [legal] understanding darkened, **being alienated from the life of God, because of the ignorance that is in them, because of the blindness of their heart; who, being past feeling, have given themselves over to lewdness, to work all uncleanness with greediness.***
>
> *But you have not so learned Christ, if indeed you have heard Him and have been taught by Him, as the truth is in Jesus: that you put off, concerning your former conduct, the old man which grows corrupt according to the deceitful lusts, and be renewed in the spirit of your mind, and that you put on the new man which was created according to God, in true righteousness and holiness.*
> *[Eph. 4:17-24, Bible, NKJV]*

We allege that whenever anyone from a state or federal government, or acting as an agent of same such as a "withholding agent", compels you to either have a specific domicile in a specific place or PRESUMES you have a domicile without producing evidence of consent on the record to that specific domicile then they are:

1. "purposefully availing themselves" of commerce within OUR jurisdiction.
2. STEALING, where the thing being STOLEN are the public rights associated with the statutory civil "status" they are presuming we have but never expressly consented to have. You ought to specify in advance the PRICE or COST of the things stolen as being TWICE what they want to collect from you. This is Biblical. See Exodus 22:7.
3. Engaging in criminal identity theft, because the civil status is associated with a domicile in a place we are not physically in and do not consent to a civil domicile in.
4. Waiving official, judicial, and sovereign immunity.
5. Acting in a private and personal capacity beyond the statutory jurisdiction of their government employer.
6. Compelling us to contract with the state under the civil statutory "social compact".
7. Interfering with our First Amendment right to freely and civilly DISASSOCIATE with the state.
8. Engaged in a constitutional tort.

You should insist on the above terms on any form you fill out and submit to the government that has a block for "residence", "permanent address", or "domicile".

13.3 Domicile on government, financial institution, and private employer forms

You should view every opportunity to complete a government form or any form that indicates a "domicile", "residence", or "permanent address" as:

1. A waiver of sovereign immunity under 28 U.S.C. §1603(b)(3) and 28 U.S.C. §1605(b)(2).
2. A change in status from "foreign" to "domestic" in relation to the government that created the form.
3. An agreement to become a "customer" of government protection called a "citizen", "resident", and/or "inhabitant" within a specific jurisdiction.
4. The conveyance of "consent to be governed" as the Declaration of Independence indicates.
5. An attempt to nominate a protector and delegate to them the authority to supervise and even penalize your activities under the authority of the civil law.
6. An agreement to pay for the protection of the specific government you have nominated to protect you.
7. A voluntary attempt on your part to surrender rights recognized in the Constitution in exchange for privileges and "benefits" under a franchise agreement and to change your status from a "transient foreigner" to a "person" subject to federal statutes. The most privileged status you can be in is to be a resident alien participating in federal franchises. The Declaration of Independence says that rights protected by the Constitution are "unalienable", meaning that they CAN'T be sold, transferred, or bargained away in relation to any government by any commercial process, including a government franchise or application. Therefore, you are recognizing that the grantor of the benefit is not a government, but a private corporation.
8. An attempt to destroy equal protection mandated by the Constitution and make a specific government your "parens patriae", or government parent.

In short, anyone who asks you to fill out a government form or indicate a "domicile", "residence", or "permanent address" on their own private form is asking you the following question:

> *"Who's your daddy and where does he live? We want to notify him that you have selected him as your protector and agreed to become liable to subsidize his protection racket and his supervision of your otherwise*

private affairs. We don't trust you so we want you to agree to sign this protection contract, nominate a protector, and agree to become his privileged employee or officer so he will ensure you won't become a burden, bother, or injury to us."

There are several ways that you are often deceived into inadvertently declaring a domicile on federal territory on government forms.

1. By declaring that you maintain a domicile or live in the "United States", which is defined as federal territory and excludes states of the Union pursuant to 26 U.S.C. §7701(a)(9) and (a)(10). This is done by filling out anything in the block labeled "permanent address" or "residence" and indicating anything in that block other than the de je republic you were born within or the Kingdom of Heaven on Earth.

> *TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701. [Internal Revenue Code]*
> *Sec. 7701. - Definitions*
>
> *(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—*
>
> *(9) United States*
>
> *The term "United States" when used in a geographical sense includes only the States and the District of Columbia.*
>
> *(10) State*
>
> *The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.*

People born and domiciled within the de jure states of the Union are domiciled in the "United States of America" or in the name of their state. For instance, under "country" put "California Republic" instead of "United States".

2. By filling out a government form and indicating that you are a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 or "resident" or "permanent resident" pursuant to 26 U.S.C. §7701(b)(4)(B). All such persons have a legal domicile on federal territory. Collectively, these people are called "U.S. persons" pursuant to 26 U.S.C. §7701(a)(30).
3. By filling out a form that presumes you are a "U.S. person", such as IRS Form 1040. That form is ONLY for use by "U.S. persons" pursuant to 26 U.S.C. §7701(a)(30) who have a legal domicile on federal territory. If you are not domiciled on federal territory, the only correct form to use is the IRS Form 1040NR. Even the 1040NR is a statutory "taxpayer" form and therefore needs either modification or an attachment to clarify that it is being submitted by a NONTAXPAYER.

> ***1040A 11327A Each***
> ***U.S. Individual Income Tax Return***
>
> *Annual income **tax return filed by citizens and residents of the United States**. There are separate instructions available for this item. The catalog number for the instructions is 12088U.*
>
> *W:CAR:MP:FP:F:I Tax Form or Instructions*
> *[*IRS Published Products Catalog (2003), Document 7130, p. F-15*;*
> *SOURCE:* http://famguardian.org/TaxFreedom/Forms/IRS/IRSDoc7130.pdf*]*

4. By requesting or using a Social Security Number on any government form. Social Security Numbers can only lawfully be issued to persons with a legal domicile on federal territory. 20 C.F.R. §422.104 says the number can only be issued to statutory "U.S. citizens" pursuant to 8 U.S.C. §1401 or statutory "permanent residents", both of whom have in common a domicile on federal territory.

> *26 C.F.R. § 301.6109-1(g)*
>
> *(g) Special rules for taxpayer identifying numbers issued to foreign persons—*
>
> *(1) General rule—*
>
> *(i) Social security number. **A social security number is generally identified in the records and database of the Internal Revenue Service as a number belonging to a U.S. citizen or resident alien individual.** A person may*

establish a different status for the number by providing proof of foreign status with the Internal Revenue Service under such procedures as the Internal Revenue Service shall prescribe, including the use of a form as the Internal Revenue Service may specify. Upon accepting an individual as a nonresident alien individual, the Internal Revenue Service will assign this status to the individual's social security number.

TITLE 20--EMPLOYEES' BENEFITS
CHAPTER III--SOCIAL SECURITY ADMINISTRATION
PART 422_ORGANIZATION AND PROCEDURES--Table of Contents
Subpart B_General Procedures
Sec. 422.104 Who can be assigned a social security number.

*(a) **Persons eligible for SSN assignment.***
We can assign you a social security number if you meet the evidence requirements in Sec. 422.107 and you are:
*(1) **A United States citizen;** or*
*(2) **An alien lawfully admitted to the United States for permanent residence** or under other authority of law permitting you to work in the United States (Sec. 422.105 describes how we determine if a nonimmigrant alien is permitted to work in the United States); or*

5. By requesting or using a Taxpayer Identification Number on any government form, you create a presumption that you are engaged in the "trade or business" franchise and are a "resident" of federal territory. The only people who need them are "taxpayers" who are engaged in a "trade or business"/"public office" in the District of Columbia and therefore partaking of federal franchises. All such persons have an effective domicile in the District of Columbia because they are representing a federal corporation, the "United States" pursuant to 28 U.S.C. §3002(15)(A) and are officers of that corporation. 26 U.S.C. §7701(a)(39), 26 U.S.C. §7408(d), and Federal Rule of Civil Procedure 17(b) all place their effective domicile in the District of Columbia and not within the place they physically occupy by virtue of the fact that they are acting in a representative capacity as a "public officer".

26 C.F.R. §301.7701-5 Domestic, foreign, resident, and nonresident persons.

*A domestic corporation is one organized or created in the United States, including only the States (and during the periods when not States, the Territories of Alaska and Hawaii), and the District of Columbia, or under the law of the United States or of any State or Territory. A foreign corporation is one which is not domestic. A domestic corporation is a resident corporation even though it does no business and owns no property in the United States. **A foreign corporation engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident foreign corporation, and a foreign corporation not engaged in trade or business within the United States, as a nonresident foreign corporation.** A partnership engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident partnership, and a partnership not engaged in trade or business within the United States, as a nonresident partnership. **Whether a partnership is to be regarded as resident or nonresident is not determined by the nationality or residence of its members or by the place in which it was created or organized.***
[Amended by T.D. 8813, Federal Register: February 2, 1999 (Volume 64, Number 21), Page 4967-4975]
[SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Resident-26cfr301.7701-5.pdf]

We will now spend the rest of the section talking about how to avoid the problem described in item 1 above. There are many occasions on government forms, and especially tax forms, where we will be asked if we are "residents" and what our "residence" is and we must be very careful what we put on these forms. If a "residence" must be established on a government form for any reason, the safest way to handle this situation as a Christian is as follows:

1. Line out the word "residence" and replace it with "domicile".
2. In the block declaring "residence" or "permanent address", put one of the following:
   2.1. "Kingdom of Heaven on Earth (not within any man made government)".
   2.2. A geographical place that has no owner and no government, such as the middle of the ocean.
3. At the end of the address line put in parenthesis: "Not a domicile or residence."
4. If they ask you if you are a "resident", simply say "NO".
5. Put a note at the bottom saying:

"See and rebut the following web address for details, if you disagree:
http://famguardian.org/TaxFreedom/Forms/Emancipation/ChangeOfAddressAttachment.htm "

A person who does all the above is what we call "civilly dead". The status of being "civilly dead" is the only proper status for a devout Christian, and it is thoroughly described in:

Delegation of Authority Order from God to Christians, Form #13.007, Section 4.3
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
DIRECT LINK: http://sedm.org/Forms/SelfFamilyChurchGovnce/DelOfAuthority.pdf

Any location of "residence" other than "Kingdom of Heaven on Earth" or a place not within the jurisdiction of any man-made government, however, will prejudice your rights, violate the Bible, and result in idolatry towards man/government. In fact, we believe the word "residence" and "resident" were invented by the legal profession as a way to separate intent from the word "domicile" so that people would no longer have a choice of their legal home. Christians should be very wary of this devious legal trap and avoid it as indicated above.

> *"And have no fellowship with the unfruitful works of darkness, but rather expose [rebuke] them."*
> *[Eph. 5:11, Bible]*

There are also BIG advantages to declaring our domicile as being outside of federal jurisdiction in either the Kingdom of Heaven on Earth or a state of the Union, which is legislatively but not Constitutionally foreign in relation to the federal government. For instance, one's domicile determines the rules of decision of every court in which a person is sued. Below is an excerpt from the Federal Rule of Civil Procedure 17(b) which proves this:

> *IV. PARTIES > Rule 17.*
> *Rule 17. Parties Plaintiff and Defendant; Capacity*
>
> *(b) Capacity to Sue or be Sued.*
>
> ***Capacity to sue or be sued is determined as follows:***
>
> ***(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;***
> *(2) for a corporation, by the law under which it was organized; and*
> *(3) for all other parties, by the law of the state where the court is located, except that:*
> *(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and*
> *(B) 28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.*
> *[SOURCE: http://www.law.cornell.edu/rules/frcp/Rule17.htm]*

The above may not seem like a big deal, until you consider that if a person declares "heaven" as their domicile, then the court has to use God's laws in the Holy Bible as the only rules of decision! They cannot quote ANY federal statute or even court ruling as authority for what they are doing. The only thing they can apply is God's law and the rulings of ecclesiastical courts on the subject. We would LOVE to see this in a tax trial. The government would get CREAMED! This tactic is what we affectionately call "courtroom evangelism". In the case of Christians, the Common Law is the nearest equivalent of God's law and that is the ONLY thing we can allow ourselves to be protected by as a devout Christian. Statutory law, on the other hand, is only law for GOVERNMENT actors and not private persons:

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

Below is an example of how to fill out a Change of Address for the state of California to remove any presumptions about "residence". If you don't do this, the state will essentially legally "presume" that you are an "alien", a "resident", and a "taxpayer", and this will grossly prejudice your Constitutional rights:

http://famguardian.org/TaxFreedom/Forms/Emancipation/ChangeOfAddressAttachment.htm

A number of legal factors are used in determining one's domicile. The following facts and circumstances, although not necessarily conclusive, have probative value to support a claim of domicile within a particular state:

1. Continuous presence in the state.
2. Payment of ad valorem (property) taxes.
3. Payment of personal income taxes.
4. Reliance upon state sources for financial support.

5. Domicile in the state of family, or other relatives, or persons legally responsible for the person.
6. Former domicile in the state and maintenance of significant connections therein while absent.
7. Ownership of a home or real property.
8. Admission to a licensed practicing profession in the state.
9. Long term military commitments in the state.
10. Commitments to further education in the state indicating an intent to stay here permanently.
11. Acceptance of an offer of permanent employment in the state.
12. Location of spouse's employment, if any.
13. Address of student listed on selective service (draft or reserves) registration.

Other factors indicating an intent to make a state one's domicile may be considered. Normally, the following circumstances do not constitute evidence of domicile sufficient to effect classification as a domiciliary:

1. Voting or registration for voting.
2. The lease of living quarters.
3. A statement of intention to acquire a domicile in state.
4. Automobile registration; address on driver's license; payment of automobile taxes.
5. Location of bank or saving accounts.

To conclude this section, you may wish to look at a few of the government's forms that effectively ask you what your "domicile" is, so you can see what we are talking about in this section. Before we do, we must emphasize that in some cases, the version of a form we choose to file, even if it says nothing on the form about domicile, may determine our "residence"! This is VERY important. For instance, if we file a 1040NR Form, we are claiming that we are not a "resident alien" and that we do not maintain a domicile in the "United States" (federal territory). Whereas, if we file a 1040 form, we are claiming that we are either a "resident" with a domicile in the "United States" (federal territory), or are a "U.S. citizen" who is described as a "alien" coming under a tax treaty with the United States if we attach a form 2555 to the 1040 form. Also keep in mind that only a "resident" can have a "residence", and that all "residents" are aliens under the tax code, as far as we understand it. This is confirmed by our quote of 26 C.F.R. §1.871-2 earlier in this section, which you may want to go back and read. With these important considerations, below are a few of the forms that determine our "domicile":

Table 6: Example forms that determine domicile

#	*Issuing agency*	*Form number*	*Form name*	*"Domicile"*	*Blocks that determine domicile*	*Amplification*
1	IRS	1040, 1040EZ, 1040A	U.S. Individual Income Tax Return	"United States" (federal territory)	None. Just filing the form does this.	
2	IRS	1040NR	U.S. Nonresident Alien Income Tax Return	State of the Union or foreign country	None. Just filing the form does this.	
3	IRS	2555	Foreign Earned Income Exclusion	Abroad (foreign country)	None. Just filing the form does this.	
4	IRS	W-8BEN		Place indicated in Block 4	Block 4: "Permanent address"	Make sure you put "Heaven" here!
5	Dept. of State	DS-11	Application for U.S. Passport or Registration	Place indicated in Block 13.	Block 13: "Permanent address"	Make sure you put "Heaven" here!
6	States	Change of address	Example: California DMV Form DMV-14	Place indicated in "New Correct Residence Address"	"New Correct residence address"	Make sure you put "Heaven" here!
7	States	Voter registration	Voter registration	State where filed		
8	States	Driver's license application	Driver's license application	State where filed (some states, not all)		In Oregon, you declare yourself to be a "resident" just by getting a state Driver's License. However, not all states do this.

Items 4 and 5 above are noteworthy, because they mention the phrase "Permanent address". Why do they use the phrase "permanent"? Because they want to DECEIVE you into thinking that you can't revoke or withdraw your request to be

protected and are therefore FORCED to keep subsidizing them to protect you without your continuing consent. That way, they are the only ones who can unilaterally terminate the CONTRACTUAL protection arrangement. SCAM!

When you fill out government forms to reflect a domicile that is in the Kingdom of Heaven on Earth, some ignorant or wicked or atheist clerks may decide to argue with you. Below are the three most popular arguments you will hear, which are each accompanied by tactics that are useful in opposing them:

1. If you submit the government form to a private company or organization, they may say that they have an unofficial "policy" of not accepting such forms. In response to such tactics, find another company that will accept it. If all companies won't accept it, then sue the companies for discrimination and violation of First Amendment rights.
2. They may say that "domicile" is based on a physical place and that Heaven is not a physical place. In response to this, we must remember that the First Amendment prevents the government from "establishing a religion". Because of this prohibition, the government can't even "define" what a religion is:

> *A problem common to both religion clauses of the First Amendment is the dilemma of defining religion. To define religion is in a sense to establish it--those beliefs that are included enjoy a preferred constitutional status. For those left out of the definition, the definition may prove coercive. Indeed, it is in this latter context, which roughly approximates the area covered by the free exercise clause, where the cases and discussion of the meaning of religion have primarily centered. Professor Kent Greeawalt challenges the effort, and all efforts, to define religion: "No specification of essential conditions will capture all and only the benefits, practices, and organizations that are regarded as religious in modern culture and should be treated as such under the Constitution."*
> *[First Amendment Law, Barron-Dienes, West Publishing, ISBN 0-314-22677-X, p. 432]*

   To even define what "Heaven" is or to say that it doesn't physically exist is effectively to establish a religion. In order to determine that "Heaven" is not a physical place, they would be violating the separation of church and state and infringing upon your First Amendment right to practice your religion.
3. They may say that no place can qualify as a domicile that you didn't occupy at one point or another. When they do this, the proper response is to say that they are interfering with your First Amendment religious rights and then to quote them the following scriptures, which suggest that we had an existence in Heaven before we ever came to earth and before time began:

> *"But God, who is rich in mercy, because of His great love with which He loved us, even when we were dead in trespasses,* ***made us alive together with Christ (by grace you have been saved), and raised us up together, and made us sit together in the heavenly places in Christ Jesus,*** *"*
> *[Eph. 2:4-6, Bible, NKJV]*
>
> ---
>
> *"**Before I formed you in the womb I knew you;***
> ***Before you were born I sanctified you;***
> *I ordained you a prophet to the nations."*
> *[Jeremiah 1:5, Bible, NKJV]*
>
> ---
>
> *"Therefore do not be ashamed of the testimony of our Lord, nor of me His prisoner, but share with me in the sufferings for the gospel according to the power of* ***God, who has saved us and called us with a holy calling****, not according to our works, but according to His own purpose and grace which was given to us in Christ Jesus* ***before [earthly] time began****,"*
> *[2 Tim. 1:8-9, Bible, NKJV]*
>
> ---
>
> *"**For we are His workmanship**, created in Christ Jesus for good works, **which God prepared beforehand that we should walk in them.**"*
> *[Eph. 2:10, Bible, NKJV]*
>
> ---
>
> *I will praise You, for I am fearfully and wonderfully made;*
> *Marvelous are Your works,*
> *And that my soul knows very well.*
> *My frame was not hidden from You,*
> *When I was made in secret,*
> *And skillfully wrought in the lowest parts of the earth.*
> ***Your eyes saw my substance, being yet unformed.***
> ***And in Your book they all were written,***

The [earthly] days fashioned for me,
When as yet there were none of them.
How precious also are Your thoughts to me, O God!
How great is the sum of them!
[Psalm 139:14-17, Bible, NKJV]

Another approach that is useful against this tactic is to point out that the federal courts have ruled that:

> *"**Similarly, when a person is prevented from leaving his domicile by circumstances not of his doing and beyond his control, he may be relieved of the consequences attendant on domicile at that place**. In Roboz (USDC D.C. 1963) [Roboz v. Kennedy, 219 F.Supp. 892 (D.D.C. 1963), p. 24], a federal statute was involved which precluded the return of an alien's property if he was found to be domiciled in Hungary prior to a certain date. It was found that Hungary was Nazi-controlled at the time in question and that the persons involved would have left Hungary (and lost domicile there) had they been able to. Since they had been precluded from leaving because of the political privations imposed by the very government they wanted to escape (the father was in prison there), the court would not hold them to have lost their property based on a domicile that circumstances beyond their control forced them to retain."*
> *[Conflicts in a Nutshell, Third Edition, David D. Siegel and Patrick J. Borchers, West Publishing, 2005, p. 24]*

We should always remember that we never chose to come here to earth, and our presence is involuntary. Therefore, everything we do while here is a matter of compulsion rather than true choice. This subject is covered more thoroughly in sections 4.12.11 through 4.12.11.4 of the *Great IRS Hoax*, Form #11.302 if you wish to investigate. Therefore, we can be relieved of the consequences attendant to domicile if we do not wish to have one here.

If all the above arguments are ineffective or when the government refuses to recognize your choice of Heaven as a domicile, remember also that the First Amendment STILL prevents them from compelling you to associate with any group, including a state, and that they can't compel you to belong to or consent to any earthly government or law, to accept or pay for protection you don't want and don't need, and which you can even prove is harmful to you. In effect, they cannot violate the very reason for their establishment, which is protecting you the way YOU, not THEM want to be protected.

Lastly, if you would like further instruction on how to avoid traps in government forms, please read the following:

Avoiding Traps in Government Forms Course, Form #12.023 http://sedm.org/Forms/FormIndex.htm

13.4 How the tax code compels choice of domicile

The government has compelled domicile or interfered with receiving the benefits of your choice by any of the following means:

1. Nowhere in Internal Revenue Code is the word "domicile" admitted to be the source of the government's jurisdiction to impose an income tax, even though the U.S. Supreme Court admitted this in Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954). The word "domicile", in fact, is only used in two sections of the entire 9,500 page Internal Revenue Code, Title 26. This is no accident, but a very devious way for the government to avoid getting into arguments with persons who it is accusing of being "taxpayers". It avoids these arguments by avoiding showing Americans the easiest way to challenge federal jurisdiction, which is demanding proof from the government required by 5 U.S.C. §556(d), who is the moving party, that you maintain a domicile in the "United States" (federal territory). The two sections below are the only places where domicile is mentioned:
   1.1. 26 U.S.C. §7448(j)(1)(B)(vi): Annuities to surviving spouses and dependent children of judges.
   1.2. 26 U.S.C. §6091: Defines where returns shall be submitted in the case of deceased "taxpayers", which is the "domicile" of the decedent when he died.
2. They abuse government forms to get you to convert your status from a "national" to a privileged "alien" or "resident alien", often without your knowledge. To ALIENATE rights, you literally have to BECOME an alien of one kind or another who is usually domiciled on federal territory NOT protected by the Constitution and where EVERYTHING is a statutory privilege.
   2.1. All aliens are privileged when they are outside the country of their birth. They are the ONLY ones that Congress can lawfully legislative for within a Constitutional state BECAUSE they are privileged. Note the use of the phrase "implied license" in the following ruling of the U.S. Supreme Court. "License" and "privilege" are synonymous:

> *The reasons for not allowing to other aliens exemption 'from the jurisdiction of the country in which they are found' were stated as follows: '**When private individuals of one nation [states of the Unions are "nations" under the law of nations] spread themselves through another as business or caprice may direct, mingling indiscriminately with the inhabitants of that other, or when merchant vessels enter for the purposes of trade, it would be obviously inconvenient and dangerous to society, and would subject the laws to continual infraction, and the government to degradation, if such individuals or merchants did not owe temporary and local allegiance, and were not amenable to the jurisdiction of the country.** Nor can the foreign sovereign have any motive for wishing such exemption. His subjects thus passing into foreign countries are not employed by him, nor are they engaged in national pursuits. Consequently, there are powerful motives for not exempting persons of this description from the jurisdiction of the country in which they are found, and no one motive for requiring it. **The implied license, therefore, under which they enter, can never be construed to grant such exemption.' 7 Cranch, 144.***
>
> *In short, the judgment in the case of The Exchange declared, as incontrovertible principles, that the jurisdiction of every nation within its own territory is exclusive and absolute, and is susceptible of no limitation not imposed by the nation itself; that all exceptions to its full and absolute territorial jurisdiction must be traced up to its own consent, express or implied; that upon its consent to cede, or to waive the exercise of, a part of its territorial jurisdiction, rest the exemptions from that jurisdiction of foreign sovereigns or their armies entering its territory with its permission, and of their foreign ministers and public ships of war; and that **the implied license, under which private individuals of another nation enter the territory and mingle indiscriminately with its inhabitants, for purposes of business or pleasure, can never be construed to grant to them an exemption from the jurisdiction of the country in which they are found.** See, also, Carlisle v. U.S. (1872) 16 Wall. 147, 155; Radich v. Hutchins (1877) 95 U.S. 210; Wildenhus' Case (1887) 120 U.S. 1, 7 Sup.Ct. 385; Chae Chan Ping v. U.S. (1889) 130 U.S. 581, 603, 604, 9 Sup.Ct. 623.*
> *[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]*

2.2. Recall from section 11.14 that there are TWO types of "residents": Foreign nationals and government contractors. Franchises such as driver licensing assume all applicants are privileged government contractors. They are "aliens" in relation to the government granting the franchise because they are not employed full time with that government as a public officer. They are PART time government workers ONLY in the context of a specific regulated activity. By "regulated" we mean controlled by a VOLUNTARY CIVIL FRANCHISE such as the Family Code or the Vehicle Code.

2.3. Government franchise application forms such as driver license applications use the following terms synonymous with foreign nationals and privileged aliens rather than "nationals":

2.3.1. "permanent address". This corresponds with the abode of a privileged alien or "permanent resident" with a green card.

2.3.2. "permanent residence". "residence" is NOWHERE defined in the revenue codes to apply to anything BUT aliens:

> *Title 26: Internal Revenue*
> *PART 1—INCOME TAXES*
> *nonresident alien individuals*
> *§ 1.871-2 Determining residence of alien individuals.*
>
> *(b) Residence defined.*
>
> *An alien actually present in the United States who is not a mere transient or sojourner is a resident of the United States for purposes of the income tax. **Whether he is a transient is determined by his intentions with regard to the length and nature of his stay.** A mere floating intention, indefinite as to time, to return to another country is not sufficient to constitute him a transient. If he lives in the United States and has no definite intention as to his stay, he is a resident. **One who comes to the United States for a definite purpose which in its nature may be promptly accomplished is a transient; but, if his purpose is of such a nature that an extended stay may be necessary for its accomplishment, and to that end the alien makes his home temporarily in the United States, he becomes a resident**, though it may be his intention at all times to return to his domicile abroad when the purpose for which he came has been consummated or abandoned. An alien whose stay in the United States is limited to a definite period by the immigration laws is not a resident of the United States within the meaning of this section, in the absence of exceptional circumstances.*

2.3.3. "residence": defined above, and only applying to "nonresident aliens". There is no definition of "residence" anywhere in the I.R.C. in the case of a "citizen". Below is how *Corpus Juris Secundum (C.J.S.), Volume 28* Legal Encyclopedia, Domicile, describes the distinction between "residence" and "domicile":

> *Corpus Juris Secundum*
> *§4 Domicile and Residence Distinguished*
>
> *b. Use of Terms in Statutes*

> *The terms "domicile" and "residence," as used in statutes, are commonly, although not necessarily, construed as synonymous. Whether the term "residence," as used in a statute, will be construed as having the meaning of "domicile," or the term "domicile" construed as "residence," depends on the purpose of the statute and the nature of the subject matter, as well as the context in which the term is used. 32 It has been declared that the terms "residence" and "domicile" are almost universally used interchangeably in statute, and that since domicile and legal residence are synonymous, the statutory rules for determining the place of residence are the rules for determining domicile.34 However, it has been held that "residence," when used in statutes, is generally interpreted by the courts as meaning "domicile," but with important exception.*
>
> ***Accordingly, whenever the terms "residence" and "domicile" are used in connection with subjects of domestic policy, the terms are equivalent, as they also are, generally, where a statute prescribes residence as a qualification for the enjoyment of a privilege or the exercise of a franchise.*** *"Residence" as used in various particular statutes has been considered synonymous with "domicile." 39 However, the terms are not necessarily synonymous.40*
> *[*28 Corpus Juris Secundum (C.J.S.), Domicile*, §4 Domicile and Resident Distinguished (2003)]*

Note the above underlined language. The "domestic policy" they are referring to are franchises such as driver licensing and marriage licensing. Those participating are privileged AND while exercising said privilege, they represent an office within the government whose domicile is on federal territory OUTSIDE the protections of the Constitution. They in effect have WAIVED their constitutional rights and common law rights and remedies in exchange for government "benefits":

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

> *"The words "privileges" and "immunities," like the greater part of the legal phraseology of this country, have been carried over from the law of Great Britain, and recur constantly either as such or in equivalent expressions from the time of Magna Charta.* ***For all practical purposes they are synonymous in meaning, and originally signified a peculiar right or private law conceded to particular persons or places whereby a certain individual or class of individuals was exempted from the rigor of the common law. Privilege or immunity is conferred upon any person when he is invested with a legal claim to the exercise of special or peculiar rights, authorizing him to enjoy some particular advantage or exemption.*** *"[89]*
> *[The Privileges and Immunities of State Citizenship, Roger Howell, PhD, 1918, pp. 9-10; SOURCE:*
> http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_immunities_of_state_c.pdf*]*

2.4. All of the above terms pertain ONLY to foreign nationals and privileged aliens. Equivocation is being used to make them look like they apply to "nationals" born in the country when they DO NOT. "Permanent address" is synonymous with "permanent residents", not nationals with a domicile in the place:

> *"****Residents, as distinguished from citizens, are aliens who are permitted to take up a permanent abode in the country****.* ***Being bound to the society by reason of their dwelling in it, they are subject to its laws so long as they remain there, and, being protected by it****, they must defend it, although* ***they do not enjoy all the rights of citizens. They have only certain privileges which the law, or custom, gives them.*** *Permanent residents are those who have been given the right of* ***perpetual residence****. They are a sort of citizen of a less privileged character, and are subject to the society without enjoying all its advantages. Their children succeed to their status; for the right of perpetual residence given them by the State passes to their children."*

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

*[*The Law of Nations, Vattel, *Book 1, Chapter 19, Section 213, p. 87]*

2.5. Driver licensing is the usual gateway into the tax system, because the application for the license declares you to be a privileged alien and foreign national by its use of the above terms on the application. Notice they don't ask you your domicile, but your "permanent residence".

2.6. They did the above so that income taxation "appears" to be based entirely on physical presence, when in fact is also requires voluntary consent as well. That consent, as a bare minimum, is YOUR consent to be treated AS IF you are a privileged alien or resident alien and thereby surrender rights to the government that the Declaration of Independence says are INALIENABLE, which means that you aren't allowed to consent to give them away. If you knew that the government needed your consent to become a "taxpayer", then probably everyone would "un-volunteer" and the government would be left scraping for pennies.

2.7. For more on TRAPS in government forms such as the above, see:

Avoiding Traps in Government Forms Course, Form #12.023 https://sedm.org/Forms/FormIndex.htm

3. By confusing physical presence ANYWHERE with being a "permanent resident" abroad ONLY under 26 U.S.C. §911.

3.1. 26 C.F.R. §1.1-1(b) makes "all citizens of the United States[** federal zone], **wherever resident**" liable for income tax, whether the income is received from sources within or without the United States".

3.2. The phrase "wherever resident" would seem to imply REGARDLESS of where they are physically located, but in fact it DOES NOT.

3.3. Extensive evidence exists to prove that the phrase "wherever resident" instead means wherever they have the CIVIL STATUS of "resident", meaning wherever they are a permanent resident abroad under a tax treaty with the foreign country they are in under 26 U.S.C. §911.

> *Sections 1.1-1(b) and 1.871-1 of the Income Tax Regulations provide that all citizens of the United States, wherever resident, and all resident alien individuals are liable to the income taxes imposed by the Internal Revenue Code whether the income is received from sources within or without the United States. See, however, section 911 of the Code. (Emphasis added.)*
> *[Rev.Rul. 75-357, p. 5]*

Being that Rev.Rul. 75-357 quotes 26 C.F.R. §1.1-1(b) directly, and duly informs every reader to see, 26 U.S.C. §911, I believe we should visit 26 U.S.C. §911 and its regulations to locate the appropriate application of the ***wherever resident*** feature in that section of federal law. See 26 U.S.C. §911(d)(1)(A) as follows:

> *(d) Definitions and special rules — For purposes of this section —*
>
> *(1) Qualified individual — The term "qualified individual" means an individual whose tax home is in a foreign country and who is —*
>
> *(A) a citizen of the United States and establishes to the satisfaction of the Secretary that he has been a bona fide resident of a foreign country or countries for an uninterrupted period which includes an entire taxable year.*
> *[26 U.S.C. §911(d)(1)(A)]*

The regulations to section 911 make the distinction between where income is received as opposed to where services are performed. See:

> *26 C.F.R. §1.911-3 Determination of amount of foreign earned income to be excluded.*
>
> *(a) **Definition of foreign earned income**.*
>
> *For purposes of section 911 and the regulations thereunder, the term "foreign earned income" means earned income (as defined in paragraph (b) of this section) from sources within a foreign country (as defined in §1.911-2(h)) that is earned during a period for which the individual qualifies under §1.911-2(a) to make an election. **Earned income is from sources within a foreign country if it is attributable to services performed by an individual in a foreign country or countries**. **The place of receipt of earned income is immaterial in determining whether earned income is attributable to services performed in a foreign country or countries.***

For more on this SCAM, see:

Flawed Tax Arguments to Avoid, Form #08.004, Section 8.20 https://sedm.org/Forms/FormIndex.htm

4. By telling you that you MUST have a "domicile". For instance, the *Corpus Juris Secundum (C.J.S.), Volume 28* section on "Domicile" says the following on this subject:

> *Corpus Juris Secundum*
> *§5 Necessity and Number*
>
> *"**It is a settled principle that every person must have a domicile somewhere.3 The law permits no individual to be without a domicile,42 and an individual is never without a domicile somewhere.**13 Domicile is a continuing thing, and from the moment a person is born he must, at all times, have a domicile ."*
> *[28 Corpus Juris Secundum (C.J.S.), Domicile, §5 Necessity and Number (2003)]*
>
> ---
>
> *Corpus Juris Secundum*
> *§9 Domicile by Operation of Law*
>
> *"Whenever a person does not fix a domicile for himself, the law will fix one for him in accordance with the facts and circumstances of the case; l2 and an infant's domicile will be fixed by operation of law where it cannot be determined from that of the parents.73"*
> *[28 Corpus Juris Secundum (C.J.S.), Domicile, §9 Domicile by Operation of Law (2003)]*

The above requirement can and does apply ONLY to civil statutory "persons" and the choice to become such a "person" is voluntary or else it would violate the First Amendment right of freedom from compelled association. Also note that such "persons" are all public officers. Indirectly, what they are also suggesting in the above by FORCING you to have a domicile is that:

4.1. You cannot choose God as your sole CIVIL Protector, but MUST have an earthly protector who cannot be yourself.
4.2. Although the First Amendment gives you the right to freely associate, it does not give you the right to CIVILLY disassociate with ALL governments. This is an absurdity.
4.3. Government has a monopoly on CIVIL protection and that individuals are not allowed to fire the government and provide their own protection, either individually or collectively.

5. By inventing new words that allow them to avoid mentioning "domicile" in their vague "codes" while giving you the impression that an obligation exists that actually is consensual. For instance, in 26 U.S.C. §911 is the section of the I.R.C. entitled "Citizens or residents of the United States living abroad". This section identifies the income tax liabilities of persons domiciled in the "United States" (federal zone) who are living temporarily abroad. We showed earlier that if they have a domicile abroad, then they cannot be either "citizens" or "residents" under the I.R.C., because domicile is a prerequisite for being either. In that section, they very deceptively:

5.1. Use the word "abode" in 26 U.S.C. §911(d)(3) to describe one's domicile so as to remove the requirement for "intent" and "consent" from consideration of the subject, even though they have no authority to ignore this requirement for consent in the case of anything but an "alien".
5.2. Don't even use the word "domicile" at all, and refuse to acknowledge that what "citizens" or "residents" both have in common is a "domicile" within the United States. They did this to preserve the illusion that even after one changes their domicile to a foreign country while abroad, the federal tax liability continues, when in fact, it legally is not required to. After domicile is changed, those Americans who changed it while abroad then are no longer called "citizens" under federal law, but rather "nationals" and "non-resident non-persons". If they are engaged in a public office, they also become statutory "nonresident aliens".
5.3. They invented a new word called a "tax home", as if it were a substitute for "domicile", when in fact it is not. A "tax home" is defined in 26 U.S.C. §911 as a place where a person who has a temporary presence abroad treats himself or herself as a privileged "resident" in the foreign country but still also maintains a privileged "resident" and "domicile" status in the "United States".

> *TITLE 26 > Subtitle A > CHAPTER 1 > Subchapter N > PART III > Subpart B > § 911*
> *§ 911. Citizens or residents of the United States living abroad*
>
> *(d) Definitions and special rules For purposes of this section—*
>
> *(3) Tax home*
>
> *The term "**tax home**" means, with respect to any individual, such individual's home for purposes of section 162 (a)(2) (relating to traveling expenses while away from home). **An individual shall not be treated as having a tax home in a foreign country for any period for which his abode [domicile] is within the United States [federal zone].***

The only way the government can maintain your status as a "taxpayer" is to perpetuate you in a "privileged" state, so they simply don't offer any options to leave the privileged state by refusing to admit to you that the terms "citizen" and "resident" presume you made a voluntary choice of domicile within their exclusive jurisdiction on federal territory. I.R.C. section 162 mentioned above is the section for privileged deductions, and the only persons who can take deductions are those engaged in the privileged "trade or business" excise taxable franchise. Therefore, the only person who would derive any benefit from deductions is a person with a domicile in the "United States" (federal territory) and who has earnings from that place which are connected with a "trade or business", which means U.S. government (corporation) source income as a "public officer".

13.5 How the Legal Encyclopedia compels choice of domicile

Even the legal encyclopedia tries to hide the nature of domicile. For instance, Corpus Juris Secundum (C.J.S.), Volume 28 at:

http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf

which we quoted in the previous section does not even mention the requirement for "allegiance" as part of domicile or the fact that allegiance must be voluntary and not compelled, even though the U.S. Supreme Court said this was an essential part of it:

> *"Since the Fourteenth Amendment makes one a citizen of the state wherein he resides,* ***the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter****."*
> *[Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954)]*

The legal encyclopedia in the above deliberately and maliciously omits mention of any of the following key concepts, even though the U.S. Supreme Court has acknowledged elements of them as we have shown:

1. That allegiance that is the foundation of domicile must be voluntary and cannot be coerced.
2. That external factors such as the withdrawal of one's right to conduct commerce for failure to give allegiance causes domicile choice to no longer be voluntary.
3. That a choice of domicile constitutes an exercise of your First Amendment right of freedom of association and that a failure to associate with a specific government is an exercise of your right of freedom from compelled association.
4. That you retain all your constitutional rights even WITHOUT choosing a domicile within a specific government because rights attach to the land you are standing on and not the civil status you choose by exercising your right to associate and becoming a member of a "state" or municipality.

The result of maliciously refusing to acknowledge the above concepts is a failure to acknowledge the foundation of all just authority of every government on earth, which is the consent of the governed mentioned in our Declaration of Independence.

> *"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That* ***to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed****, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."*
> *[Declaration of Independence]*

A failure to acknowledge that requirement results in a complete destruction of the sovereignty of the people, because the basis of all your sovereignty is that no one can do anything to you without your consent, unless you injured the equal rights of others. This concept is exhaustively described in the following document:

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

13.6 How governments compel choice of domicile: Government ID

In order to do business within any jurisdiction, and especially with the government and financial institutions, one usually needs identification documents. Such documents include:

1. State driver's license. Issued by the Department of Motor Vehicles in your state.
2. State ID card. Issued by the Department of Motor Vehicles in your state.
3. Permanent resident green card.
4. National passport. Issued by the U.S. Department of State.
5. U.S. Citizen Card. Issued by the Department of State. These are typically used at border crossings.

All ID issued by the state governments, and especially the driver's license, requires that the applicant be a "resident" of the "State of____". If you look up the definition of "resident" and "State of" or "State" or "in this State" within the state tax code, these terms are defined to mean a privileged alien with a domicile on federal territory not protected by the Constitution.

USA passports also require that you provide a domicile. The Department of State Form DS-11 in Block 17 requires you to specify a "Permanent Address", which means domicile. See:

http://famguardian.org/Subjects/Taxes/Citizenship/DOS-DS11-20080320.pdf

Domicile within the country is not necessary in order to be issued a national passport. All you need is proof of birth within that country. If you would like tips on how to obtain a national passport without a domicile within a state and without government issued identifying numbers that connect you to franchises, see:

Getting a USA Passport as a "State National", Form #09.007
http://sedm.org/Forms/FormIndex.htm

State ID, however, always requires domicile within the state in order to be issued either a state driver's license or a state ID. Consequently, there is no way to avoid becoming privileged if you want state ID. This situation would seem at first to be a liability until you also consider that they can't lawfully issue a driver's license to non-residents. Imagine going down to the DMV and telling them that you are physically on state land but do not choose a domicile here and that you can't be compelled to and that you would like for them to certify that you came in to request a license and that you were refused and don't qualify. Then you can show that piece of paper called a "Letter of Disqualification" to the next police officer who stops you and asks you for a license. Imagine having the following dialog with the police officer when you get stopped:

> *Officer: May I see your license and registration please?*
>
> *You: I'm sorry, officer, but I went down to the DMV to request a license and they told me that I don't qualify because I am a non-resident of this state. I have a Letter of Disqualification they gave me while I was there stating that I made application and that they could not lawfully issue me a license. Here it is, officer.*
>
> *Officer: Well, then do you have a license from another state?*
>
> *You: My domicile is in a place that has no government. Therefore, there is no one who can issue licenses there. Can you show me a DMV office in the middle of the ocean, which is where my domicile is and where my will says my ashes will be PERMANENTLY taken to when I die. My understanding is that domicile or residence requires an intention to permanently remain at a place and I am not here permanently and don't intend to remain here. I am a perpetual traveler, a transient foreigner, and a vagrant until I am buried.*
>
> *Officer: Don't get cute with me. If you don't produce a license, then I'm going to cite you for driving without a license.*
>
> *You: Driving is a commercial activity and I am not presently engaged in a commercial activity. Do you have any evidence to the contrary? Furthermore, I'd love to see you explain to the judge how you can punish me for refusing to have that which the government says they can't even lawfully issue me. That ought to be a good laugh. I'm going to make sure the whole family is there for that one. It'll be better than Saturday Night Live!*

We allege that the purpose of the vehicle code in your state is NOT the promotion of public safety, but to manufacture "residents" and "taxpayers". The main vehicle by which states of the Union, in fact, manufacture "residents", who are

privileged "public officers" that are "taxpayers" and aliens with respect to the government is essentially by compelling everyone to obtain and use state driver's licenses. This devious trap operates as follows:

1. You cannot obtain a state driver's license without being a "resident". If you go into any DMV office and tell them you are not a "resident", then they are not allowed to issue you a license. You can ask from them what is called a "Letter of Disqualification", which states that you are not eligible for a driver's license. You can keep that letter and show it to any police officer who stops you and wants your "license". He cannot then cite you for "driving without a license" that the state refuses to issue you, nor can he impound your car for driving without a license!

> *California Vehicle Code*
>
> *"14607.6. (a) Notwithstanding any other provision of law, and except as provided in this section,* ***a motor vehicle is subject to forfeiture as a nuisance if it is driven on a highway in this state by a driver with a suspended or revoked license, or by an unlicensed driver, who is a registered owner of the vehicle at the time of impoundment and has a previous misdemeanor conviction for a violation of subdivision (a) of Section 12500 or Section 14601, 14601.1, 14601.2, 14601.3, 14601.4, or 14601.5.***
>
> *(b) A peace officer shall not stop a vehicle for the sole reason of determining whether the driver is properly licensed.*
>
> *(c) (1)* ***If a driver is unable to produce a valid driver's license on the demand of a peace officer enforcing the provisions of this code, as required by subdivision (b) of Section 12951, the vehicle shall be impounded regardless of ownership, unless the peace officer is reasonably able, by other means, to verify that the driver is properly licensed. Prior to impounding a vehicle, a peace officer shall attempt to verify the license status of a driver who claims to be properly licensed but is unable to produce the license on demand of the peace officer.***
>
> *(2) A peace officer shall not impound a vehicle pursuant to this subdivision if the license of the driver expired within the preceding 30 days and the driver would otherwise have been properly licensed.*
>
> *(3) A peace officer may exercise discretion in a situation where the driver without a valid license is an employee driving a vehicle registered to the employer in the course of employment. A peace officer may also exercise discretion in a situation where the driver without a valid license is the employee of a bona fide business establishment or is a person otherwise controlled by such an establishment and it reasonably appears that an owner of the vehicle, or an agent of the owner, relinquished possession of the vehicle to the business establishment solely for servicing or parking of the vehicle or other reasonably similar situations, and where the vehicle was not to be driven except as directly necessary to accomplish that business purpose. In this event, if the vehicle can be returned to or be retrieved by the business establishment or registered owner, the peace officer may release and not impound the vehicle.*
>
> *(4) A registered or legal owner of record at the time of impoundment may request a hearing to determine the validity of the impoundment pursuant to subdivision (n).*
>
> ***(5) If the driver of a vehicle impounded pursuant to this subdivision was not a registered owner of the vehicle at the time of impoundment, or if the driver of the vehicle was a registered owner of the vehicle at the time of impoundment but the driver does not have a previous conviction for a violation of subdivision (a) of Section 12500 or Section 14601, 14601.1, 14601.2, 14601.3, 14601.4, or 14601.5, the vehicle shall be released pursuant to this code and is not subject to forfeiture.***
>
> *(d) (1) This subdivision applies only if the driver of the vehicle is a registered owner of the vehicle at the time of impoundment. Except as provided in paragraph (5) of subdivision (c), if the driver of a vehicle impounded pursuant to subdivision (c) was a registered owner of the vehicle at the time of impoundment, the impounding agency shall authorize release of the vehicle if, within three days of impoundment, the driver of the vehicle at the time of impoundment presents his or her valid driver's license, including a valid temporary California driver's license or permit, to the impounding agency. The vehicle shall then be released to a registered owner of record at the time of impoundment, or an agent of that owner authorized in writing, upon payment of towing and storage charges related to the impoundment, and any administrative charges authorized by Section 22850.5, providing that the person claiming the vehicle is properly licensed and the vehicle is properly registered. A vehicle impounded pursuant to the circumstances described in paragraph (3) of subdivision (c) shall be released to a registered owner whether or not the driver of the vehicle at the time of impoundment presents a valid driver's license.*
>
> *(2) If there is a community property interest in the vehicle impounded pursuant to subdivision (c), owned at the time of impoundment by a person other than the driver, and the vehicle is the only vehicle available to the driver's immediate family that may be operated with a class C driver's license, the vehicle shall be released to a registered owner or to the community property interest owner upon compliance with all of the following requirements:*

(A) The registered owner or the community property interest owner requests release of the vehicle and the owner of the community property interest submits proof of that interest.

(B) The registered owner or the community property interest owner submits proof that he or she, or an authorized driver, is properly licensed and that the impounded vehicle is properly registered pursuant to this code.

(C) All towing and storage charges related to the impoundment and any administrative charges authorized pursuant to Section 22850.5 are paid.

(D) The registered owner or the community property interest owner signs a stipulated vehicle release agreement, as described in paragraph (3), in consideration for the nonforfeiture of the vehicle. This requirement applies only if the driver requests release of the vehicle.

(3) A stipulated vehicle release agreement shall provide for the consent of the signator to the automatic future forfeiture and transfer of title to the state of any vehicle registered to that person, if the vehicle is driven by a driver with a suspended or revoked license, or by an unlicensed driver. The agreement shall be in effect for only as long as it is noted on a driving record maintained by the department pursuant to Section 1806.1.

(4) The stipulated vehicle release agreement described in paragraph (3) shall be reported by the impounding agency to the department not later than 10 days after the day the agreement is signed.

(5) No vehicle shall be released pursuant to paragraph (2) if the driving record of a registered owner indicates that a prior stipulated vehicle release agreement was signed by that person.

(e) (1) The impounding agency, in the case of a vehicle that has not been redeemed pursuant to subdivision (d), or that has not been otherwise released, shall promptly ascertain from the department the names and addresses of all legal and registered owners of the vehicle.

(2) The impounding agency, within two days of impoundment, shall send a notice by certified mail, return receipt requested, to all legal and registered owners of the vehicle, at the addresses obtained from the department, informing them that the vehicle is subject to forfeiture and will be sold or otherwise disposed of pursuant to this section. The notice shall also include instructions for filing a claim with the district attorney, and the time limits for filing a claim. The notice shall also inform any legal owner of its right to conduct the sale pursuant to subdivision (g). If a registered owner was personally served at the time of impoundment with a notice containing all the information required to be provided by this paragraph, no further notice is required to be sent to a registered owner. However, a notice shall still be sent to the legal owners of the vehicle, if any. If notice was not sent to the legal owner within two working days, the impounding agency shall not charge the legal owner for more than 15-days' impoundment when the legal owner redeems the impounded vehicle.

(3) No processing charges shall be imposed on a legal owner who redeems an impounded vehicle within 15 days of the impoundment of that vehicle. If no claims are filed and served within 15 days after the mailing of the notice in paragraph (2), or if no claims are filed and served within five days of personal service of the notice specified in paragraph (2), when no other mailed notice is required pursuant to paragraph (2), the district attorney shall prepare a written declaration of forfeiture of the vehicle to the state. A written declaration of forfeiture signed by the district attorney under this subdivision shall be deemed to provide good and sufficient title to the forfeited vehicle. A copy of the declaration shall be provided on request to any person informed of the pending forfeiture pursuant to paragraph (2). A claim that is filed and is later withdrawn by the claimant shall be deemed not to have been filed.

(4) If a claim is timely filed and served, then the district attorney shall file a petition of forfeiture with the appropriate juvenile, municipal, or superior court within 10 days of the receipt of the claim. The district attorney shall establish an expedited hearing date in accordance with instructions from the court, and the court shall hear the matter without delay. The court filing fee, not to exceed fifty dollars ($50), shall be paid by the claimant, but shall be reimbursed by the impounding agency if the claimant prevails. To the extent practicable, the civil and criminal cases shall be heard at the same time in an expedited, consolidated proceeding. A proceeding in the civil case is a limited civil case."
[California Vehicle Code, Section 14607.6, Sept. 20, 2004]

Below is evidence showing how one person obtained a "Letter of Disqualification" that resulted in being able to drive perpetually without having a state -issued driver's license.
http://famguardian.org/Subjects/Taxes/Remedies/DomicileBasisTaxationDL-20060522.pdf

2. Most state vehicle codes define "resident" as a person with a domicile in the "State". Below is an example from the California Vehicle Code:

California Vehicle Code

*516. "**Resident**" means any person who manifests an intent to live or be located in this state on more than a temporary or transient basis. **Presence in the state for six months or more in any 12-month period gives rise to a rebuttable presumption of residency.***

*The following are evidence of residency for purposes of **vehicle** registration:*

(a) Address where registered to vote.

(b) Location of employment or place of business.

*(c) Payment of **resident** tuition at a public institution of higher education.*

(d) Attendance of dependents at a primary or secondary school.

(e) Filing a homeowner's property tax exemption.

(f) Renting or leasing a home for use as a residence.

(g) Declaration of residency to obtain a license or any other privilege or benefit not ordinarily extended to a nonresident.

(h) Possession of a California driver's license.

(i) Other acts, occurrences, or events that indicate presence in the state is more than temporary or transient.

[SOURCE: http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=516.&lawCode=VEH]

California Vehicle Code

*12505. (a) (1) For purposes of this division only and notwithstanding Section 516, **residency shall be determined as a person's state of domicile. "State of domicile" means the state where a person has his or her true, fixed, and permanent home and principal residence and to which he or she has manifested the intention of returning whenever he or she is absent.***

Prima facie evidence of residency for driver's licensing purposes includes, but is not limited to, the following:

(A) Address where registered to vote.

(B) Payment of resident tuition at a public institution of higher education.

(C) Filing a homeowner's property tax exemption.

(D) Other acts, occurrences, or events that indicate presence in the state is more than temporary or transient.

(2) California residency is required of a person in order to be issued a commercial driver's license under this code.

(b) The presumption of residency in this state may be rebutted by satisfactory evidence that the licensee's primary residence is in another state.

*(c) Any person entitled to an exemption under Section 12502, 12503, or 12504 may operate a motor **vehicle** in this state for not to exceed 10 days from the date he or she establishes residence in this state, except that he or she shall obtain a license from the department upon becoming a **resident** before being employed for compensation by another for the purpose of driving a motor **vehicle** on the highways.*

[SOURCE: http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=12505.&lawCode=VEH]

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516. "Resident" means any person who manifests an intent to live or be located in this state on more than a temporary or transient basis. Presence in the state for six months or more in any 12-month period gives rise to a rebuttable presumption of residency.

The following are evidence of residency for purposes of vehicle registration:

(a) Address where registered to vote.

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(c) Payment of resident tuition at a public institution of higher education.

(d) Attendance of dependents at a primary or secondary school.

(e) Filing a homeowner's property tax exemption.

(f) Renting or leasing a home for use as a residence.

(g) Declaration of residency to obtain a license or any other privilege or benefit not ordinarily extended to a nonresident.

(h) Possession of a California driver's license.

(i) Other acts, occurrences, or events that indicate presence in the state is more than temporary or transient.
[SOURCE: http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=516.&lawCode=VEH]

3. The term "State" is then defined in the revenue codes to mean the federal areas within the exterior limits of the state. Below is an example from the California Vehicle Code:

California Revenue and Taxation Code

17017. "United States," when used in a geographical sense, includes the states, the District of Columbia, and the possessions of the United States.

17018. "State" includes the District of Columbia, and the possessions of the United States.

4. You must surrender all other state driver's licenses in order to obtain one from most states. This is consistent with the fact that you can only have a domicile in ONE place at a time. Below is an example from the California Vehicle Code:

California Vehicle Code

12805. The department shall not issue a driver's license to, or renew a driver's license of, any person:

[. . .]

(f) Who holds a valid driver's license issued by a foreign jurisdiction unless the license has been surrendered to the department, or is lost or destroyed.

12511. No person shall have in his or her possession or otherwise under his or her control more than one driver's license.

Consequently, the vehicle code in most states, in the case of individuals not involved in "commercial activity", applies mainly to "public officers" who are effectively "residents" of the federal zone with an effective "domicile" or "residence" there:

26 U.S.C. §7701

(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—

(39) Persons residing outside United States

If any citizen or resident of the United States does not reside in (and is not found in) any United States judicial district, such citizen or resident shall be treated as residing in the District of Columbia for purposes of any provision of this title relating to—

(A) jurisdiction of courts, or

(B) enforcement of summons.
[SOURCE: https://www.law.cornell.edu/uscode/text/26/7701]

These persons are "taxpayers". They are Americans who have contracted away their Constitutional rights in exchange for government "privileges" and they are the only "persons" who inhabit or maintain a "domicile" or "residence" in the "State" as defined above. Only people with a domicile in such "State" can be required to obtain a "license" to drive on the "highways". While they are exercising "agency" on behalf of or representing the government corporation, they are "citizens" of that corporation and "residents", because the corporation itself is a "citizen" and therefore a person with a domicile in the place where the corporation was formed, which for the "United States" is the District of Columbia:

*"Corporations are also of all grades, and made for varied objects; **all governments are corporations, created by usage and common consent, or grants and charters which create a body politic for prescribed purposes; but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise***

***of power, they are all governed by the same rules of law, as to the construction and the obligation of the instrument by which the incorporation is made. One universal rule of law protects persons and property**. It is a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing of protection as other persons, and their corporate property secured by the same laws which protect that of individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law, is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal government, by the amendments to the constitution."*
[Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, 36 U.S. 420 (1837)]

"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."
[19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003)]

Federal Rules of Civil Procedure
IV. PARTIES > Rule 17.
Rule 17. Parties Plaintiff and Defendant; Capacity

(b) Capacity to Sue or be Sued.

Capacity to sue or be sued is determined as follows:

(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;
(2) for a corporation[or one REPRESENTING a PUBLIC CORPORATION called the government as a "public officer"], by the law under which it was organized; and
(3) for all other parties, by the law of the state where the court is located, except that:
(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and
(B) 28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.
[SOURCE: http://www.law.cornell.edu/rules/frcp/Rule17.htm]

If you don't want to be a "public officer" who has an effective "domicile" or "residence" in the District of Columbia, then you have to divorce the state, create your own "state", and change your domicile to that new "state". For instance, you can form an association of people and choose a domicile within that association. This association would be referred to as a "foreign jurisdiction" within the vehicle code in most states. The association can become the "government" for that group, and issue its own driver's licenses and conduct its own "courts". In effect, it becomes a competitor to the corporate state for the affections, allegiance, and obedience of the people. This is capitalism at its finest, folks!

California Vehicle Code

12502. (a) The following persons may operate a motor vehicle in this state without obtaining a driver's license under this code:

*(1) **A nonresident over the age of 18 years having in his or her immediate possession a valid driver's license issued by a foreign jurisdiction** of which he or she is a resident, except as provided in Section 12505.*
[SOURCE: http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=12502.&lawCode=VEH]

As long as the driver's licenses issued by the government you form meet the same standard as those for the state you are in, then it doesn't matter who issued it.

California Vehicle Code

12505. (a) (1) For purposes of this division only and notwithstanding Section 516, residency shall be determined as a person's state of domicile. "State of domicile" means the state where a person has his or her true, fixed, and permanent home and principal residence and to which he or she has manifested the intention of returning whenever he or she is absent.

[. . .]

> *(e) Subject to Section 12504, **a person over the age of 16 years who is a resident of a foreign jurisdiction other than a state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or Canada, having a valid driver's license issued to him or her by any other foreign jurisdiction having licensing standards deemed by the Department of Motor Vehicles equivalent to those of this state, may operate a motor vehicle in this state without obtaining a license from the department**, except that he or she shall obtain a license before being employed for compensation by another for the purpose of driving a motor vehicle on the highways.*
> *[SOURCE:*
> *http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=12505.&lawCode=VEH]*

As long as you take and pass the *same* written and driver's tests as the state uses, even your church could issue it! As a matter of fact, below is an example of a church that issues "Heaven Driver's Licenses":

Embassy of Heaven http://www.embassyofheaven.com/

You can't be compelled by law to grant to your public "servants" a monopoly that compels you into servitude to them as a "public officer". In the United States, WE THE PEOPLE are the government, and *not* their representatives and "servants" who work for them implementing the laws that they pass. Consequently, you and your friends or church, as a "self-governing body" can make your own driver's license and in fact and in law, those licenses will by definition be "government-issued". To wit:

> *"The words 'people of the United States' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, **form the sovereignty, and who hold the power and conduct the government through their representatives [they are the government, not their servants].** They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ..."*
> *[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]*

> *"From the differences existing between feudal sovereignties and Government founded on compacts, it necessarily follows that their respective prerogatives must differ. **Sovereignty is the right to govern; a nation or State-sovereign is the person or persons in whom that resides. In Europe the sovereignty is generally ascribed to the Prince; here it rests with the people; there, the sovereign actually administers the Government; here, never in a single instance; our Governors are the agents of the people, and at most stand in the same relation to their sovereign, in which regents in Europe stand to their sovereigns.** Their Princes have personal powers, dignities, and pre-eminences, **our rulers have none but official; nor do they partake in the sovereignty otherwise, or in any other capacity, than as private citizens.**"*
> *[Chisholm, Ex'r. v. Georgia, 2 Dall. (U.S.) 419, 1 L.ed. 454, 457, 471, 472 (1794)]*

Anyone who won't accept such a driver's license should be asked to contradict the U.S. Supreme Court and to prove that you AREN'T part of the government as a person who governs his own life and the lives of other members of the group you have created. The following article also emphasizes that "We The People" are the government, and that our servants have been trying to deceive us into believing otherwise:

We The People Are The American Government, Nancy Levant http://famguardian.org/Subjects/LawAndGovt/Articles/WeAreGovernment.pdf

If you would like to know more about this fascinating subject, see the following book:

Defending Your Right to Travel, Form #06.010 http://sedm.org/ItemInfo/Ebooks/DefYourRightToTravel.htm

Chances are good that you as a reader at one time or another procured government ID without knowing all the legal consequences described in this document. The existence of that ID and the evidence documenting your request for it can and probably will be used by the government against you as evidence that you are subject to their civil laws and a customer of their "protection racket". The best technique for rebutting such evidence is that appearing in the following document. The submission of this document is a MANDATORY part of becoming a Member of this fellowship, and hopefully you now understand why it is mandatory:

Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001 http://sedm.org/Forms/FormIndex.htm

In particular, see the following sections in the above document:

1. Section 9: Affidavit of Duress, Government ID Scam.
2. Section 10.8: Criminal Complaint Against Those Engaged in the Government ID Scam

13.7 The "residence" and "resident" SCAM: How context of words "residence" and "resident" is abused to kidnap your identity and transport you to the geographical federal zone[90]

False Argument: "residence" and "resident" in the tax code applies to people living in and domiciled within the exclusive jurisdiction of a Constitutional state of the Union

Corrected Alternative Argument: Income taxation under I.R.C. Subtitles A and C are based on RESIDENCE, not DOMICILE. "Residence" is the abode of an ALIEN or RESIDENT in relation to the place they live. CITIZENS or NATIONALS domiciled within the exclusive jurisdiction of a Constitutional State cannot have a "residence" or be "resident" as legally defined. The phrase "wherever resident" in 26 C.F.R. §1.1-1 therefore means the place where the "person" subject to the code maintains a physical "residence" or is "resident". The only definition of "residence" or "resident" anywhere in the I.R.C. Subtitles A and C relates to aliens, and not citizens or residents. People living in the exclusive jurisdiction of Constitutional States are neither "resident" or maintain a "residence" in the context of the income tax. If they falsely claim that they do, then they have effectively volunteered to pay a tax that does not apply to them. "Wherever resident" has nothing to do with the exclusive jurisdiction of a Constitutional a state of the Union, because:

1. "residence" and "resident" are geographical terms relating to the physical place someone lives.
2. The only geographical definition of "United States" in 26 U.S.C. §7701(a)(9) and (a)(10) does not expressly include Constitutional states of the Union. Thus, they are purposefully excluded per the rules of statutory construction.

Further information:

1. Bowring v. Bowers, 24 F.2d. 918 (1928)
2. *Non-Resident Non-Person Position*, Form #05.020, Section 5.1-memorandum of law upon which this section is based. http://sedm.org/Forms/FormIndex.htm
3. *Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002. http://sedm.org/Forms/FormIndex.htm

According to Bowring v. Bowers, 24 F.2d. 918 (1928), liability for income taxation has always been based on "residence", RATHER THAN domicile:

> *But in personal and income taxes domicile has played no necessary part, and residence at a fixed date has determined the liability for the tax.* Bell v. Pierce, *51 N.Y. 12;* Douglas v. Mayor, 9 N.Y.Super.Ct. *110;* Matter of Austen, *13 A.D. 247, 42 N.Y.S. 1097;* Finley v. Philadelphia, *32 Pa. 361. In the New York Income Tax law (Consol. Laws, c. 60), which is largely based on the federal acts, section 350 defines a 'resident' as 'any person domiciled in the state of New York, and any other person who maintains a permanent place of abode within the state, and spends in the aggregate more than seven months of the taxable year within the state.'*
>
> *Likewise under the English income tax laws, prior to 1914, residence, and not domicile, was the test of liability (*Inland Revenue v. John Lambert Caldwalader, *(1904) 7 Session Cases, 146;* Attorney General v. Coots, 4 Price, *183), though income, unless derived from a trade or employment carried on in England, had to be received there in order to render one subject to taxation upon it (*Liverpool, London & Globe Ins. *Co. v. Bennett, (1913) A.C. 610). But since 1914 a resident of more than six months (though not domiciled) has had to pay an income tax on all income received in the United Kingdom, and a domiciled person a tax on income derived from all sources. Thus, under all the British income tax laws, a resident, though having no domicile in England, had to pay a tax on all income received in England whatever its source. Whether he received all his income there, of course, depended on circumstances, but whatever he received was taxable against a resident, irrespective of his domicile.*
>
> *In the federal act of 1913, income taxes are imposed upon 'the entire net income arising or accruing from all sources in the preceding calendar year to every citizen of the United States, whether residing at home or abroad, and to every person residing in the United States, though not a citizen thereof, * * * and a like tax shall be assessed, levied, collected, and paid annually upon the entire net income from all property owned and of every business, trade, or profession carried on in the United States by persons residing elsewhere. ' 38 Stat. 166.*
> *[Bowring v. Bowers, 24 F.2d. 918 (1928)]*

[90] SOURCE: *Flawed Tax Arguments to Avoid*, Form #08.004, Section 8.20; http://sedm.org/Forms/FormIndex.htm.

Where one "resides" and their "residence" are synonymous. Those with a "residence" in the Internal Revenue Code Subtitles A and C are called "resident". One can be "resident" without BEING a "resident" as defined in 26 U.S.C. §7701(b)(1)(A). Statutory "residence", in turn, is always GEOGRAPHICAL and PHYSICAL and must satisfy the "presence test" in 26 U.S.C. §7701(b)(1)(A):

> *Title 26: Internal Revenue*
> *PART 1—INCOME TAXES*
> *nonresident alien individuals*
> *§1.871-2 Determining residence of alien individuals.*
>
> *(B) Residence defined.*
>
> ***An alien actually present in the United States[**] who is not a mere transient or sojourner is a resident of the United States for purposes of the income tax**. Whether he is a transient is determined by his intentions with regard to the length and nature of his stay. A mere floating intention, indefinite as to time, to return to another country is not sufficient to constitute him a transient. If he lives in the United States and has no definite intention as to his stay, he is a resident. One who comes to the United States for a definite purpose which in its nature may be promptly accomplished is a transient but, if his purpose is of such a nature that an extended stay may be necessary for its accomplishment, and to that end the alien makes his home temporarily in the United States, he becomes a resident, though it may be his intention at all times to return to his domicile abroad when the purpose for which he came has been consummated or abandoned. An alien whose stay in the United States is limited to a definite period by the immigration laws is not a resident of the United States within the meaning of this section, in the absence of exceptional circumstances.*

Because "residence" and being a "resident" is physical and must satisfy the presence test, it therefore MUST rely ONLY on geographical definitions of "United States**" (federal zone) in the Internal Revenue Code at 26 U.S.C. §7701(a)(9) and (a)(10), which means federal territory subject to the plenary jurisdiction of Congress, whether in a territory or within a federal enclave within a state.

The reader should also note that the above definition of "residence" is the ONLY definition of "residence" anywhere in Internal Revenue Code Subtitles A and C, or in the regulations that implement it. Neither Congress nor the Secretary of the Treasury have EVER defined "residence" in the context of the STATUTORY "citizens" (8 U.S.C. §1401) or "residents" (aliens, 26 U.S.C. §7701(b)(1)(A)) upon whom the tax is imposed in 26 C.F.R. §1.1-1(b).

> *26 C.F.R. §1.1-1 Income tax on individuals.*
>
> ***(a) General rule.***
>
> ***(1)*** *Section 1 of the Code imposes an income tax on the income of every individual who is a citizen or resident of the United States and, to the extent provided by section 871(b) or 877(b), on the income of a nonresident alien individual.*
>
> ***[. . .]***
>
> ***(b) Citizens or residents of the United States liable to tax.***
>
> ***In general, all citizens of the United States, wherever resident, and all resident alien individuals are liable to the income taxes imposed by the Code whether the income is received from sources within or without the United States.*** *Pursuant to section 876, a nonresident alien individual who is a bona fide resident of a section 931 possession (as defined in § 1.931-1(c)(1) of this chapter) or Puerto Rico during the entire taxable year is, except as provided in section 931 or 933 with respect to income from sources within such possessions, subject to taxation in the same manner as a resident alien individual. As to tax on nonresident alien individuals, see sections 871 and 877.*
> *[26 C.F.R. §1.1-1(a)(1)]*

The above case of Bowring v. Bowers, 24 F.2d. 918 (1928) also points out that "residence" for the purpose of ESTATE taxes in Internal Revenue Code Subtitle B means DOMICILE rather than the abode of an alien. Thus, it can include both citizens and residents rather than merely aliens. So please be mindful of the CONTEXT for the term "residences" and "resident" and limit them only to ALIENS when talking about income taxation rather than estate taxes.

Thus, the ONLY way anyone who is a STATUTORY "citizen" or STATUTORY "resident" can have a "residence" or be "resident" as legally defined is to be an ALIEN IN RELATION TO THE PHYSICAL PLACE THEY LIVE. They can't satisfy this criteria when they are physically living on federal territory or anywhere within a constitutional state. They must

be ABROAD to have a taxable "residence", meaning that they must be temporarily abroad under 26 U.S.C. §911. In that scenario, they have a "residence" as aliens in relation to the foreign country they are physically in at the time, usually under the terms of a tax treaty with that foreign country. Below is a proof that they CANNOT be "resident" or have a "residence" IN THE CONTEXT OF INCOME TAXES only, but may be "resident" in contexts OTHER than income tax:

> *"But all the limitations applicable to acquiring a new domicile, particularly when a domicile of national origin is to be abandoned, do not necessarily attach to taking out a new residence, either in this country or England.* ***The United States Income Tax Acts, from the act of 1913 (38 Stat. 114) on, have been uniform in levying a tax on the*** *921*921* ***entire income of aliens, if resident here, and residence has been construed by the Commissioner in all his rulings as something which may be less than a domicile, which fixes the law of the devolution of property and determines the incidence of estate and succession taxes. It is true that "residence" is ordinarily used as the equivalent of domicile in statutes relating to probate, administration, and succession taxes. So, as might be expected, in the Revenue Acts, the word "resident," when employed in the portions of these acts dealing with the Estate Tax Law, means "domiciled," and has been so construed by the practice and regulations of the department.***
>
> *"****It is contended that the same words, when used in the titles of the same acts dealing with the income tax, must have the same meaning. But the estate tax provisions were first introduced in the Revenue Act in 1916 (39 Stat. 756), after the construction of the word "resident" in that act had already become fixed by the ruling of the department at least as early as Treasury Decision 2242 of September 17, 1915, infra. Moreover, the incidence of estate and succession taxes has historically been determined by domicile and situs, and not by the fact of actual residence. Frick v. Pennsylvania, 268 U.S. 473, 45 S.Ct. 603, 69 L.Ed. 1058, 42 A.L.R. 316. As Justice Holmes said in Bullen v. Wisconsin, 240 U. S. at page 631, 36 S. Ct. 474 (60 L. Ed. 830):***
>
> *"* * * As the states where the property is situated, if governed by the common law, generally recognize the law of the domicile as determining the succession, it may be said that, in a practical sense at least, the law of the domicile is needed to establish the inheritance. Therefore the inheritance may be taxed at the place of domicile, whatever the limitations of power over the specific chattels may be. * * *"*
>
> *As was said, also, in the Matter of Martin, 173 App. Div. at page 3, 158 N. Y. S. 916:*
>
> *"* * * in many instances there is a difference between the legal intendment of the terms `residence' and `domicile' * * * but in the matter of succession and transfer taxes the theory of the action of the taxing power renders the terms synonymous. In the case of succession the intestate's personalty is distributed according to the Statute of Distributions of the State of the domicile. Therefore, that State which permits the inheritance is entitled to impose a duty on that privilege. * * *"*
> *[Bowring v. Bowers, 24 F.2d. 918 (1928)]*

Therefore, the phrase "wherever resident" as used in 26 C.F.R. §1.1-1(b) can only mean the following in the case of STATUTORY "citizens" or STATUTORY "residents".

> *"Wherever resident: That geographical place where the party made liable has a 'residence' as an ALIEN in relation to that place and the government of that place. Thus, those identified in the Internal Revenue Code Subtitles A and C as parties made liable and having the civil status of 'citizen' or 'resident' must be domiciled on federal territory and temporarily abroad as an alien under 26 U.S.C. §911 in order to have a liability."*

In theory, this all makes sense. People within the exclusive jurisdiction of their constitutional state do not need federal protection and therefore shouldn't have to pay for it. The only people who need federal rather than state protection are those who are abroad. No doubt, if they want it, they should have to pay for it. If they DON'T want it, all they have to do is exercise their right to legally and politically disassociate by not declaring a civil status on a tax form that makes them the beneficiary of such protection. That would be a "nonresident alien" with no earnings from the geographical "United States**" (federal zone). After all, the STATUTORY civil status of "citizen" or "resident" under the laws of the national Congress are voluntary. If they aren't we are all slaves in violation of the Thirteenth Amendment. Under the common law, you have a right to NOT receive a "benefit" and therefore, not to pay for the benefit you don't want:

> *"Cujus est commodum ejus debet esse incommodum.*
> *He who receives the benefit should also bear the disadvantage."*
>
> *"Que sentit commodum, sentire debet et onus.*
> *He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433."*
>
> *Commodum ex injuri su non habere debet.*
> *No man ought to derive any benefit of his own wrong. Jenk. Cent. 161.*

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

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

Quilibet potest renunciare juri pro se inducto.
Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83.
[Bouvier's Maxims of Law, 1856; SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]

If you don't want the "benefits" of the STATUTORY civil status of "citizen" or "resident", then merely declare a DIFFERENT status, such as "nonresident alien" and abandon the social compact or contract in the process that might bind you to pay for the "benefit" you receive by having such civil status. This right is an outgrowth of your First Amendment right to politically disassociate and your right to NOT contract or be compelled to contract under the CIVIL social contract called the civil statutory law.

"The citizen cannot complain, because he has voluntarily submitted himself to such a form of government. ***He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws. In return, he can demand protection from each within its own jurisdiction."***
[United States v. Cruikshank, 92 U.S. 542 (1875) [emphasis added]]

There is but one law which, from its nature, needs unanimous consent. This is the social compact; for civil association is the most voluntary of all acts. Every man being born free and his own master, no one, under any pretext whatsoever, can make any man subject without his consent. To decide that the son of a slave is born a slave is to decide that he is not born a man.

If then there are opponents when the social compact is made, their opposition does not invalidate the contract, but merely prevents them from being included in it. They are foreigners among citizens.
[*The Social Contract or Principles of Political Right*, Jean Jacques Rousseau, 1762, Book IV, Chapter 2]

We can envision little that is more anomalous, under modern standards, than the forcible imposition of citizenship against the majoritarian will.[13] **See, e.g., *U.N. Charter arts. 1, 73 (recognizing self-determination of people as a guiding principle and obliging members to "take due account of the political aspirations of the peoples" inhabiting non-self-governing territories under a member's responsibility)*;**[14] ***Atlantic Charter, U.S.-U.K., Aug. 14, 1941 (endorsing "respect [for] the right of all peoples to choose the form of government under which they will live"); Woodrow Wilson, President, United States, Fourteen Points, Address to Joint Session of Congress (Jan. 8, 1918) ("[I]n determining all [] questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to 312*312 be determined.")*** *(Point V).* See also Tuaua, *951 F.Supp.2d at 91 ("American Samoans take pride in their unique political and cultural practices, and they celebrate its history free from conquest or involuntary annexation by foreign powers."). To hold the contrary would be to mandate an irregular intrusion into the autonomy of Samoan democratic decision-making; an exercise of paternalism—if not overt cultural imperialism—offensive to the shared democratic traditions of the United States and modern American Samoa.* See King v. Andrus, *452 F.Supp. 11, 15 (D.D.C.1977) ("The institutions of the present government of American Samoa reflect ... the democratic tradition ....").*
[Tuaua v. U.S., 788 F.3d. 300 - Court of Appeals, Dist. of Columbia Circuit 2015]

FOOTNOTES:

[13] Complex questions arise where territorial inhabitants democratically determine either to pursue citizenship or withdraw from union with a state. Such scenarios may implicate the reciprocal associational rights of the state's current citizens or the right to integrity of the sovereign itself.

[14] But see Medellin v. Texas, *552 U.S. 491, 128 S.Ct. 1346, 170 L.Ed.2d 190 (2008)*.

Moreover, there are two fairly instructive Revenue Rules that clarify the phrase "wherever resident" found in 26 C.F.R. §1.1-1(b) above. See Rev.Rul. 489 and Rev.Rul. 357 as follows:

> *"**No provision of the Internal Revenue Code or the regulations thereunder holds that a citizen of the United States is a resident of the United States for purposes of its tax**. Several sections of the Code provide Federal income tax relief or benefits to citizens of the United States who are residents **without the United States** for some specified period. See sections 911, 934, and 981. **These sections give recognition to the fact that not all the citizens of the United States are residents of the United States.**"*
> *[Rev.Rul. 75-489. p. 511]*

As regards additional support, see Rev.Rul. 75-357 at p. 5, as follows:

> ***"Sections 1.1-1(b)** and **1.871-1** of the Income Tax Regulations provide that **all citizens of the United States, wherever resident,** and all resident alien individuals are liable to the income taxes imposed by the Internal Revenue Code whether the **income is received** from sources within or without the United States. **See, however, section 911 of the Code**. (Emphasis added.)"*
> *[Rev.Rul. 75-357, p. 5]*

Being that Rev.Rul. 75-357 quotes 26 C.F.R. § 1.1-1(b) directly, and duly informs every reader to see 26 U.S.C. §911, we believe an examination of 26 U.S.C. §911 and its regulations is in order to locate the appropriate application of the "***wherever resident"*** phrase in 26 C.F.R. §1.1-1(b). See 26 U.S.C. §911(d)(1)(A) as follows:

> *(d) Definitions and special rules — For purposes of this section —*
>
> *(1) Qualified individual — The term "qualified individual" means an individual whose tax home is in a foreign country and who is —*
>
> *(A) a citizen of the United States and establishes to the satisfaction of the Secretary that he has been a bona fide resident of a foreign country or countries for an uninterrupted period which includes an entire taxable year.*
> *[26 U.S.C. §911(d)(1)(A)]*

There you have it. The "citizen of the United states" must be a bona-fide "resident of a foreign country" to be a qualified individual subject to tax.

Additionally, as we know, 26 C.F.R. §1.1-1(b) states:

> *"All citizens of the United States, **wherever resident**, are liable to the income taxes imposed by the Internal Revenue Code whether the **income is received** from sources within or without the United States."*

The regulations for section 911 make the distinction between where income is received as opposed to where services are performed. See the following:

> *26 C.F.R. §1.911-3 Determination of amount of foreign earned income to be excluded.*
>
> *(a) Definition of foreign earned income.*
>
> *For purposes of section 911 and the regulations thereunder, the term "foreign earned income" means earned income (as defined in paragraph (b) of this section) from sources within a foreign country (as defined in §1.911-2(h)) that is earned during a period for which the individual qualifies under §1.911-2(a) to make an election. **Earned income is from sources within a foreign country if it is attributable to services performed by an individual in a foreign country or countries. The place of receipt of earned income is immaterial in determining whether earned income is attributable to services performed** in a foreign country or countries.*

Note the phrase "foreign country" above. That phrase obviously does not include states of the Union. We are therefore inescapably lead to the following conclusions based on the above analysis:

1. One cannot earn "income" as a statutory "citizen" under 26 C.F.R. §1.1-1(c), 26 U.S.C. §911, and 8 U.S.C. §1401 unless they are abroad in a foreign country.
2. No statute EXPRESSLY imposes a tax upon statutory "citizens" when they are NOT "abroad", meaning in a foreign

country. Therefore, under the rules of statutory construction, tax is not owed under ANY other circumstance:

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

3. Those statutory citizens and residents who are in the statutory geographical "United States" under 26 U.S.C. §7701(a)(9) and (a)(10) and 4 U.S.C. §110(d), also called the federal zone, are called statutory "U.S. persons" and they are exempt from withholding and reporting.
4. A state citizen under the Fourteenth Amendment is NOT a statutory "citizen" under the Internal Revenue Code at 26 C.F.R. §1.1-1(c), even when they are abroad. Rather, they are statutory "non-resident non-persons" when abroad. See and rebut *Non-Resident Non-Person Position*, Form #05.020, Section 8 and the following and answer the questions at the end of the following if you disagree:

Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006 http://sedm.org/Forms/FormIndex.htm

5. Even when one is "abroad" as a statutory "citizen", they can cease to be a statutory "citizen" at any time by:
   5.1. Changing their domicile to the foreign country. This is because the civil status of "citizen" is a product of domicile on federal territory, not their birth…AND
   5.2. Surrendering any and all tax "benefits" of the income tax treaty. The receipt of the "benefit" makes them subject to Internal Revenue Code Subtitle A "trade or business" franchise and a public officer in receipt, custody, and control of government property, which itself IS the "benefit".
6. It is a CRIME for a state citizen to claim the civil status of STATUTORY "citizen" under 8 U.S.C. §1401. That crime is documented in 18 U.S.C. §911.
7. The claim that all state citizens domiciled in states of the Union are "citizens of the United States" under the Internal Revenue Code and that they owe a tax on ANY of their earnings is categorically false and fraudulent.

Below is a table that succinctly summarizes everything we have learned in this section in tabular form. The left column shows what you are now and the two right columns show what you can "elect" or "volunteer" to become under the authority of the Internal Revenue Code based on that status:

Table 7: Convertibility of citizenship or residency status under the Internal Revenue Code

What you are starting as	What you would like to convert to	
	"Individuals" (see 26 C.F.R. §1.1441-1(c)(3))	
	"Alien" (see 26 C.F.R. §1.1441-1(c)(3)(i))	"Nonresident alien" (see 26 U.S.C. §7701(b)(1)(B))
"citizen of the United States" (see 8 U.S.C. §1401)	"citizen" may unknowingly elect to be treated as an "alien" by filing 1040, 1040A, or 1040EZ form. This election, however, is ***not*** authorized by any statute or regulation, and consequently, the IRS is ***not*** authorized to process such a return! It amounts to constructive fraud for a "citizen" to file as an "alien", which is what submitting a 1040 or 1040A form does.	No "citizen of the United States" can be a "nonresident alien", nor is he authorized under the I.R.C. to "elect" to become one. Likewise, no "nonresident alien" is authorized by the I.R.C. to elect to become a "citizen of the United States" under 8 U.S.C. §1401.
"resident" (not defined anywhere in the Internal Revenue Code)	All "residents" are "aliens". "Resident", "resident alien", and "alien" are equivalent terms.	A "nonresident alien" may elect to be treated as an "alien" and a "resident" under the provisions of 26 U.S.C. §6013(g) or (h).

13.8 How private employers and financial institutions compel choice of domicile

Whenever you open a financial account or start a new job these days, some companies, banks, or investment companies will require you to produce "government ID". Their favorite form of ID is the state issued ID. Unfortunately, unless you are an alien (foreign national) domiciled on federal territory within the exterior limits of the state who is not protected by the Constitution, you don't qualify for state ID or even a state driver's license. By asking for "government ID", employers and financial institutions indirectly are forcing you to do the following as a precondition of doing business with them:

1. Surrender the benefits and protections of being a constitutional "citizen" in exchange for being a privileged statutory alien, and to do so WITHOUT consideration and without recourse.
2. Become a statutory "resident alien" pursuant to 26 U.S.C. §7701(b)(1)(A) domiciled on federal territory and subject to federal jurisdiction, who is a public officer within the federal government engaged in the "trade or business" franchise. See:

   The "Trade or Business" Scam, Form #05.001
   http://sedm.org/Forms/FormIndex.htm
3. Become a privileged "resident alien" franchisee who is compelled to participate in what essentially amounts to a "protection racket".

> *"**Residents, as distinguished from citizens, are aliens who are permitted to take up a permanent abode in the country**. Being bound to the society by reason of their [intention of] dwelling in it, they are subject to its laws so long as they remain there, and, being protected by it, they must defend it, although they do not enjoy all the rights of citizenship. They have only certain privileges which the law, or custom, gives them. Permanent residents are those who have been given the right of perpetual residence. They are a sort of citizen of a less privileged character, and are subject to the society without enjoying all its advantages. Their children succeed to their status; for the right of perpetual residence given them by the State passes to their children."*
> *[The Law of Nations, p. 87, E. De Vattel, Volume Three, 1758, Carnegie Institution of Washington; emphasis added.]*

4. Serving two masters and being subject simultaneously to state and federal jurisdiction. The federal government has jurisdiction over Constitutional aliens, including those within a state.

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

Those who use OTHER than a driver license for ID may be told by some institutions that they need TWO forms of government ID in order to open the account. They do this because what they are REALLY looking for is at least one document that evidences a domicile or residence in a specific location. Here is an example of what you might hear on this subject:

> *"I'm sorry, but the Patriot Act [or some other obscure regulation] requires you to produce TWO forms of government issued ID to open an account with us."*

Most people falsely presume that the above statement means that they ALSO need state ID in addition to the passport but this isn't true. It is a maxim of law that the law cannot require an impossibility. If they are going to impose a duty upon you under the color of law by saying that you need TWO forms of ID, they must provide a way to comply without:

1. Compelling you to politically associate with a specific government in violation of the First Amendment.
2. Compelling you to participate in government franchises by providing an identifying number.
3. Misrepresenting your status as a privileged statutory "resident alien".
4. Violating your religious beliefs by nominating an Earthly protector and thereby firing God as your only protector.

There are lots of ways around this trap. For instance, the U.S. Supreme Court said WE are the government and that we govern ourselves through our elected representatives.

> *"**The words 'people of the United States' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives.** They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ..."*
> *[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]*

So what does "government id" really mean? A notary public is also a public officer and therefore part of the government.

> *Chapter 1*
> *Introduction*
> *§1.1 Generally*
>
> ***A notary public (sometimes called a notary) is a public official appointed under authority of law** with power, among other things, to administer oaths, certify affidavits, take acknowledgments, take depositions, perpetuate testimony, and protect negotiable instruments. Notaries are not appointed under federal law; they are appointed under the authority of the various states, districts, territories, as in the case of the Virgin Islands, and the commonwealth, in the case of Puerto Rico. The statutes, which define the powers and duties of a notary public, frequently grant the notary the authority to do all acts justified by commercial usage and the "law merchant".*
> *[Anderson's Manual for Notaries Public, Ninth Edition, 2001, ISBN 1-58360-357-3]*

If you hand the financial institution any of the following, you have satisfied their requirement for secondary ID without violating the law or being compelled to associate with or contract with the government:

1. Notarized piece of paper with your picture and your birth certificate on it. The notary is a government officer and therefore it is government ID.
2. Certified copy of your birth certificate by itself. The certification is from the government so its government ID.
3. ID issued by a government you formed and signed by the "Secretary of State" of that government. The people are the government according to the Supreme Court, so you can issue your own ID.

You have to be creative at times to avoid the frequent attempts to compel you to sign up for government franchises, but it is still doable.

Another thing that nearly all financial institutions and private employers habitually do is PRESUME, usually wrongfully, that:

1. You are a "citizen" or a "resident" of the place you live or work. What citizens and residents have in common is a domicile within a jurisdiction. Otherwise, you would be called "nonresidents" or "transient foreigners".
2. Whatever residence or mailing address you give them is your domicile or residence address.

By making such a false presumption, employers and financial institutions in effect are causing you to make an "invisible election" to become a citizen or resident or domiciliary and to provide your tacit consent to be CIVILLY governed without even realizing it.

If you want to prevent becoming a victim of the false presumption that you are a statutory domiciled "citizen", "resident", and therefore domiciliary of the place you live or work, you must take special precautions to notify all of your business associates by providing a special form to them describing you as a "nonresident" of some kind. At the federal level, that form is the IRS Form W-8BEN or a suitable substitute, which identifies the holder as a "nonresident alien". IRS does not make a form for "nonresidents" who are not "aliens" (foreign nationals) or public officers, unfortunately, so you must therefore modify their form or make your own form. For an article on how to fill out tax forms to ensure that you are not PRESUMED, usually prejudicially and falsely, to be a resident or citizen or domiciliary, see the following article:

About IRS Form W-8BEN, Form #04.202
http://sedm.org/Forms/FormIndex.htm

Sometimes, those receiving your declaration of "non-resident non-person" or "transient foreigner" status may try to interfere with that choice. For such cases, the following pamphlet proves that the only one who can lawfully declare or establish your civil status, including your "nonresident" status, is you. If anyone tries to coerce you to declare a civil status for yourself that you don't want to accept and don't consent to, you should provide an affidavit indicating that you were under duress and that they threatened to financially penalize you or not contract with you if you don't LIE on government forms and declare a status you don't want. The following pamphlet is also useful in proving that they have no authority to coerce you to declare any civil status you don't want:

Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008
http://sedm.org/Forms/FormIndex.htm

We should always keep in mind that whenever a financial institution or employer asks for a tax form, they are doing so under the color of law as a "withholding agent" (26 U.S.C. §7701(a)(16)) who is usually illegally acting as a public officer of the government. Because they are a public officer of the government in their capacity as a withholding agent, they still have a legal duty not to violate your rights, even if they otherwise are a private company. The Constitution applies to all officers and agents of the government, including "withholding agents" while acting in that capacity. Financial institutions especially are aware of this fact, which is why if you ask them to give you their criteria for what ID they will accept in writing, they will say that it is a confidential internal document that they can't share with the public. They know they are discriminating unlawfully as a public officer by rejecting your ID and they want to limit the legal liability that results from this by preventing you from having evidence to prove that they are officially discriminating. They keep such policies on their computer, protected by a password, and they will tell you that the computer doesn't let them print it out or that there isn't a field in their system for them to accept the type of ID that you have. THIS is a SCAM! Take a picture of the screen with your cellphone, page by page, in response to such a SCAM.

13.9 How corrupt courts, judges, and government attorneys try to CHANGE your domicile

There are many ways in which corrupt judges, prosecutors, and courts compel a change in your domicile to federal territory. Below are a few of the ways, followed by further explanation:

1. The court rules will not require you to specify that you are a citizen or resident. This allows the judge to PRESUME that you are, even though this presumption is a violation of due process of law. Consent to BECOME a citizen or resident domiciled within their jurisdiction cannot confer personal jurisdiction upon a court if you did not ALREADY have such status.
2. Your opponent may accuse you of having a "domicile", "residence", or "permanent address" at a specific location and if you don't rebut it, then you are unconstitutionally PRESUMED to have that status.
3. You may claim that you do NOT have a civil domicile in the jurisdiction of the court and the judge may illegally try to exclude the pleading or the evidence claiming so. This is criminal tampering with a witness and you should vociferously oppose it.
4. The judge or prosecutor may ASK you if you are "citizen", create the PRESUMPTION that they are talking about your POLITICAL status, and when you answer, PRESUME that it is a civil statutory status. This happens all the time on government forms and its identity theft. Leave no room for such tricks in your pleadings!

5. The judge or prosecutor may try to confuse citizenship terms and fool you into admitting that you have a domicile as shown below.

To avoid all the above malicious traps in court, we recommend the following attachments to your complaint or response:

1. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001
   http://sedm.org/Forms/FormIndex.htm
2. *Citizenship, Domicile, and Tax Status Options*, Form #10.003
   http://sedm.org/Forms/FormIndex.htm

It is very important to understand that there are THREE separate and distinct CONTEXTS in which the term "United States" can be used, and each has a mutually exclusive and different meaning. These three definitions of "United States" were described by the U.S. Supreme Court in Hooven and Allison v. Evatt, 324 U.S. 652 (1945):

Table 8: Geographical terms used throughout this page

Term	***# in diagrams***	***Meaning***
United States*	1	The country "United States" in the family of nations throughout the world.
United States**	2	The "federal zone".
United States***	3	Collective states of the Union mentioned throughout the Constitution.

In addition to the above GEOGRAPHICAL context, there is also a legal, non-geographical context in which the term "United States" can be used, which is the GOVERNMENT as a legal entity. Throughout this page and this website, we identify THIS context as "United States****" or "United States[4]". The only types of "persons" within THIS context are public offices within in the national and not state government. It is THIS context in which "sources within the United States" is used for the purposes of "income" and "gross income" within the Internal Revenue Code, as proven by:

Non-Resident Non-Person Position, Form #05.020, Sections 4.6 and 5.4
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
DIRECT LINK: http://sedm.org/Forms/05-MemLaw/NonresidentNonPersonPosition.pdf

The reason these contexts are not expressly distinguished in the statutes by the Legislative Branch or on government forms crafted by the Executive Branch is that they are the KEY mechanism by which:

1. Federal jurisdiction is unlawfully enlarged by abusing presumption, which is a violation of due process of law. See:
   Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction, Form #05.017
   FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
   DIRECT LINK: http://sedm.org/Forms/05-MemLaw/Presumption.pdf
2. The separation of powers between the states and the national government is destroyed, in violation of the legislative intent of the Constitution. See:
   Government Conspiracy to Destroy the Separation of Powers, Form #05.023
   FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
   DIRECT LINK: http://sedm.org/Forms/05-MemLaw/SeparationOfPowers.pdf
3. A "society of law" is transformed into a "society of men" in violation of Marbury v. Madison, 5 U.S. 137 (1803):

> *"The government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested legal right."*
> *[*Marbury v. Madison, 5 U.S. 137, 163 (1803)*]*

4. Exclusively PRIVATE rights are transformed into public rights in a process we call "invisible eminent domain using presumption and words of art".
5. Judges are unconstitutionally delegated undue discretion and "arbitrary power" to unlawfully enlarge federal jurisdiction. See:

Federal Jurisdiction, Form #05.018
FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
DIRECT LINK: http://sedm.org/Forms/05-MemLaw/FederalJurisdiction.pdf

The way a corrupted Executive Branch or judge accomplish the above is to unconstitutionally:

1. PRESUME that ALL of the four contexts for "United States" are equivalent.
2. PRESUME that CONSTITUTIONAL citizens and STATUTORY citizens are EQUIVALENT under federal law. They are NOT. A CONSTITUTIONAL citizen is a "non-resident " under federal civil law and NOT a STATUTORY "national and citizen of the United States** at birth" per 8 U.S.C. §1401. See:

   Why You are a "National", "State National", and Constitutional but not Statutory Citizen, Form #05.006
   FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
   DIRECT LINK: http://sedm.org/Forms/05-MemLaw/WhyANational.pdf
3. PRESUME that "nationality" and "domicile" are equivalent. They are NOT. See:

   Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002
   FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
   DIRECT LINK: http://sedm.org/Forms/05-MemLaw/Domicile.pdf
4. Use the word "citizenship" in place of "nationality" OR "domicile", and refuse to disclose WHICH of the two they mean in EVERY context.
5. Confuse the POLITICAL/CONSTITUTIONAL meaning of words with the civil STATUTORY context. For instance, asking on government forms whether you are a POLITICAL/CONSTITUTIONAL citizen and then FALSELY PRESUMING that you are a STATUTORY citizen under 8 U.S.C. §1401.
6. Confuse the words "domicile" and "residence" or impute either to you without satisfying the burden of proving that you EXPRESSLY CONSENTED to it and thereby illegally kidnap your civil legal identity against your will. One can have only one "domicile" but many "residences" and BOTH require your consent. See:

   Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002
   FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
   DIRECT LINK: http://sedm.org/Forms/05-MemLaw/Domicile.pdf
7. Add things or classes of things to the meaning of statutory terms that do not EXPRESSLY appear in their definitions, in violation of the rules of statutory construction. See:

   Legal Deception, Propaganda, and Fraud, Form #05.014
   FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
   DIRECT LINK: http://sedm.org/Forms/05-MemLaw/Includes.pdf
8. Refuse to allow the jury to read the definitions in the law and then give them a definition that is in conflict with the statutory definition. This substitutes the JUDGES will for what the law expressly says and thereby substitutes PUBLIC POLICY for the written law.
9. Publish deceptive government publications that are in deliberate conflict with what the statutes define "United States" as and then tell the public that they CANNOT rely on the publication. The IRS does this with ALL of their publications and it is FRAUD. See:

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

This kind of arbitrary discretion is PROHIBITED by the Constitution, as held by the U.S. Supreme Court:

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

Thomas Jefferson, our most revered founding father, precisely predicted the above abuses when he said:

> *"It has long been my opinion, and I have never shrunk from its expression,... that the germ of dissolution of our Federal Government is in the constitution of the Federal Judiciary--an irresponsible body (for impeachment is scarcely a scare-crow), **working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief over the field of jurisdiction until all shall be usurped from the States and the government be consolidated into one. To this I am opposed.**"*
> *[Thomas Jefferson to Charles Hammond, 1821. ME 15:331]*

*"Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before them, to throw an anchor ahead and grapple further hold for future advances of power. **They are then in fact the corps of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate all power in the hands of that government in which they have so important a freehold estate.**"*
[Thomas Jefferson: Autobiography, 1821. ME 1:121]

*"The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our Constitution from a co-ordination of a general and special government to a general and supreme one alone. **This will lay all things at their feet, and they are too well versed in English law to forget the maxim, 'boni judicis est ampliare jurisdictionem.**'"*
[Thomas Jefferson to Thomas Ritchie, 1820. ME 15:297]

*"**When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another and will become as venal and oppressive as the government from which we separated.**"*
[Thomas Jefferson to Charles Hammond, 1821. ME 15:332]

"What an augmentation of the field for jobbing, speculating, plundering, office-building [["trade or business" scam] and office-hunting would be produced by an assumption [PRESUMPTION] of all the State powers into the hands of the General Government!"
[Thomas Jefferson to Gideon Granger, 1800. ME 10:168]

13.10 How tax return filing compels a change in domicile to federal territory: "tax home"

Domicile is ALWAYS a geographical term tied to a specific territory. Federal Rule of Civil Procedure 17(b) indicates that the "domicile" of the "person" litigating in federal court determines the ability to sue or be sued, and thus the choice of law and standing in civil disputes.

IV. PARTIES > Rule 17.
Rule 17. Parties Plaintiff and Defendant; Capacity

(b) Capacity to Sue or be Sued.

Capacity to sue or be sued is determined as follows:
(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;
(2) for a corporation, by the law under which it was organized; and
(3) for all other parties, by the law of the state where the court is located, except that:
(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and
(B) 28 U.S.C. §§ 754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.

[Federal Rule of Civil Procedure 17(b)]

The Internal Revenue Code uses a term CLOSE but not IDENTICAL to "domicile", and it is called "tax home". Tax home is referenced in 26 U.S.C. §911(d)(1) relating to "citizens and residents" while abroad in a "foreign country" who are called "qualified individuals". "Tax home" determines the type of return one files (1040 or 1040NR) and whether they can take deductions. Below is the definition:

26 C.F.R. §301.7701(b)-2

(c) Tax home —

(1) Definition.

*For purposes of section 7701 (b) [26 USCS §7701(b)] and the regulations under that section, the term "tax home" has the same meaning that it has for purposes of section 162(a)(2) [26 USCS § 162(a)(2)] (relating to travel expenses while away from home). **Thus, an individual's tax home is considered to be located at the individual's regular or principal (if more than one regular) place of business. If the individual has no regular or principal place of business because of the nature of the business, or because the individual is not engaged in carrying on any trade or business within the meaning of section 162(a) [26 USCS § 162(a)], then the individual's tax home is the individual's regular place of abode in a real and substantial sense.***

The income tax behaves as an excise/franchise tax upon public offices in the national government. In the context of public officers, there must be a legislatively created OFFICE and an OFFICER VOLUNTARILY filling said public office. Each is a separate legal person with its own unique domicile, but the OFFICER essentially becomes VOLUNTARY SURETY for the PUBLIC OFFICE he or she fills. While they are "on duty" exercising the office, the "effective domicile" of the OFFICER is the District of Columbia, which is the only thing EXPRESSLY included in the geographical definition of "United States**" per 26 U.S.C. §7701(a)(9) and (a)(10). THAT "United States" is domicile of the United States Inc. federal corporation identified in 28 U.S.C. §3002(15)(A). These inferences are consistent with the following maxim of law:

> *"Quando duo juro concurrunt in und person, aequum est ac si essent in diversis.*
> ***When two rights [PUBLIC v. PRIVATE] concur in one person, it is the same as if they were in two separate persons.*** *4 Co. 118."*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

The income tax MUST be voluntary for human beings. This is because the Thirteenth Amendment prohibits involuntary servitude EVERYWHERE in the COUNTRY, not just in a constitutional state. It is the only Constitutional amendment we know of, in fact, that applies on federal territory. Thus, to implement a income tax that makes everyone essentially into "slaves" and peons (see 18 U.S.C. §1589) to pay off an endless mountain of public debt, they had to create a taxable privileged fictitious office and then fool human beings into volunteering for it. That privileged office is called STATUTORY "citizen" and "resident" in 26 C.F.R. §1.1-1(a), who are the FULL TIME officers personally "liable to" but not "MADE LIABLE" for the income tax. The two methods of getting you to volunteer are:

1. Fool you into declaring yourself an officer called a STATUTORY "citizen" or STATUTORY "resident alien" in 26 C.F.R. §1.1-1(a). THIS "citizen" or "resident" is in fact the U.S. Inc. corporation itself, and you are voluntarily representing it as a franchise officer. While on duty, you take on the legal character of the corporation you REPRESENT as said OFFICER:

   > *"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."*
   > *[19 Corpus Juris Secundum, Corporations, §886 (2003)]*

2. Fool you into DONATING your private earnings to a public office by making them "effectively connected" with a STATUTORY "trade or business"..

Based on the previous background context and discussion, a "tax home" mentioned in 26 U.S.C. §911 and 26 C.F.R. §301.7701(b)-2(c)(1) we therefore interpret to mean the EFFECTIVE domicile of the STATUTORY "person" filing a tax return.

1. If you ARE engaged in the "trade or business"/public office franchise under 26 U.S.C. §7701(a)(26), then it is the District of Columbia, because the OFFICE is within the corporation and that corporation is domiciled in the District of Columbia under 4 U.S.C. §72 and 26 U.S.C. §7701(a)(9) and (a)(10) and Federal Rule of Civil Procedure 17(b) says those acting in a representative capacity are deemed to have the domicile of those they represent.
2. If you aren't engaged in the "trade or business"/public office franchise, then your effective domicile is your physical place of abode according to the above, meaning your home if you live in a state of the Union on other than federal territory.
3. They use the term "tax home" as a replacement for "domicile" because they don't want to clue you into the fact that the tax is based on domicile of the "taxpayer" and that the DOMICILE of the "taxpayer" changes based on the type of tax return you file, being either a RESIDENT Form 1040 or a NONRESIDENT Form 1040NR.

So we can see in the above regulation a clear distinction between the OFFICE and the OFFICER filling said office, that each has a domicile of their own. We can also see that if we want the "benefits" of the franchise office in the form of tax deductions under 26 U.S.C. §162 that reduce the liability of the STATUTORY "person", then our "tax home" changes to the geographical "United States" defined in 26 U.S.C. §7701(a)(9) and (a)(10).

If you are a state national living on land within the exclusive jurisdiction of a constitutional state, then your home under item 2 above is in a "foreign state" but NOT a "foreign country" under 26 U.S.C. §911, according to the above regulation:

> *26 C.F.R. §301.7701(b)-2*

(b) Foreign country.

For purposes of section 7701(b) [26 USCS § 7701(b)] and the regulations thereunder, the term "foreign country" when used in a geographical sense includes any territory under the sovereignty of the United Nations or a government other than that of the United States. It includes the territorial waters of the foreign country (determined in accordance with the laws of the United States), and the seabed and subsoil of those submarine areas which are adjacent to the territorial waters of the foreign country and over which the foreign country has exclusive rights, in accordance with international law, with respect to the exploration and exploitation of natural resources. It also includes the possessions and territories of the United States.

Notice that "possessions and territories of the United States" qualify above as a "foreign country". States of the Union are not mentioned and thus are purposefully excluded. They too are "foreign" in relation to the statutory geographical "United States" defined in 26 U.S.C. §7701(a)(9) and (a)(10), which is the District of Columbia. Since territories and possessions are classified as foreign countries, then they would come under 26 U.S.C §911 above and would ALSO not be within the geographical definition of "United States" under 26 U.S.C. §7701(a)(9) and (a)(10).

The implications of this information to the filing of tax returns for state nationals born and domiciled in a constitutional state are that:

1. The income tax return form you file DETERMINES and describes your choice of domicile. The OUTPUT of that choice is what we call an "EFFECTIVE DOMICILE":
   1.1. It is legislatively FOREIGN in the case of a nonresident Form 1040NR. This is the exclusive jurisdiction of ah CONSTITUTIONAL state.
   1.2. It is legislatively DOMESTIC if it a RESIDENT Form 1040NR. This is federal territory or the "federal zone" and is described as the STATUTORY geographical "United States**" in 26 U.S.C. §7701(a)(9) and (a)(10).
2. If you aren't domiciled on federal territory and you file a RESIDENT Form 1040, then they have to create an OFFICE or PUBLIC office that IS domiciled there and make you voluntary surety for it in order to reach you.
3. The ONLY correct tax return for a state national (domiciled and physically present in a CONSTITUTIONAL state) to file is the Form 1040NR. That return must be filed in accordance with the following:

How to File Returns, Form #09.074 https://sedm.org/Forms/FormIndex.htm

4. State nationals only pay income tax on earnings from sources WITHIN the statutory geographical "United States**" (federal zone) per 26 U.S.C. §871 instead of ALL EARNINGS in the case of STATUTORY "citizens" or "residents". The STATUTORY geographical "United States", in turn, is limited by the definitions at 26 U.S.C. §7701(a)(9) and (a)(10) and includes:
   4.1. Payments from anyone in the federal zone not connected with a "trade or business" franchise/excise under 26 U.S.C. §871(a). All payments from the STATUTORY geographical "United States**" are treated AS IF they are "effectively connected" with a "trade or business" per 26 U.S.C. §864(c)(3) EXCEPT that listed in 26 U.S.C. §864(c)(2).
   4.2. U.S. Government payments connected with the "trade or business" franchise/excise under 26 U.S.C. §871(b). All such payments are "trade or business" related because the government PAYOR itself is a "trade or business"/public office. This also includes payments from government instrumentalities, such as federal but not state corporations, as shown in the famous case of Brushaber v. Union Pacific Railroad, 240 U.S. 1, 36 S.Ct. 236 (1916).

   So the main subject of the income tax is the public office/"trade or business" and the ONLY exception is earnings described in 26 U.S.C. §864(c)(2). The tax is on the OFFICE, and NOT upon the OFFICER CONSENSUALLY and VOLUNTARILY filling said office. Since the OFFICE is domiciled on federal territory, then in effect the OFFICER acts as a "resident agent" for the OFFICE domiciled elsewhere.
5. If a state national files a Form 1040, which is the WRONG form based on their civil status, then they:
   5.1. Have made an "election" or consented to be treated AS IF they are geographically domiciled on federal territory within the exclusive jurisdiction of the national government. THAT is the domicile of the FRANCHISE OFFICE they are filing as called STATUTORY "citizen" or "resident". This "election" or choice usually is, in fact, INVISIBLE and done usually through mistake rather than informed choice because of the legal ignorance of most filers.
   5.2. Have made an "election" to be treated AS IF they are FULL TIME public officers no matter where they physically are. This violates 4 U.S.C. §72 because they place they serve is not "expressly authorized" by Congress.
   5.3. Have abandoned their PART time capacity as a public officer called a STATUTORY "nonresident alien" and become a FULL time public officer called a STATUTORY "citizen" or "resident".

5.4. Have "elected" (chosen or volunteered, whether knowingly or not) to become taxable on their WORLDWIDE earnings no matter where they physically are per 26 C.F.R. §1.1-1(a) as "citizens" or "residents" rather than merely on payments from the federal zone in the case of a "nonresident alien".

6. The term "effectively connected" as used in the Internal Revenue Code therefore describes EXCLUSIVELY private earnings that are "donated to a public use or public purpose" by the original owner of the payment. This is further described and documented in:

> *How to File Returns*, Form #09.074, Section 8.10
> https://sedm.org/Forms/FormIndex.htm

For an interesting history on how the IRS has historically tried to obfuscate the Form 1040 to fool state nationals into filing the WRONG form, the Form 1040, see:

> *Tax Return History-Citizenship*, Family Guardian Fellowship
> https://famguardian.org/Subjects/Taxes/Citizenship/TaxReturnHistory-Citizenship/TaxReturnHistory-Citizenship.htm

For further information about how state nationals "volunteer" to pay income tax they DO NOT otherwise owe consistent with the content of this section, see:

> *How State Nationals Volunteer to Pay Income Tax*, Form #08.024
> https://sedm.org/Forms/FormIndex.htm

13.11 Summary of how to enslave any people by abusing citizenship terms and language[91]

It is instructive to summarize how citizenship "words of art" can be abused to enslave any people:

1. Make the government into an unconstitutional monopoly in providing "protection". This turns government into a mafia protection RACKET. 18 U.S.C. Chapter 95.
2. Ensure that the government NEVER prosecutes its own members for their racketeering crimes, and instead uses the law ONLY to "selectively enforce" against political dissidents or those who refuse their "protection racket". This act of omission promotes anarchy by making the government not only the source of law, but above the law, not as a matter of law, but as a matter of invisible "policy".
3. Make people FALSELY believe that:
   3.1. CIVIL STATUTES, all of which ONLY pertain to government are the ONLY remedy for anything.
   3.2. Everyone is a public officer called a "citizen" or "resident" who has to do anything and everything that any politician publishes in the "employment agreement" called the civil law.
   3.3. Any civil obligation any corrupt politician wants can lawfully attach to the status of "citizen" without compensation because calling yourself a citizen is voluntary and anything done to you that you volunteer for cannot form the basis for an injury. This doesn't violate the Thirteenth Amendment because you volunteered.

> ***The citizen cannot complain, because he has voluntarily submitted himself to such a form of government.*** ***He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws. In return, he can demand protection from each within its own jurisdiction.***"
> *[United States v. Cruikshank, 92 U.S. 542 (1875) [emphasis added]*

   3.4. There is no common law. Common law is the only way to lawfully approach the government as a PRIVATE human and equal RATHER than a public officer.
   3.5. Being a "citizen" under the civil statutes and employment agreement is a result of BIRTH rather than CIVIL DOMICILE. This makes it impossible to "unvolunteer" because being born is not consensual but selecting a domicile is consensual.
4. Define everyone in receipt of that protection as receiving a franchise "benefit".

[91] Source: *Why You are a "national", "state national", and Constitutional but not Statutory Citizen*, Form #05.006, Section 1.4; https://sedm.org/Forms/FormIndex.htm.

4.1. Give this "benefit" the name "privileges and immunities".
4.2. Prosecute as thieves all those who refuse to receive the "benefit" or pay for the benefit. This happens all the time at tax trials. The government prosecution tells a jury full of "tax consumers" with a criminal financial conflict of interest in violation of 18 U.S.C. §208 that you refuse to pay your "fair share" for receiving the "benefits" of living in this country, but are never even required to quality or prove with evidence the actual VALUE of such benefits. This turns the jury into an angry lynch mob not unlike the mob that crucified Jesus, who are a "weapon of mass destruction" in the hands of a covetous prosecutor. It makes the defendant literally into a "human sacrifice" to the pagan god of government.

5. Implement a common law maxim that he who receives a "benefit" implicitly consents to all the obligations associated with the "benefit". That way, it is impossible to withdraw your IMPLIED consent to be protected or the obligations of paying for the protection.

> *"Cujus est commodum ejus debet esse incommodum.*
> *He who receives the benefit should also bear the disadvantage."*
>
> *"Que sentit commodum, sentire debet et onus.*
> *He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433."*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

6. Call those in receipt of the civil statutory protection "citizens" and "subjects", whether they want to be or not. Refuse to document or explain HOW they became "subjects" or how to UNVOLUNTEER to become one. Even tell them its "voluntary" but refuse to offer a way to un volunteer. In psychology, this approach is called "crazymaking".

> *Crazymaking*
>
> *Noun*
>
> *A form of psychological attack on somebody by offering contradictory alternatives and criticizing [or undermining] the person for choosing either.*
> *[Your Dictionary, "crazymaking", Downloaded 1/9/2018; SOURCE:*
> *http://www.yourdictionary.com/crazymaking]*

This obviously violates the First Amendment, but a government that is above the law doesn't care. Don't allow anyone but a judge to define or redefine these words "citizen" or "subject" so that the status cannot be challenged in court.

7. Label the allegiance ("national" is someone with allegiance) that is the foundation of citizenship at least APPEAR PERMANENT and therefore IRREVOCABLE. Make it at least APPEAR that the only way that one can cease to be a "citizen" is to surrender their nationality and becoming stateless everywhere on Earth.

> *8 U.S.C. §1101(a)(21)*
>
> *The term "national" means a person owing **permanent allegiance** to a state.*

Here is the definition of "permanent" that shows this deception is happening:

> *8 U.S.C. §1101 Definitions [for the purposes of citizenship]*
>
> *(a) As used in this chapter—*
>
> *(31) The term "permanent" means a relationship of continuing or lasting nature, as distinguished from temporary, but a relationship may be permanent even though it is one that **may be dissolved eventually at the instance either of the United States[**] or of the individual**, in accordance with law.*

8. Create confusion in the U.S. Supreme Court over what the origin of the government's taxing power is and whether it derives from DOMICILE or NATIONALITY. Former President Taft, the guy who got the Sixteenth Amendment income tax amendment FRAUDULENTLY ratified by Philander Knox, did this while he was serving as the Chief Just of the U.S. Supreme Court[92]:

[92] For more details on the fraudulent ratification of the Sixteenth Amendment, see Great IRS Hoax, Form #11.302, Section 3.8.11; ; https://sedm.org/Forms/FormIndex.htm. For details on the SCAM surrounding Cook v. Tait, 265 U.S. 47 (1924), see: *Federal Jurisdiction*, Form #05.018, Section 4.4; ; https://sedm.org/Forms/FormIndex.htm.

> ***"Or, to express it another way, the basis of the power to tax was not and cannot be made dependent upon the situs of the property in all cases, it being in or out of the United States, nor was not and cannot be made dependent upon the domicile of the citizen, that being in or out of the United States, but upon his relation as citizen to the United States and the relation of the latter to him as citizen.*** *The consequence of the relations is that the native citizen who is taxed may have domicile, and the property from which his income is derived may have situs, in a foreign country and the tax be legal—the government having power to impose the tax."*
> *[Cook v. Tait, 265 U.S. 47 (1924)]*

9. Hope no one notices that:
   9.1. The common law has never been repealed and CANNOT be repealed because it is mandated in the United States Constitution. See the Seventh Amendment.
   9.2. The common law MUST allow one to NOT accept a benefit:

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

> *Non videtur consensum retinuisse si quis ex praescripto minantis aliquid immutavit.*
> *He does not appear to have retained his consent, if he have changed anything through the means of a party threatening. Bacon's Max. Reg. 33."*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

   9.3. The term "permanent" really means temporary and requires your express and CONTINUING consent, and ESPECIALLY in the context of "permanent allegiance" that is the basis for "nationality":

> *8 U.S.C. §1101(a)(31)*

> *The term "permanent" means a relationship of continuing or lasting nature, as distinguished from temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the instance either of the United States or of the individual, in accordance with law.*

10. Use deception, equivocation, and "words of art" to divorce "domicile", which requires consent, from the basis for being a "citizen", and thus, remove CONSENT from the requirement to be a "citizen". This has the effect of making "citizen" status compelled and involuntary. Do this by the following tactics:
    10.1. PRESUME that ALL of the four contexts for "United States" are equivalent.
    10.2. PRESUME that CONSTITUTIONAL citizens and STATUTORY citizens are EQUIVALENT under federal law. They are NOT. A CONSTITUTIONAL citizen is a "non-resident non-person" under federal law and NOT a "citizen of the United States**".
    10.3. PRESUME that "nationality" and "domicile" are equivalent. They are NOT.
    10.4. Use the word "citizenship" in place of "nationality" OR "domicile", and refuse to disclose WHICH of the two they mean in EVERY context.
    10.5. Confuse the POLITICAL/CONSTITUTIONAL meaning of words with the civil STATUTORY context. For instance, asking on government forms whether you are a POLITICAL/CONSTITUTIONAL citizen and then FALSELY PRESUMING that you are a STATUTORY citizen under 8 U.S.C. §1401.
    10.6. Confuse the words "domicile" and "residence" or impute either to you without satisfying the burden of proving that you EXPRESSLY CONSENTED to it and thereby illegally kidnap your civil legal identity against your will. One can have only one "domicile" but many "residences" and BOTH require your consent.
    10.7. Add things or classes of things to the meaning of statutory GEOGRAPHIC terms that do not EXPRESSLY appear in their definitions, in violation of the rules of statutory construction. This allows EVERYONE to be PRESUMED to be a STATUTORY "citizen" and franchisee.
    10.8. Refuse to allow the jury to read the definitions in the law and then give them a definition that is in conflict with the statutory definition. This substitutes the JUDGES will for what the law expressly says and thereby substitutes PUBLIC POLICY for the written law.
    10.9. Publish deceptive government publications that are in deliberate conflict with what the statutes define "United States" as and then tell the public that they CANNOT rely on the publication. The IRS does this with ALL of their publications and it is FRAUD. See:
    All of the above tactics are documented in:

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

11. Label as "frivolous" anyone who exposes or challenges the above in court. What this really means is someone who refuses to join the state-sponsored religion that worships men and rulers and governments and which has "superior" or "supernatural" powers above that of any man. Prevent challenges to being called "frivolous" by:
    11.1. Refusing to define the word.
    11.2. Never having to prove WITH EVIDENCE that the claim being called "frivolous" is incorrect.
    The above tactics are documented in:

Meaning of the Word "Frivolous", Form #05.027 https://sedm.org/Forms/FormIndex.htm

12. Protect the above SCAM by deceiving people litigating against the above abuses into falsely believing that "sovereign immunity" is a lawful way to prevent common law remedies against the above abuses. Sovereign immunity only applies to STATUTORY "citizens" and "residents" under the CIVIL law, not the COMMON law.

The above tactics essentially turn a REPUBLIC into an OLIGARCHY and make everyone a slave to the usually JUDICIAL oligarchy. That oligarchy is also called a "kritarchy". They make our legal system function just like a British Monarchy for all intents and purposes. British subjects cannot abandon their civil status as "subjects" of the king or queen by changing their domicile, while under American jurisprudence, Americans can but are deceived into believing that they can't. Now you know why judges don't like talking about the SOURCE of their unjust civil jurisdiction over you, which is domicile, or its relationship to HOW their civil statutes acquire the "force of law" against you.

13.12 Administrative Remedies to Prevent Identity Theft on Government Forms

We have prepared an entire short presentation showing you all the "traps" on government forms and how to avoid them:

Avoiding Traps in Government Forms Course, Form #12.023 http://sedm.org/Forms/FormIndex.htm

All of the so-called "traps" described in the above presentation center around the following abuses and FRAUDS:

1. The perjury statement at the end of the form betrays where they PRESUME you geographically are. 28 U.S.C. 1746 identifies TWO possible jurisdictions, and if they don't use the one in 28 U.S.C. §1746(1), they are PRESUMING, usually falsely, that you are located on federal territory and come under territorial law.

> *28 U.S. Code § 1746 - Unsworn declarations under penalty of perjury*
>
> *Wherever, under any law of the United States or under any rule, regulation, order, or requirement made pursuant to law, any matter is required or permitted to be supported, evidenced, established, or proved by the sworn declaration, verification, certificate, statement, oath, or affidavit, in writing of the person making the same (other than a deposition, or an oath of office, or an oath required to be taken before a specified official other than a notary public), such matter may, with like force and effect, be supported, evidenced, established, or proved by the unsworn declaration, certificate, verification, or statement, in writing of such person which is subscribed by him, as true under penalty of perjury, and dated, in substantially the following form:*
>
> *(1) If executed without the United States [federal territory or the government]: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date).*
>
> *(Signature)".*
>
> *(2) If executed within the United States [federal territory or the government], its territories, possessions, or commonwealths: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date).*
>
> *(Signature)".*

2. Telling you when you submit the form that the terms on the form have their ordinary, PRIVATE, non-statutory meaning but after they RECEIVE the form, INTERPRETING all terms in their PUBLIC and STATUTORY context. This is bait and switch, deception, and FRAUD.
3. Confusing the CONSTITUTIONAL context with the STATUTORY context for geographical words of art such as "United States" and "State".

4. Confusing CONSTITUTIONAL "Citizens" or "citizens of the United States" in the Fourteenth Amendment with STATUTORY "U.S. citizen", or "nationals and citizens of the United states at birth" under 8 U.S.C. §1401.
5. Confusing CONSTITUTIONAL "persons" or "people" with STATUTORY "persons" or "individuals". CONSTITUTIONAL "persons" are all MEN OR WOMEN AND NOT ARTIFICIAL entities or offices, while civil STATUTORY persons are all PUBLIC offices and fictions of law created by Congress.
6. Connecting you with a civil status found in civil statutory law, which is a public office. The form itself does this:
   6.1. In the "status" block. It either doesn't offer a STATUTORY "non-resident non-person" status in the form or they don't offer ANY form for STATUTORY "non-resident non-persons".
   6.2. The Title of the form. The upper left corner of the 1040 identifies the applicant as a "U.S. individual", meaning a public office domiciled on federal territory.
   6.3. Underneath the signature, which usually identifies the civil status of the applicant, such as "taxpayer".

The remedy for the above types of deception and fraud is the following:

1. Avoid filling out any and every government form.
2. If FORCED to fill out a government form, ALWAYS attach a MANDATORY attachment that defines all geographical, citizenship, and status terms the form with precise definitions and betray whether the meaning is STATUTORY or CONSTITUTION. It CANNOT be both. If you think it is both, you are practicing a logical fallacy called "equivocation". State on the form you are attaching to that the form is "Not valid, false, and fraudulent if not accompanied by the following attachment:_____". The attachments on our site are good for this.
3. Tell the recipient that if they don't rebut the definitions you provide within a specified time limit, then they agree and are estopped from later challenging it.
4. Specify that none of the terms on the form submitted have the meaning found in any state or federal statutory code. Instead they imply only the common meaning.

There are many forms on our site you can attach to standard forms provided by the IRS, state revenue agencies, financial institutions, and employers that satisfy the above to ensure that your correct status is reflected in their records. Below are the most important ones.

1. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001
   http://sedm.org/Forms/FormIndex.htm
2. *Tax Form Attachment*, Form #04.201
   http://sedm.org/Forms/FormIndex.htm
3. *USA Passport Application Attachment*, Form #06.007
   http://sedm.org/Forms/FormIndex.htm
4. *Voter Registration Attachment*, Form #06.003
   http://sedm.org/Forms/FormIndex.htm
5. *Affidavit of Domicile: Probate*, Form #04.223
   http://sedm.org/Forms/FormIndex.htm

The language after the line below is language derived from Form #04.223 above. The language included is very instructive and helpful to our readers in identifying HOW the identity theft happens. We strongly suggest reusing this language in the administrative record of any entity who claims you are a statutory "taxpayer", "person", or "individual" under the Internal Revenue Code or state revenue code.

_____

AFFIDVAVIT REGARDING ESTATE OF DECEDENT: _____

I certify that the following facts are true under penalty of perjury under the criminal perjury laws of the state I am in but NOT under any OTHER of the civil statutory codes. I am not under any other civil codes as a civil non-resident non-person. The content of this form defines all geographical, citizenship, and domicile terms used on any and all forms to which this estate settlement relates for all parties concerned.

1. Civil status and domicile of decedent: Decedent at the time of his death was:
   1.1. A CONSTITUTIONAL "Citizen" or "citizen of the United States" as defined in the Fourteenth Amendment.

1.2. NOT a STATUTORY "U.S. citizen" or "national and citizen of the United States at birth" under 8 U.S.C. §1401, 26 C.F.R. §1.1-1(c), or 26 U.S.C. §3121(e). 26 C.F.R. §1.1-1(c) identifies an 8 U.S.C. §1401 "U.S. citizen" as the ONLY type of "citizen" subject to the Internal Revenue Code. All such "U.S. citizens" are territorial citizens born within and domiciled within federal territory and NOT a CONSTITUTIONAL "State".

1.3. Domiciled in the CONSTITUTIONAL "United States" and CONSTITUTIONAL State at the time of his death.

> *". . .**the Supreme Court in the Insular Cases [93] provides authoritative guidance on the territorial scope of the term "the United States" in the Fourteenth Amendment**. The Insular Cases were a series of Supreme Court decisions that addressed challenges to duties on goods transported from Puerto Rico to the continental United States. Puerto Rico, like the Philippines, had been recently ceded to the United States. **The Court considered the territorial scope of the term "the United States" in the Constitution and held that this term as used in the uniformity clause of the Constitution was territorially limited to the states of the Union**. U.S. Const. art. I, § 8 ("[A]ll Duties, Imposts and Excises shall be uniform throughout the United States." (emphasis added)); see Downes v. Bidwell, 182 U.S. 244, 251, 21 S.Ct. 770, 773, 45 L.Ed. 1088 (1901) ("**[I]t can nowhere be inferred that the territories were considered a part of the United States. The Constitution was created by the people of the United States, as a union of States, to be governed solely by representatives of the States; ... In short, the Constitution deals with States, their people, and their representatives."**); Rabang, 35 F.3d at 1452. **Puerto Rico was merely a territory "appurtenant and belonging to the United States, but not a part of the United States within the revenue clauses of the Constitution." Downes, 182 U.S. at 287, 21 S.Ct. at 787**.*
>
> *The Court's conclusion in Downes was derived in part by analyzing the territorial scope of the Thirteenth and Fourteenth Amendments. The Thirteenth Amendment prohibits slavery and involuntary servitude "within the United States, or any place subject to their jurisdiction." U.S. Const. amend. XIII, § 1 (emphasis added). The Fourteenth Amendment states that 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." U.S. Const. amend XIV, § 1 (emphasis added). **The disjunctive "or" in the Thirteenth Amendment demonstrates that "there may be places within the jurisdiction of the United States that are no[t] part of the Union" to which the Thirteenth Amendment would apply. Downes, 182 U.S. at 251, 21 S.Ct. at 773**. **Citizenship under the Fourteenth Amendment, however, "is not extended to persons born in any place 'subject to [the United States '] jurisdiction,' " but is limited to persons born or naturalized in the states of the Union**. Downes, 182 U.S. at 251, 21 S.Ct. at 773 (emphasis added); see also id. at 263, 21 S.Ct. at 777 ("**[I]n dealing with foreign sovereignties, the term 'United States' has a broader meaning than when used in the Constitution, and includes all territories subject to the jurisdiction of the Federal government, wherever located."**). [94]*
> *[Valmonte v. I.N.S., 136 F.3d. 914 (C.A.2, 1998)]*

1.4. NOT domiciled in the STATUTORY "United States" or "State" as that term is defined in 26 U.S.C. §7701(a)(9) and (a)(10) or 4 U.S.C. §110(d) or the state revenue codes. These areas are federal territory not within the exclusive jurisdiction of a state of the Union.

1.5. NOT a STATUTORY "U.S. person" as that term is defined in 26 U.S.C. §7701(a)(30), because it relies on the definition of "United States" found in 26 U.S.C. §7701(a)(9) and (a)(10) or 4 U.S.C. §110(d) or the state revenue codes.

1.6. An "individual" in an ordinary or CONSTITUTIONAL sense. By this we mean he was a PRIVATE man or woman protected by the CONSTITUTION and the COMMON LAW and NOT subject to the jurisdiction of the STATUTORY civil law.

1.7. NOT an "individual" in a STATUTORY sense or as used in any revenue code. 26 C.F.R. §1.1441-1(c)(3) indicates that "individuals" are "aliens" by default and are both "foreign persons" and "aliens". Therefore the decedent could not possibly be an "individual" as that term is used in the Internal Revenue Code.

> *26 C.F.R. §1.1441-1 Requirement for the deduction and withholding of tax on payments to foreign persons.*
> *(c) Definitions*
> *(3) Individual.*
> *(i) Alien individual.*
>
> *The term alien individual means an individual who is not a citizen or a national of the United States. See Sec. 1.1-1(c).*
>
> *(ii) [Reserved]*

2. Warning NOT to confuse STATUTORY and CONSTITUTIONAL contexts for geographical or citizenship terms:

2.1. Recipient of this form is cautioned NOT to PRESUME that the STATUTORY and CONSTITUTIONAL contexts of geographical, citizenship, or domicile terms are equivalent. They are NOT and are mutually exclusive.

---

[93] De Lima v. Bidwell, 182 U.S. 1, 21 S.Ct. 743, 45 L.Ed. 1041 (1901); Dooley v. United States, 182 U.S. 222, 21 S.Ct. 762, 45 L.Ed. 1074 (1901); Armstrong v. United States, 182 U.S. 243, 21 S.Ct. 827, 45 L.Ed. 1086 (1901); and Downes v. Bidwell, 182 U.S. 244, 21 S.Ct. 770, 45 L.Ed. 1088 (1901).

[94] Congress, under the Act of February 21, 1871, ch. 62, § 34, 16 Stat. 419, 426, expressly extended the Constitution and federal laws to the District of Columbia. See Downes, 182 U.S. at 261, 21 S.Ct. at 777 (stating that the "mere cession of the District of Columbia" from portions of Virginia and Maryland did not "take [the District of Columbia] out of the United States or from under the aegis of the Constitution.").

2.2. One CANNOT lawfully have a domicile in two different places that are legislatively "foreign" and a "foreign estate" in relation to each other. This is what George Orwell called DOUBLETHINK and the result is CRIMINAL IDENTITY THEFT.

2.3. The U.S. Supreme Court held in Rogers v. Bellei, 401 U.S. 815 (1971) that an 8 U.S.C. §1401 STATUTORY "U.S. citizen" is NOT a CONSTITUTIONAL "citizen of the United States" under the Fourteenth Amendment. See also Valmonte v. I.N.S., 136 F.3d. 914 (C.A.2, 1998) earlier. Therefore, it is my firm understanding that the decedent:

2.3.1. Was NOT domiciled in the STATUTORY "United States" or "State" defined in 26 U.S.C. §7701(a)(9) and (a)(10) or 4 U.S.C. §110(d) or the state revenue codes. These areas are federal territory under the exclusive jurisdiction of the national government.

2.3.2. Was NOT a STATUTORY "U.S. citizen" under 8 U.S.C. §1401, which is the ONLY type of "citizen" mentioned anywhere in the Internal Revenue Code. These are territorial citizens domiciled on federal territory, and the decedent was NOT so domiciled.

3. "Intention" of the Decedent:

The transaction to which this submission relates requires the affiant to provide legal evidence of the "domicile" of the decedent for the purposes of settling the estate. This requires that he/she make a "legal determination" about someone who he/she had a blood relationship with. "Domicile" is a legal term which includes both PHYSICAL presence in a place COMBINED with consent AND intent to dwell there permanently.

> ***"domicile.*** *A person's legal home. That place where a man has his true, fixed, and* ***permanent home*** *and principal establishment, and to which whenever he is absent he has* ***the intention of*** *returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and* ***the intention*** *to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he* ***intends to*** *return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile.* ***The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.*** *"*
> *[Black's Law Dictionary, Sixth Edition, p. 485]*

3.1. Two types of domicile are involved in the estate of the decedent:

3.1.1. The domicile of the PRIVATE PHYSICAL MAN OR WOMAN under the common law and the constitution.

3.1.2. The domicile of any PUBLIC OFFICES he/she fills as part of any civil statutory franchises, such as the revenue codes, family codes, traffic codes, etc. These "offices" are represented by the civil statutory "person", "individual", "taxpayer", "driver", "spouse", etc.

3.2. Legal publications recognize the TWO components of a MAN OR WOMAN, meaning the PUBLIC and the PRIVATE components as follows:

> *"A private person cannot make constitutions or laws, nor can he with authority construe them, nor can he administer or execute them."*
> *[United States v. Harris, 106 U.S. 629, 1 S.Ct. 601, 27 L.Ed. 290 (1883)]*

> *"All the powers of the government [including ALL of its civil enforcement powers against the public] must be carried into operation* ***by individual agency, either through the medium of public officers, or contracts made with [private] individuals.*** *"*
> *[Osborn v. Bank of U.S., 22 U.S. 738 (1824)]*

3.3. Man or woman can simultaneously be in possession of BOTH PUBLIC and PRIVATE rights. This gives rise to TWO legal "persons": PUBLIC and PRIVATE.

3.3.1. The CIVIL STATUTORY law attaches to the PUBLIC person. It can do so ONLY by EXPRESS CONSENT, because the Declaration of Independence, which is organic law, declares that all JUST powers derive from the CONSENT of the party. The implication is that anything NOT expressly and in writing consented to is UNJUST and a tort.

3.3.2. The COMMON law and the Constitution attach to and protect the PRIVATE person. This is the person most people think of when they refer to someone as a "person". They are not referring to the PUBLIC civil statutory "person".

This is consistent with the following maxim of law.

> *Quando duo juro concurrunt in und personâ, aequum est ac si essent in diversis.*
> *When two rights [public right v. private right] concur in one person, it is the same as if they were* ***two separate persons****. 4 Co. 118.*
> *[Bouvier's Maxims of Law, 1856;*
> *SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

3.4. The affiant would be remiss and malfeasant NOT to:

3.4.1. Distinguish between the PRIVATE man or woman and the PUBLIC office that are both represented by the decedent.

3.4.2. Condone or allow the recipient of the form to PRESUME that they are both equivalent. They are simply NOT.

3.4.3. Require all those enforcing PUBLIC rights associated with a PUBLIC office in the government (such as "person", "individual", "taxpayer", etc.) to satisfy the burden of proving that the decedent lawfully CONSENTED to the office by

making an application, taking an oath, and serving where the office (also called a statutory "trade or business" in 26 U.S.C. §7701(a)(26)) was EXPRESSLY authorized to be executed.

3.5. Regarding the "intent" of the decedent, affiant is certain that the decedent had NO DESIRE to occupy, accept the benefits of, or accept the obligations of any offices he/she was compelled to fill, and therefore:

3.5.1. These offices DO NOT lawfully exist . . .AND

3.5.2. It would be UNJUST to enforce the obligations of said offices WITHOUT written evidence of consent being presented by those doing the enforcing.. .AND

3.5.3. The recipient of this form has a duty to provide a way NOT to accept any government "benefit" or franchise or the obligations that attach to such an acceptance in the context of any and all transactions which relate to his PRIVATE, exclusively owned property, including the entire estate that is the subject of probate. . . .AND

> *"Invito beneficium non datur.*
> *No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent he will be considered as assenting. Vide Assent.*
>
> *Quilibet potest renunciare juri pro se inducto.*
> *Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83."*
> *[Bouvier's Maxims of Law, 1856; SOURCE:*
> *http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*
>
> ---
>
> CALIFORNIA CIVIL CODE
> *DIVISION 3. OBLIGATIONS*
> *PART 2. CONTRACTS*
> *CHAPTER 3. CONSENT*
>
> 1589. *A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.*

3.5.4. It would be criminal THEFT and IDENTITY THEFT to presume that the decedent did hold any such PUBLIC offices or to enforce the obligations of such offices upon the decedent. These offices include any and all civil statuses he might have under the Internal Revenue Code (e.g. "taxpayer", "person", or "individual") or the state revenue codes. Detailed documentation on the nature of this identity theft is included in:

Government Identity Theft, Form #05.046 http://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf

4. Location of decedent, estate, and property of the estate:

4.1. All property of the estate is WITHIN the CONSTITUTIONAL "United States" and the CONSTITUTIONAL State of domicile of the decedent.

4.2. All property is WITHOUT the STATUTORY "United States" defined in 26 U.S.C. §7701(a)(9) and (a)(10), and 4 U.S.C. §110(d).

4.3. The CONSTITUTIONAL and the STATUTORY "United States" and "State" are mutually exclusive and non-overlapping.

5. Definitions of all terms used on Petition for Probate and all papers filed in this action:

5.1. Any government issued identifying number associated with the Heirs or the Decedent or the estate are hereby declared to be:

5.1.1. NOT those defined in 26 U.S.C. §6109 or any federal or state enactment, REGARDLESS of the name assigned to them or its "confusing similarity" with anything that is the property of the government.

5.1.2. NOT those defined 26 C.F.R. §301.6109-1 as being associated with a "trade or business" (public office) or STATUTORY "citizen" or "resident" under any government enactment, REGARDLESS of the name assigned to them or its "confusing similarity" with anything that is the property of the government.

5.1.3. Instead represent a LICENSE and FRANCHISE to any government actor to become the personal servant and "officer" exercising the privilege and agency of the Heirs and for the exclusive benefit of the Heirs. For their delegation of authority order while acting in such capacity, see:

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

5.2. The term "permanent address" and "residence":

5.2.1. Excludes a domicile or statutory "residence" of the Personal Representative or Heir.

5.2.2. Includes only the long-term mailing address.

5.2.3. Excludes any connection to the word "inhabitant" or "subject" under the laws of the Constitutional state where the Decedent or Heirs or Personal Representative are found.

5.3. The term "resident of the United States", "resident of the county":

5.3.1. Means a human PHYSICALLY PRESENT within a CONSTITUTIONAL "United States".

5.3.2. Means a human NOT physically present in and NOT domiciled within the STATUTORY "United States", meaning federal territory.

5.3.3. Means a human who is not a STATUTORY "resident" as defined in 26 U.S.C. §7701(b)(1)(A) to mean an "ALIEN". Neither the Decedent nor the Heirs are STATUTORY "aliens", but rather non-residents.
5.3.4. Excludes statutory "individuals" or "persons" in any act of the national for state government.
5.3.5. Includes only human beings under the common law and not statutory codes.

5.4. The terms "resident" or "resident of _____(statename)":
5.4.1. Excludes that defined in 26 U.S.C. §7701(b)(1)(A) to mean an "ALIEN".
5.4.2. Excludes any and all uses of that term within the state revenue codes. The state revenue codes have the same meaning as the Internal Revenue Code and incorporate the definitions within the Internal Revenue Code into their own title in most cases.
5.4.3. Excludes statutory "individuals" or "persons" in any act of the national or state government.
5.4.4. Includes only human beings under the common law and not statutory codes.
5.4.5. Excludes the following definition of "resident" found in the older version of the Treasury Regulations:

> *26 C.F.R. §301.7701-5: Domestic, foreign, resident, and nonresident persons. [2005]*
>
> *A domestic corporation is one organized or created in the United States, including only the States (and during the periods when not States, the Territories of Alaska and Hawaii), and the District of Columbia, or under the law of the United States or of any State or Territory. A foreign corporation is one which is not domestic. A domestic corporation is a resident corporation even though it does no business and owns no property in the United States. **A foreign corporation engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident foreign corporation, and a foreign corporation not engaged in trade or business within the United States, as a nonresident foreign corporation.** A partnership engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident partnership, and a partnership not engaged in trade or business within the United States, as a nonresident partnership. **Whether a partnership is to be regarded as resident or nonresident is not determined by the nationality or residence of its members or by the place in which it was created or organized.***
> *[Amended by T.D. 8813, Federal Register: February 2, 1999 (Volume 64, Number 21), Page 4967-4975]*
>
> *[**IMPORTANT NOTE!**: Whether a "person" is a "resident" or "nonresident" has NOTHING to do with the nationality or physical location, but with whether it is engaged in a "trade or business", which is defined in 26 U.S.C. §7701(a)(26) as "the functions of a public office. None of the heirs or the estate are engaging in a public office and cannot lawfully do so without a lawful political election or political appointment from OTHER than themselves]*

5.5. The purpose of the definitions in this section (Section 5) is to ensure then neither the Decedent, nor Personal Representative, nor the Heirs are treated as if they are the recipients of any statutory "benefit" or privilege in connection with any government, that they are acting entirely in a PRIVATE capacity, and that they are exercising rightful common law ownership and control over the property in question to exclude the government from receiving any commercial benefit or control over the estate by virtue of this proceeding. Any attempt to undermine this right TO EXCLUDE the government is a denial of an absolute property right and shall constitute a "purposeful availment" of commerce in a foreign jurisdiction and a waiver of official, judicial, and sovereign immunity by all those so abrogating the very purpose of establishing government itself, which is to protect PRIVATE property and PRIVATE rights.

> *Potest quis renunciare pro se, et suis, juri quod pro se introductum est. A man may relinquish, for himself and his heirs, a right which was introduced for his own benefit. See 1 Bouv. Inst. n. 83.*
>
> *Invito beneficium non datur. No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent he will be considered as assenting. Vide Assent.*
>
> *Quilibet potest renunciare juri pro se inducto. Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83.*
>
> *Quod meum est sine me auferri non potest. What is mine cannot be taken away without my consent. Jenk. Cent. 251. Sed vide Eminent Domain.*
> *[Bouvier's Maxims of Law, 1856; SOURCE:*
> *http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]*

6. The estate and all affiants are a STATUTORY "foreign estate" per 26 U.S.C. §7701(a)(31) because:

> *TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701. [Internal Revenue Code]*
> *Sec. 7701. – Definitions*
> *(a) Definitions*
>
> *(31)Foreign estate or trust*
>
> *(A)Foreign estate*

*The term "foreign estate" means **an estate the income of which, from sources without the United States which is not effectively connected with the conduct of a trade or business within the United States, is not includible in gross income under subtitle A.***

(B)Foreign trust

The term "foreign trust" means any trust other than a trust described in subparagraph (E) of paragraph (30).

6.1. WITHOUT the STATUTORY "United States".

TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701. [Internal Revenue Code]
Sec. 7701. – Definitions
(a)(9) United States

*The term "United States" when used in a geographical sense includes only **the States** and the District of Columbia.*

(a)(10) State

The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.

_____

TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES
*CHAPTER 4 - **THE STATES***
Sec. 110. Same; definitions

(d) The term "State" includes any Territory or possession of the United States.

6.2. WITHIN the CONSTITUTIONAL "United States", meaning states of the CONSTITUTIONAL union of states.
6.3. NOT WITHIN the STATUTORY "State" or STATUTORY "United States" under the state revenue codes. It may be within these things in OTHER titles of the state codes, because other titles use different definitions for "State" and "United States".

REVENUE AND TAXATION CODE – RTC
DIVISION 2. OTHER TAXES [6001 - 60709] (Heading of Division 2 amended by Stats. 1968, Ch. 279.)
PART 10. PERSONAL INCOME TAX [17001 - 18181] (Part 10 added by Stats. 1943, Ch. 659.)
CHAPTER 1. General Provisions and Definitions [17001 - 17039.2] (Chapter 1 repealed and added by Stats. 1955, Ch. 939.)

17017 "United States," when used in a geographical sense, includes the states, the District of Columbia, and the possessions of the United States.
(Amended by Stats. 1961, Ch. 537.)

17018. "State" includes the District of Columbia, and the possessions of the United States.
(Amended by Stats. 1961, Ch. 537.)

6.4. Not connected with a STATUTORY "trade or business" within the STATUTORY "United States" as defined in 26 U.S.C. §7701(a)(26). Decedent was NOT engaged in a public office within the national but not state government.

26 U.S.C. §7701
(a) Definitions
(26) trade or business

"The term 'trade or business' includes the performance of the functions of a public office."

NOTE: The U.S. Supreme Court held in the License Tax Cases that Congress CANNOT establish the above "trade or business" in a state in order to tax it.

"Congress cannot authorize a trade or business within a State in order to tax it."
[License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866)]

Keep in mind that the "license" they are talking about is the constructive license represented by the Social Security Number and Taxpayer Identification Number, which are only required for those ENGAGING in a STATUTORY "trade or business" per 26 C.F.R. §301.6109-1. The number therefore behaves as the equivalent of what the Federal Trade Commission (FTC) calls a "franchise mark".

> *"A franchise entails the right to operate a business that is "identified or associated with the franchisor's trademark, or to offer, sell, or distribute goods, services, or commodities that are identified or associated with the franchisor's trademark." The term "trademark" is intended to be read broadly to cover not only trademarks, but any service mark, trade name, or other advertising or commercial symbol. This is generally referred to as the "trademark" or "mark" element.*
>
> ***The franchisor [the government] need not own the mark itself, but at the very least must have the right to license the use of the mark to others. Indeed, the right to use the franchisor's mark in the operation of the business - either by selling goods or performing services identified with the mark or by using the mark, in whole or in part, in the business' name - is an integral part of franchising. In fact, a supplier can avoid Rule coverage of a particular distribution arrangement by expressly prohibiting the distributor from using its mark."***
> *[FTC Franchise Rule Compliance Guide, May 2008;*
> *SOURCE: http://business.ftc.gov/documents/bus70-franchise-rule-compliance-guide]*

Decedent, if he or she used any government issued identifying number, did so under compulsion, in violation of 42 U.S.C. §408(a)(8), and he/she hereby defines such use as NOT creating any presumption that he was engaged in any franchise or office, but rather evidence of unlawful duress against a non-resident non-person.

7. The above definitions of geographical and citizenship terms are NOT definitions as legally defined if they do not include all things or classes of things which are EXPRESSLY included. Furthermore, the rules of statutory construction require that anything and everything that is NOT EXPRESSLY INCLUDED in the above definitions is PURPOSEFULLY EXCLUDED:

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

NOTE: Judges and even government administrators are NOT legislators and cannot by fiat or presumption add ANYTHING they want to the definition of statutory terms. If they do, they are violating the separation of powers and conducting a commercial invasion of the states in violation of Article 4, Section 4 of the United States Constitution. Furthermore, according the creator of our three branch system of government, there is NO FREEDOM AT ALL and liberty is IMPOSSIBLE when the executive and LEGISLATIVE functions are united under a single person:

> *"**When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner.***
>
> ***Again, there is no liberty, if the judiciary power be not separated from the legislative and executive.** Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator. **Were it joined to the executive power, the judge might behave with violence and oppression [sound familiar?].***
>
> ***There would be an end of everything, were the same man or the same body, whether of the nobles or of the people, to exercise those three powers, that of enacting laws, that of executing the public resolutions, and of trying the causes of individuals.**"*
>
> *[. . .]*
>
> ***In what a situation must the poor subject be in those republics! The same body of magistrates are possessed, as executors of the laws, of the whole power they have given themselves in quality of legislators. They may plunder the state by their general determinations; and as they have likewise the judiciary power in their hands, every private citizen may be ruined by their particular decisions."***
> *[The Spirit of Laws, Charles de Montesquieu, 1758, Book XI, Section 6;*
> *SOURCE: http://famguardian.org\Publications\SpiritOfLaws\sol_11.htm]*

It is FRAUD to presume that the use of the word "includes" in any definition gives unlimited license to anyone to add whatever they want to a statutory definition. This is covered in:

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

8. The recipient of this form is NOT AUTHORIZED to add anything to the above definitions or PRESUME anything is included that does not EXPRESSLY APPEAR in said definitions of the STATUTORY "United States" or "State". Even the U.S. Supreme Court admits that it CANNOT lawfully do that.

> *"**It is axiomatic that the statutory definition of the term excludes unstated meanings of that term.** Colautti v. Franklin, 439 U.S. 379, 392, and n. 10 (1979). Congress' use of the term "propaganda" in this statute, as indeed in other legislation, has no pejorative connotation. As judges, it is our duty to [481 U.S. 485] construe legislation as it is written, not as it might be read by a layman, or as it might be understood by someone who has not even read it."*
> *[Meese v. Keene, 481 U.S. 465, 484 (1987)]*

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

9. How NOT to respond to this submission: In responding to this submission, please DO NOT:
   - 9.1. Tell the affiant what to put or NOT to put in his/her paperwork. That would be practicing law on affiant's behalf, which I do not consent to.
   - 9.2. Try to censor this addition or submission. That would be criminal subornation of perjury. This affidavit and the attached paperwork are signed under penalty of perjury and therefore constitute "testimony of a witness". Any attempt to influence that witness or restrict his or her testimony is criminal subornation of perjury.
   - 9.3. Threaten to withhold service or in some way punish the affiant for submitting or insisting on including this mandatory affidavit. All such efforts constitute criminal witness tampering.
   - 9.4. Violate the privacy of the affiant or anyone involved in this transaction by sharing any information about them or this transaction to any third party, whether private or in government.
   - 9.5. Communicate emotions or opinions about this correspondence. The ONLY thing requested in response is FACTS and LAW admissible as evidence in court and immediately relevant and "material" to the issues raised herein. Opinions, beliefs, or presumptions are not admissible as evidence in court under the rules of evidence and I don't consent or stipulate to admit them. Furthermore, even FACTS or LAW are not admissible as evidence unless and until they are communicated by a competent IDENTIFIED witness who signs under penalty of perjury. The identification required must include the full legal name, email address, phone number, and workplace address of the witness. Otherwise, the evidence is without foundation and will be excluded. All attempts to respond emotionally, with opinions, beliefs, or presumptions shall constitute malicious abuse of legal process per 18 U.S.C. §1589 and the equivalent state statutes.
   - 9.6. Cite or try to enforce any company policy that might override or supersede what is requested here. Any company policy which promotes, condones, or protects the commission of CRIMINAL activity clearly is unenforceable and non-binding on anyone it is alleged to pertain to, including the recipient of this form and the submitter as a man or woman.
   - *9.7.* Contact the IRS or any government agency or rely on any government publication for help in dealing with this issue. The courts have repeatedly held that you CANNOT rely on anything said by any government representative and the IRS' own website says you can't rely on their publications as a source of reasonable belief. This is also covered in:

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

10. Invitation and time limit to rebut by recipient of this form: If the recipient disagrees about the civil status, domicile, or location of the estate of the decedent, you are required to provide court admissible evidence proving EXACTLY where the term "U.S. citizen", "United States", and "State" as you used it in your communication includes CONSTITUTIONAL states of the Union or CONSTITUTIONAL "citizens" under the Fourteenth Amendment before the transaction that is related to this submission is completed. If you do not rebut the definitions appearing in this affidavit with court admissible evidence, then:
    - 10.1. You constructively consent and stipulate to the definitions provided here both between us and between you and other parties who might be involved in this transaction.
    - 10.2. You are equitably estopped and subject to laches in all future proceedings from contradicting the definitions herein provided.
11. Franchise agreement protecting commercial uses or abuses of this submission or any attachments: Any attempt to do any of the following shall constitute constructive irrevocable consent to the following franchise agreement by those accepting this submission or any of the attached forms or those third parties who use such information as legal evidence in any legal proceeding:

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

    - 11.1. Commercially or financially benefit anyone OTHER than the affiant and his/her immediate blood relatives.
    - 11.2. Damage the affiant by sharing information about him/her provided in the context of this transaction with third parties.
    - 11.3. PRESUME any thing or class of thing is included in the STATUTORY definitions of "State", "United States", "U.S. citizen", or "national and citizen of the United States at birth" in 8 U.S.C. §1401.
    - 11.4. Enforce any portion of the Internal Revenue Code or state revenue code against this FOREIGN estate. This includes any type of withholding, reporting, or compliance to these revenue codes using any information about or provided by the affiant or anyone associated with this transaction. Any attempt to do otherwise shall be treated as a criminal offense.

12. Violations of this affidavit and agreement: Any attempt to enforce any civil status of the decedent or affiant against the affiant is a criminal offense described in the following:

Affidavit of Duress: Illegal Tax Enforcement by De Facto Officers, Form #02.005 http://sedm.org/Forms/02-Affidavits/AffOfDuress-Tax.pdf.

Signatures:
Executor #1: _____ _____ Date

14. A Breach of Contract[95]

Imagine that you have agreed with an auto dealer to purchase the luxurious Belchfire X-1 automobile, for which you agree to pay $45,000, with monthly payments to extend over a period of three years. You sign the sales agreement, and are then told to return the following day to sign the formal contract, which you do. When you arrive two days later to pick up the car, the dealer presents you with the title and keys to a much lesser model, the Klunkermobile J. When you ask the dealer to explain the switch, he points to a provision in the contract that reads: "Dealer shall be entitled to make 'reasonable' adjustments it considers to be 'necessary and proper' to further the 'general welfare' of the parties hereto." He also tells you that the amount of the payments will remain the same as for the Belchfire X-1; that to provide otherwise would be to impair the obligations of the contract. You strongly object, arguing that the dealer is making a fundamental alteration of the contract. The dealer then informs you that this dispute will be reviewed by a third party – his brother-in-law – who will render a decision in the matter.

Welcome to the study of Constitutional Law!

The rationalization for the existence of political systems has, at least since the Enlightenment, depended upon the illusion of a "social contract"; that governments come into existence only through the "consent of the governed" as expressed in a written constitution. I know of no state system that ever originated by a contract among individuals. This is particularly true in America, where the detailed history of the drafting and ratification of the Constitution illustrates the present system having been coercively imposed by some upon others. If you doubt this, a reading of the history of Rhode Island will provide you with one example.

By its very nature, a contract depends upon a voluntary commitment by two or more persons to bind themselves to a clearly-expressed agreement. The common law courts have always held that agreements entered into through coercion, fraud, or any other practice that does not reflect a "meeting of the minds" of individuals are wholly unenforceable. Nor have the courts looked favorably upon transactions that purport to bind parties forever. If I should agree to work for you for $5,000 a month and, after two years of such employment, choose to go work elsewhere, no court of law – not even in Texas – would compel me to continue working for you.

The idea that contractual obligations can arise other than through voluntary undertakings has been firmly established in our culture. Statist efforts to impose duties upon others are often promoted under the myth of an "implied" contract (e.g., by driving a car, you "impliedly consent" to purchase insurance; by living in America you "impliedly consent" to be bound to obligations to which you never agreed). By this logic, if I lived in a high-crime area, it could be argued that I had "impliedly consented" to be mugged, or to be bound by the rules of the local street-corner gang. The idea that the government can force people into contractual relationships is at the heart of the current Supreme Court case dealing with "Obamacare." The enactment of such a form of "involuntary servitude" is what leads a few thoughtful minds to question whether it violates the 13th Amendment!

Even accepting the fantasy of a "social contract" theory of the state creates more fundamental problems. The legitimacy of a contract depends upon the existence of "consideration." This means that the party seeking enforcement must demonstrate a changing of one's legal position to their detriment (e.g., giving up something of value, making a binding promise, foregoing a right, etc.) Statists may argue that their system satisfies this requirement – by supposedly agreeing to protect the lives and property of the citizenry, and agreeing to respect those rights of people that are spelled out in the "Bill of Rights." The problem is that – thanks to the opinions of numerous brothers-in-law who comprise the Supreme Court – the powers

[95] Adapted from *A Breach of Contract*, Butler Shaffer; http://lewrockwell.com/shaffer/shaffer252.html.

given to the state have been given expansive definitions, and the rights protected by the "Bill of Rights" are given an increasingly narrow interpretation.

Thus, Congress' exclusive authority to declare war is now exercised by presidential whim; while its power to legislate does not depend upon any proposed law having been either fully drafted or read! Fourth and Fifth Amendment "guarantees" re "searches and seizures" or "due process of law" are so routinely violated as to arouse little attention from Boobus Americans. First Amendment rights of "speech" allow the state to confine speakers to wire cages kept distant from their intended audiences, while the right of "peaceable assembly" is no hindrance to police-state brutalities directed against peaceful protestors. With very little criticism from Boobus, one president declared his support for a dictatorship, while his successor proclaimed to the world his unilateral authority to kill anyone of his choosing – including Americans! Meanwhile, torture and the indefinite detention of people without trial continue to be accepted practices.

Having been conditioned to believe that the Constitution exists to limit the powers of the state and to guarantee your liberty, you try employing such reasoning with the car dealer. You direct his attention to another contractual provision that reads: "All rights under this agreement not reserved to the Dealer shall belong to the Buyer." But he tells you that he is adhering to the specific terms of the contract by making "reasonable adjustments" that are "necessary and proper" to "further the general welfare of the parties." Whatever "rights" you have are, by definition, limited by this broad grant of authority.

This is where conservatives get so confused over the inherently repressive nature of the Constitution. They tend to believe that the 10th Amendment "guarantees" to them – and/or the states – "powers not delegated to the United States." But the federal government powers enumerated in this document are overly broad (e.g., "general welfare," "necessary and proper," and "reasonable") and must be interpreted. This authority to provide the government with such powers to interpret its own powers is nowhere spelled out in the Constitution; but was usurped by the Supreme Court in the case of Marbury v. Madison.

Once the courts – or the car dealer's brother-in-law – define the range of the parties' respective authorities, the mutually-exclusive logic of the 10th Amendment applies: if the government or the dealer is recognized as having expansive definitions of authority, there is very little that remains inviolate for the individual. The language of the 9th Amendment is more suitable to the argument on behalf of a broader definition of liberty. This provision reads: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." This catch-all language suggests that the Ninth Amendment protections are far broader than the combined "rights" of all the other amendments. A reading of judicial history reveals only a very small handful of cases ever having been decided under this section. Of course, the words in this amendment are also subject to interpretation by state officials. This fact is what conservatives fail to understand when they bleat about wanting "to get back to the Constitution." The government has never strayed from the Constitution; these words have been in that document from the beginning. They have, however, been interpreted according to the ever-changing preferences of those in power.

As the state continues to not simply eat away at – but to gluttonously devour – the liberty its defenders still pretend it is its purpose to protect, it is timely to consider the remedies available to individuals. As one who prefers the peaceful processes of a civilized society – rather than the violent and destructive means that define the state – my thoughts return to contract theory. I must admit, at the outset, that the make-believe "social contract" foundations of the state, reveal the wholesale breach of the obligations of both parties. The failure of the state to restrain its voracious and ruinous appetites is already a matter of record, even to its defenders whose intellectual dishonesty and/or cowardice will not permit them to express the fact. But there is a concurrent obligation on the part of those subject to state rule that finds expression in words carved onto the entrance to the Nebraska state capitol building: "The Salvation of the State is Watchfulness in the Citizen." It was the failure of most people to live up to this standard that led me to write, a few years ago, about the need to impeach the American people! The "watchfulness" of most Americans is confined to such television programs as "American Idol" or "Dancing With the Stars."

The breaches on both sides of this alleged contract are of such enormity as would lead any competent court of law to regard any such "agreement" as a nullity; subject to enforcement by neither party. Such defenses as "frustration of purpose," "impossibility of performance," "unconscionability," "unequal bargaining power," "fraud in the inducement," and other concepts have regularly been used by the courts to excuse further performance by the parties to a contract.

I propose that we respond to our alleged obligations to the state – duties we never agreed to in the first place – in the same manner by which we would treat our hypothetical car dealer in the marketplace: to walk away and take our business elsewhere! Whatever goods or services we desire in our lives, and which we have been conditioned to believe can only be

provided by the state, can be found in the willingness of our neighbors to freely and genuinely contract with us in ways that do not depend upon predation, restraint, or violence. It is time for us to discover the peaceful and creative nature of a society grounded in a voluntary "meeting of the minds" of free men and women!

How would we express our intention to invalidate the contract, from a legal perspective? By generating legal evidence of all the following in the government's own records:

1. Changing our citizenship status in government records to that of a non-resident non-person and CONSTITUTIONAL but not statutory citizen.
2. Quitting all government franchises and licenses.
3. Stop filling out government forms and rescind all forms we have filled out.
4. Changing our tax status to that of a non-resident NON-person.

All of the above are accomplished by:

Path to Freedom, Form #09.017, Section 2 http://sedm.org/Forms/FormIndex.htm

15. Summary and Conclusions

Based on the foregoing analysis and legally admissible evidence, we can safely conclude the following:

1. Domicile is a "civil protection franchise". As a franchise, its purpose is to protect ONLY your PRIVATE, absolutely owned property. It is not a constitutional franchise if it only protects public property, requires you convert your PRIVATE property to public property, or refuses to recognize private property. Instead, it becomes a method to STEAL from you and undermine the constitution:
   1.1. All franchises, including the domicile civil protection franchise, derive their authority from property loaned to the franchisee with conditions. That is the thesis of Form #05.030.
   1.2. "Rules" or "laws" are the "conditions" of the loan.
   1.3. The ability to "make rules" (civil statutes or laws) requires some property being "loaned" to the recipient. Ownership implies the right to exclude and the right to control the use of people using the property. It's the "Golden Rule": He who OWNS the gold (property) makes the rules.
   1.4. The "territory" you choose or intend to live on determines who makes the rules or laws. That territory is the "property" being loaned, because it is physical. The "laws" that apply to that specific territory are the "conditions" of the loan.
   1.5. By choosing or intending to choose WHICH property you live on, you are in effect nominating a "land lord", and the "rent" is the "rules". Notice in the following video, Satan refers to God as "an absentee landlord" and then he says "Worship THAT? NEVER!". Owning the LAND makes you the LORD!
   https://sedm.org/what-we-are-up-against/
   1.6. The state doesn't OWN the territory you live on, regardless of where you physically reside. The Bible says GOD owns the Heavens and the Earth, not Caesar. Deut. 10:15.
   1.7. Since God owns EVERYTHING physical because he created it, then HE is the only one who can make the rules or laws.
   1.8. Caesar renting out GOD'S land, where the "rent" is the rules, is an affront to God. Caesar is "renting out STOLEN property" or property that was merely loaned "WITH CONDITIONS" by God for temporary custody and stewardship by Caesar.
   1.9. The Constitution recognizes these concepts in Article 4, Section 4, by saying: "Congress shall have the power to make all needful rules respecting the property and territory of the United States".
   1.10. Even marriage follows this basic format of the loan of property:

> *"When a man sticks his pecker in a hole, he is presumed to implicitly consent to all the obligations arising out of such a "privilege". This includes implied consent to pay all child support obligations that might accrue in the future by virtue of such an act. Marriage licenses are the state's vain attempt to protect the owner of the hole from being injured by either irresponsible visitors or their poor discretion in choosing or allowing visitors, and not a whole lot more. In this context, as in nearly all other contexts, the government offers a privilege or "license" which essentially amounts to a form of "liability insurance". You can only benefit from the insurance program by voluntarily "signing up" when you make application to procure the license."*
> *[Requirement for Consent, Form #05.003, Section 8.11.6]*

1.11. Jon Roland, author of the Constitution Society Website (http://constitution.famguardian.org), has privately confirmed to us that the above processes are EXACTLY how the civil statutory codes work. He even goes so far as to say that all land CONTINUES to be owned by the King by Divine Right, even AFTER the revolution, and that "estates" in land are mere temporary revocable franchises regulated and controlled by the King at his or her whim. Of course, being an atheist, he doesn't acknowledge God's role in it all, and therefore EVERYTHING he does is without hope and without remedy and vain as a result. How is freedom and liberty even realistically possible if Caesar owns all land and he can attach ANY conditions he wants to its use? Jon can't answer that question, which means indirectly that he agrees that freedom is IMPOSSIBLE so long as that is his approach to the Constitution:
http://constitution.famguardian.org

2. Think of the "state" as a club:
   2.1. The "state" is the collection of all the sovereigns that occupy a specific territorial land mass.
   2.2. The "government" are the people contracted and under oath to service the needs of the "state" and execute the business of the "state". They are "protection contractors". The "government" and the "state" are two separate and distinct groups that are NOT synonymous or the same. The "state" is the sovereign, while the "government" is the SERVANT of the sovereign.
   2.3. Those who are members of the club are called "citizens" if they were born somewhere within the country and "residents" if they were born in a different country.
   2.4. Those who are not members of the club are called "nonresidents" or "transient foreigners".
   2.5. Whether you are a "member" or a "nonmember" is determined by how you describe your "residence", "permanent address", or "domicile" on usually government and financial forms. No one but you can decide or control what you put on these forms.
   2.6. Taxes are your "club membership dues".
   2.7. In return for membership, you are entitled to demand "services" or "benefits" from the government that serves the "state".
   2.8. No one can force you to join the club. The First Amendment protects your right to NOT join the club by prohibiting "compelled association". That is why the First Amendment is the first amendment: Because the first and most important thing you must do when forming any "state" is to give everyone the right to NOT join!
   2.9. Since no one can force you to join the club, no one can compel you to accept the liabilities associated with membership in the club and they must prove that you voluntarily consented to join the club before they can legally enforce those liabilities against you. Such liabilities include the duty to pay income taxes, to vote, and to serve as a jurist when summoned.
   2.10. Membership in the club confers civil jurisdiction of the courts in order to protect your civil rights.
   2.11. You do not need to be a member of the club in order for the government to enforce the criminal laws of the state against you. All that must be proven in order to enforce the criminal laws is that you were physically situated on the territory associated with the "state" and that you committed a criminal or harmful act that injured a specific other fellow sovereign.
   2.12. There are TWO levels of club membership: Premium and Unleaded. The "Unleaded" version is basic domicile in the republic and not the "State" and this level buys you basic criminal protection and nothing more. The "Premium" level of membership requires you to become a "public officer" of the government so they can lawfully pay you bribes called "benefits" with money they stole from your neighbor. Because there are two levels of membership, then the "Premium" level violates the Constitution because it confers a "Title of Nobility". The only other way to view this level and still be consistent with the Constitution is to view all those who participate as employees of a PRIVATE corporation that is NOT a de jure government. See:

   Why Your Government is Either a Thief or You Are a "Public Officer" for Income Tax Purposes, Form #05.008
   http://sedm.org/Forms/FormIndex.htm

3. Domicile is legally defined as the coincidence of physical presence in a place now or in the past, and the intention to return to and permanently inhabit that place. The Bible says that no place on earth is permanent and that the present earth will be destroyed, and therefore it is against God's law to declare a domicile within any man-made political group on earth.
4. The place where a person "lives" and their legal "domicile" can be and often are two completely different places. Many people incorrectly confuse these two terms, and in so doing, unknowingly forfeit their right to choose whether they want to be subject to the civil laws where they are located.
5. Domicile is ordinarily associated with "citizens", while "residence" is associated with privileged "aliens". You can have only one "domicile" but as many "residences" as you want. Residence, in turn, is a product of your right to contract. When you sign up for a franchise such as the "trade or business"/income tax franchise, you become a "resident" within the statutes granting the privilege or franchise:

26 C.F.R. §301.7701-5 Domestic, foreign, resident, and nonresident persons.

> *A domestic corporation is one organized or created in the United States, including only the States (and during the periods when not States, the Territories of Alaska and Hawaii), and the District of Columbia, or under the law of the United States or of any State or Territory. A foreign corporation is one which is not domestic. A domestic corporation is a resident corporation even though it does no business and owns no property in the United States.* ***A foreign corporation engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident foreign corporation, and a foreign corporation not engaged in trade or business within the United States, as a nonresident foreign corporation.*** *A partnership engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident partnership, and a partnership not engaged in trade or business within the United States, as a nonresident partnership.* ***Whether a partnership is to be regarded as resident or nonresident is not determined by the nationality or residence of its members or by the place in which it was created or organized.***
> *[Amended by T.D. 8813, Federal Register: February 2, 1999 (Volume 64, Number 21), Page 4967-4975]*
> *[SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/Resident-26cfr301.7701-5.pdf]*

6. Those who have chosen a legal domicile outside of the place or state that they occupy at any given time are called "transient foreigners" or simply "nonresidents". When you go on vacation temporarily to a place, you are a "transient foreigner" with respect to the government of that place. It is perfectly lawful to ALSO choose to be a transient foreigner in the place of your birth and the place where you live or to choose a domicile within a political group of your own making, such as a church, family, or political group. Those who do so have made a protected First Amendment choice to disassociate with what oftentimes is a corrupted government or state that is more harmful than protective of their personal interests.
7. The purpose of selecting a domicile is to nominate a king or ruler to provide a substitute for God's protection. A choice of domicile amounts essentially to a contract to procure "protection" from a king or ruler to whom those protected owe "tribute" and "allegiance". Serving anyone but God is idolatry and idolatry is condemned as the most serious sin a believer can commit in the Bible.

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

8. You can only have a legal domicile in ONE PLACE or political group at a time, because you can only owe undivided allegiance to one ruler at a time. As a consequence:
   8.1. You can only be a "citizen" in ONE PLACE at a time.
   8.2. If you are physically present in a place outside of your legal domicile, you are a "transient foreigner" and a "national" but not "citizen" in that place. For instance, Mexicans visiting the United States temporarily and who have not changed their "domicile" to the United States are called "Mexican Nationals" while they are here. When they return to the place of their domicile, they are called "Mexican citizens".
   8.3. You cannot be a "citizen" under federal statutory law without having a domicile on federal territory. States of the Union are NOT federal territory.
   8.4. You can only owe income taxes to one government at a time. This is consistent with the fact that you must have a federal tax liability before you can have a state liability. It is also consistent with the conclusion that the states, when they collect state income taxes, are doing so in the capacity as federal territories and instrumentalities and not sovereign or independent governments. This type of abuse is facilitated by the unconstitutionally administered Buck Act, 4 U.S.C. §106, and its implementation found in 5 U.S.C. §5517. No state or federal constitution authorizes any state of the Union to act as a federal corporation, agency, territory, or instrumentality as described in 4 U.S.C. §110(d) and any attempt to do so is a violation of the separation of powers doctrine and an act of TREASON punishable by death under 18 U.S.C. §2381.
9. Domicile constitutes your voluntary choice of the civil law system and the government you choose to live under. The purpose of law is to protect people by preventing harm but *not* mandating good. The purpose of government is to enforce and implement the law. Therefore, the purpose of government is to protect. You cannot be held responsible for obeying any civil law unless you voluntarily choose a legal domicile where it applies. This includes the civil code and the family code in your state.
10. Domicile is a First Amendment *voluntary* choice of political affiliation. The government cannot change your domicile without your consent. What the law dictionary calls "intent" really amounts to consent, and they are trying to hide the voluntary nature of the transaction by choosing different words to describe it. For instance:
    10.1. Only adults who have reached the age of majority can lawfully choose a legal domicile.
    10.2. Insane or incompetent persons cannot have a chosen domicile and take on the domicile of their caretakers.
    10.3. Children assume the domicile of their parents.

10.4. Every government tax form in one way or another causes you to choose a domicile, and since the choice of form or the way you fill it out is your choice, then the domicile is also your choice. For instance, IRS Form 1040 causes you to choose a domicile in the "United States" (federal territory). IRS Form 1040NR is filled out by persons who do not have a domicile in the "United States) (federal territory).

11. No court of law or government official may lawfully interfere with your choice of domicile because:
    11.1. Courts of justice may not lawfully involve themselves in "political questions".
    11.2. Public servants in the political branches of the government, including the Executive and Legislative branches, may not interfere with your First Amendment right to freely associate or disassociate.
12. A government that compels you to choose a domicile within their jurisdiction is engaging in unlawful slavery in violation of 42 U.S.C. §1994, involuntary servitude in violation of the Thirteenth Amendment, extortion, racketeering in violation of 18 U.S.C. §1951, and violating your First Amendment right of freedom from compelled association.
13. Because choice of domicile is voluntary, income taxes based on it are also entirely voluntary and avoidable. The government does NOT want you to know that you can avoid income taxes, and so they will avoid discussing this and persecute all those who reveal it to the public.
14. Your domicile is whatever you say it is on a government form. Other evidentiary methods of determining legal domicile are ordinarily only employed where evidence of your direct declaration of domicile on a government form is not available, or where your behavior is inconsistent with your stated or communicated choice.
15. On government forms, "residence", meaning the TEMPORARY place of abode of an ALIEN, is synonymous with the terms "permanent address". "Permanent address" and "domicile" are NOT ordinarily equivalent and we have found no evidence anywhere to believe that they are equivalent.
16. Within the Internal Revenue Code, Subtitle A and all state revenue codes, a "resident" is an alien with a domicile, presence, or existence on federal territory. A person who is not physically present on federal territory can become a "resident" there by engaging in "commerce" within the legislative jurisdiction of that forum. This, in fact, is the main method by which the federal government manufactures "taxpayers" out of sovereign Americans domiciled in states of the Union. The Social Security system causes them to conduct commerce within the legislative jurisdiction of the United States and thereby surrender sovereign immunity and become "resident aliens" pursuant to 28 U.S.C. §1605(a)(2). Those engaging in such commerce are called "public officers" who are "effectively connected with a trade or business in the United States". All those engaged in a "trade or business" are "resident aliens" of the United States. Older versions of the Treasury Regulations show this scam below:

> *26 C.F.R. §301.7701-5 Domestic, foreign, resident, and nonresident persons*
>
> *A domestic corporation is one organized or created in the United States, including only the States (and during the periods when not States, the Territories of Alaska and Hawaii), and the District of Columbia, or under the law of the United States or of any State or Territory. A foreign corporation is one which is not domestic. A domestic corporation is a resident corporation even though it does no business and owns no property in the United States.* ***A foreign corporation engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident foreign corporation, and a foreign corporation not engaged in trade or business within the United States, as a nonresident foreign corporation.*** *A partnership engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident partnership, and a partnership not engaged in trade or business within the United States, as a nonresident partnership.* ***Whether a partnership is to be regarded as resident or nonresident is not determined by the nationality or residence of its members or by the place in which it was created or organized.***
> *[Amended by T.D. 8813, Federal Register: February 2, 1999 (Volume 64, Number 21), Page 4967-4975]*

17. Driver's licenses issued by state governments are the method of choice for compelling persons to declare a legal domicile within a state. Because the government cannot compel you to choose a domicile, they also cannot compel you to obtain or use a state driver's license.
18. Domicile is an abstract term that is difficult to legally prove. Because it is difficult to prove, the government will avoid discussions of the term. That is why the term only appears twice in the entire 9,500 page Internal Revenue Code. They will also avoid discussing the term because they don't want to acknowledge that they need your consent to both enforce the law against you and collect taxes from you.
19. Those who want to divorce the state which controls the place where they live may do so by declaring a domicile outside of their place of abode. Such persons are called:
    19.1. "Transient foreigners".
    19.2. "Stateless persons" (in relation to the place they physically live).
20. Those who do not want to assume the liabilities of "domicile" within a jurisdiction cannot:
    20.1. Register to vote within that jurisdiction.
    20.2. Obtain a state driver's license within that jurisdiction.
    20.3. Serve as a jurist within that jurisdiction.

20.4. Indicate a "permanent address" on any government form that is within the jurisdiction of that government.
20.5. Apply for any government benefit, including Social Security, Medicare, etc.
20.6. Submit any form that implies a domicile there, such as the IRS Form 1040, which is only for use by STATUTORY "U.S. persons" with a legal domicile in the "United States" (federal territory). Instead, the 1040NR is the only proper form for "stateless persons" and "transient foreigners" to use in the context of federal taxation.

21. The only laws that may be enforced against "transient foreigners" or "nonresidents" are criminal laws and the common law. Civil statutory laws require a legal domicile within the jurisdiction where the law applies. This is a result of the fact that the Declaration of Independence says that all just powers in a free government derive from the "consent of the governed" and that the only legitimate reason for the state to proceed against a person without his consent is when he is criminally injuring someone.
22. The Bible commands believers to be ***separate*** and ***sanctified***, and to come out of the corrupted government that has become Satan's whore, which the Bible calls "Babylon the Great Harlot". In effect, God commands us to DISASSOCIATE. We can do this legally and peacefully ***only*** by changing our domicile.

> *After these things I saw another angel coming down from heaven, having great authority, and the earth was illuminated with his glory.*
>
> *And he cried mightily with a loud voice saying, 'Babylon the great is fallen, is fallen, and has become a dwelling place of demons, a prison for every foul spirit, and a cage for every unclean and hated bird!'*
>
> *"For all the nations have drunk of the wine of the wrath of her fornication, the kings [politicians, who load us with debt] of the earth have committed fornication with her, and the merchants of the earth have become rich through the abundance of her luxury.'*
>
> *And I heard another voice from heaven saying, '**Come out of her, my people, lest you share in her sins, and lest you receive her plagues.***
>
> *"For her sins have reached to heaven, and God has remembered her iniquities.*
>
> *"Render to her just as she rendered to you, and repay her double according to her works; in the cup which she has mixed, mix double for her.*
>
> *"In the measure that she glorified herself and lived luxuriously, in the same measure give her torment and sorrow; for she says in her heart, 'I sit as queen, and am no widow, and will not see sorrow.'*
>
> *"Therefore her plagues [economic or stock market collapses] will come in one day—death and mourning and famine. And she will be utterly burned with fire [looting from all the greedy people who mortgaged themselves to the hilt and put their children into debt slavery to pay for their luxuries], for strong is the Lord God who judges her."*
> *[Rev. 18:1-8, Bible, NKJV]*

23. If you want to divorce the state and become a "transient foreigner" wherever you go, we suggest the following resource:

Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001 http://sedm.org/Forms/FormIndex.htm

24. The government is just like any other corporation. The only product it delivers is "protection". Government does not have a monopoly on "protection". A government that compels you to procure or pay for its protection against your will is engaged in racketeering and organized crime. If the cost of government protection exceeds its benefits, any person or group are free to divorce the state by abandoning their domicile, and to provide their own more cost effective protection. Anyone may compete directly with the government in "the protection business" or elect to fire all protectors and instigate "front door justice". This is a direct result of the fact that the U.S. Supreme Court said the essential purpose of the Constitution was to confer upon We the People the right to be LEFT ALONE by the government.

> *"The only protection I need is my Smith and Wesson."*
>
> *"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. **They conferred, as against the***

> ***Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized men.****"*
> *[Olmstead v. United States, 277 U.S. 438, 478 (1928) (Brandeis, J., dissenting); see also Washington v. Harper, 494 U.S. 210 (1990)]*

25. All income taxes are based on legal "domicile". Income taxes support the police powers of the state, and the police powers of the state implement and enforce the CRIMINAL law ONLY. If you don't have a domicile in a place, then you can't be liable for income taxes in that place because you are not being personally protected by the laws of that place.
26. Persons with a legal domicile on federal territory, which is called the "United States" in the Internal Revenue Code at 26 U.S.C. §7701(a)(9) and (a)(10) and 4 U.S.C. §110(d), are called "U.S. persons". Persons with a domicile in a place are also called "inhabitants". Under the Internal Revenue Code, Sections 7701(a)(39) and 7408(d), persons who declare a domicile in the "United States" are treated as virtual residents of the District of Columbia and "taxpayers" there regardless of where they physically live. "U.S. persons" include statutory "citizens of the United States" under 8 U.S.C. §1401 and "residents" as defined in 26 U.S.C. §7701(b)(1)(A).
27. Both STATUTORY "citizens" and STATUTORY "residents" have in common a "domicile" in a place and collectively are called "inhabitants". Those without a domicile are called "transient foreigners". IRS does NOT like people claiming they are "transient foreigners" because it destroys their ability to tax. They therefore omit this as an option on ALL their tax forms so you can't property declare your status as a "nontaxpayer". The only time that either "citizens" or "residents" can have a tax liability under I.R.C. Subtitle A is when they are temporarily abroad pursuant to 26 U.S.C. §911. The U.S. Supreme Court confirmed that taxation of "U.S. persons" abroad was permissible in Cook v. Tait, 265 U.S. 47 (1924). We have been able to identify NO provision of law that makes any statutory "citizen" or "resident" responsible for an income tax who is NOT temporarily abroad. Even then, they must be voluntarily engaged in a "trade or business", which is a "public office", in most cases to have any tax liability at all.
28. An "alien" with a domicile in the "United States**" (federal territory) is called a "resident" in the Internal Revenue Code.
    28.1. You cannot lawfully be a "resident" and a "citizen" within the same jurisdiction at the same time.
    28.2. Likewise, you cannot lawfully be a "resident" and a "nonresident" at the same time.
29. In effect, the civil statutory code functions as a "protection franchise", "compact", and/or social compact. All compacts and franchises are contracts or agreements that activate or acquire the "force of law" ONLY upon MUTUAL consent of BOTH parties to them. That is why most enactments of governments are called "the code" instead of simply "law".
30. Anyone invoking "the code" or any civil statutory law against you should be DEMANDED to satisfy the burden of proof as the moving party to provide the following evidence on the record of any proceeding:
    30.1. That you EXPRESSLY consented to have a civil domicile in the place where the "code" they seek to enforce applies.
    30.2. That your consent was NOT the product of duress. Duress renders any contract of compact VOIDABLE but not VOID. The minute you indicate the duress, it becomes void.
    30.3. That you were physically present within the specific territory where the laws apply. You cannot have a domicile in a place without FIRST having a physical presence there either now or at some time in the past.
    30.4. That the author of the laws sought to be enforced OWNED the land you were on as territory and therefore had the authority to make the rules for that land under Article 4, Section 3, Clause 2 of the United States Constitution. Hence, they have to prove that the land was not PRIVATE property and instead was lawfully converted to a public use or purpose. Otherwise, the only thing that can be enforced is the common law.
    30.5. That if you were not domiciled on the land to which the "codes" apply, that you were representing an entity or public office that WAS domiciled on their land as required by Federal Rule of Civil Procedure 17.

There are some very subtle and subliminal things going on in the domicile concept and these are the root of them all. These concepts are completely invisible to most people, which is why they are so easily enslaved. Most people only look at the outside layer of the onion. THIS is the CORE. The Holy Spirit is what will reveal this to you, if you listen carefully.

> *"How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or by equity alone.* ***But how can one person impose an obligation upon another? By giving property to the latter on the terms of his assuming an obligation in respect to it. At law there are only two means by which the object of the donor could be at all accomplished, consistently with the entire ownership of the property passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting the title of the donee to a condition subsequent.*** *The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the objects of the doner, and yet avoid the mischiefs of real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come without value or with notice)* ***a personal obligation with respect to the property; and accordingly this is what***

equity does. *It is in this way that all trusts are created, and all equitable charges made (i.e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation.* ***In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained."***
[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 543]

_____

"When Sir Matthew Hale, and the sages of the law in his day, spoke of property as affected by a public interest, and ceasing from that cause to be juris privati solely, that is, ceasing to be held merely in private right, they referred to

[1] property dedicated [DONATED] by the owner to public uses, or

[2] to property the use of which was granted by the government [e.g. Social Security Card], or

[3] in connection with which special privileges were conferred [licenses].

Unless the property was thus dedicated [by one of the above three mechanisms], or some right bestowed by the government was held with the property, either by specific grant or by prescription of so long a time as to imply a grant originally, the property was not affected by any public interest so as to be taken out of the category of property held in private right."
[Munn v. Illinois, 94 U.S. 113, 139-140 (1876)]

The biblical famine in Egypt is a prime example of the above concepts. Pharaoh owned and controlled all the grain during the famine, and he used that property and usury and the franchises (conditions) he attached to the loan to literally make ALL HIS PEOPLE into his property! Notice the Bible refers to Pharaoh as "my lord", meaning my "god".

"When that year had ended, they came to him the next year and said to him, "We will not hide from my lord that our money is gone; my lord also has our herds of livestock. There is nothing left in the sight of my lord but our bodies and our lands. Why should we die before your eyes, both we and our land? Buy us and our land for bread, and we and our land will be servants of Pharaoh; give us seed, that we may live and not die, that the land may not be desolate."
[Gen. 47:18-22, Bible, NKJV]

As long as there is land and your body is physical, you HAVE to choose a LAND LORD. Who is your "LAND LORD"?: God or Caesar? Satan's answer to that question is that HE is the landlord because God is AWOL (Absent WithOut Leave, a military term).

"Woe to those who seek deep to hide their counsel [attorney or lawyer] far from the Lord,
And their works are in the dark;
They say, "Who sees us?" and, "Who knows us?"
Surely you have things turned around!
Shall the potter be esteemed as the clay;
For shall the thing made say of him who made it,
"He did not make me"?
Or shall the thing formed say of him who formed it,
"He has no understanding"?
[Isaiah 29: 15-16, Bible, NKJV]

The now defunct Soviet Union's answer was the same as Satan's: Official state atheism, government ownership of EVERYTHING, and therefore no freedom.

If the People are the sovereign and everything they allow to get into the hands of Caesar or under his/her control is and continues to be THEIR property loaned WITH CONDITIONS that THEY and not Caesar determine, then how is it EVER realistically possible that:

1. Caesar could ever have any civil statutory (franchise) power whatsoever? Keep in mind that the main purpose of the civil statutes is to regulate and control GOVERNMENT property, which are also called "privileges".
2. Caesar could ever have ANY CIVIL STATUTORY control over them?

3. They could ever be ANYTHING but truly free?

In all our years studying this subject and drilling ten thousand feet into the Earth in the process, we have NEVER seen even one book or speaker that explained the above concept as lucidly or as completely or as succinctly as the above does. The essence of genius is that level of simplicity, according to Einstein.

16. Resources for further research and rebuttal

If you enjoyed this document and want additional supporting information, we highly recommend the following additional resources:

1. *Why Domicile and Becoming a "Taxpayer" Require Your Consent, Family Guardian Fellowship*- web browsable HTML version of this article
   http://famguardian.org/Subjects/Taxes/Remedies/DomicileBasisForTaxation.htm
2. *Why You are a "national", "state national", and Constitutional but not Statutory Citizen*, Form #05.006-pamphlet that shows that the proper citizenship status of persons born in states of the Union is "non-resident non-person" and "national" pursuant to 8 U.S.C. §1101(a)(21). See:
   http://sedm.org/Forms/FormIndex.htm
3. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001-attach this form to all government, financial, and other forms to prove your citizenship status
   http://sedm.org/Forms/FormIndex.htm
4. *Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001-allows you to politically and legally divorce the federal government and thereby become a non-resident non-person, and a nontaxpayer. See:
   http://sedm.org/Forms/FormIndex.htm
5. *Citizenship, Domicile, and Tax Status Options*, Form #10.003-use this form at a deposition or in litigation to prove your citizenship, domicile, and tax status
   http://sedm.org/Forms/FormIndex.htm
6. *Authorities on the word "domicile", Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic-what the courts and the law say on the subject of "domicile". See:
   http://famguardian.org/TaxFreedom/CitesByTopic/domicile.htm
7. *A Treatise on the Law of Domicile*, M.W. Jacobs, 1887, Google books- Excellent and detailed free book on domicile.
   http://books.google.com/books?id=MFQvAAAAIAAJ&printsec=titlepage
8. *Developing Evidence of Citizenship and Sovereignty Course*, Form #12.002-training course that shows you how to develop legally admissible evidence you can use to protect and defend your sovereignty in any court. See item 2.3 in the link below:
   http://sedm.org/Forms/FormIndex.htm
9. *Self Government Federation: Articles of Confederation*, Form #13.002-use this form to create your own de jure government. Change your domicile to this government and thereby become a "nonresident", a "non-citizen", a "nontaxpayer", and a "transient foreigner" in relation to every other government
   http://sedm.org/Forms/FormIndex.htm

17. Questions that Readers, Petit Jurors, and Grand Jurors Should be Asking the Government

These questions are provided for readers, Grand Jurors, and Petit Jurors to present to the government or anyone else who would challenge the facts and law appearing in this pamphlet, most of whom work for the government or stand to gain financially from perpetuating the fraud. This does include Attorneys, Judges, and Prosecutors. If you find yourself in receipt of this pamphlet, you are demanded to answer the questions within 10 days. Pursuant to Federal Rule of Civil Procedure 8(b)(6), failure to deny within 10 days constitutes an admission to each question. Pursuant to 26 U.S.C. §6065, all of your answers must be signed under penalty of perjury. We are not interested in agency policy, but only sources of reasonable belief identified in the pamphlet below:

Reasonable Belief About Income Tax Liability, Form #05.007 http://sedm.org/Forms/FormIndex.htm

Your answers will become evidence in future litigation, should that be necessary in order to protect the rights of the person against whom you are attempting to unlawfully enforce federal law.

1. Admit that a "state" is a political group.

> *"**State**. **A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic** exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other communities of the globe. United States v. Kusche, D.C.Cal., 56 F.Supp. 201 207, 208. The organization of social life which exercises sovereign power in behalf of the people. Delany v. Moralitis, C.C.A.Md., 136 F.2d. 129, 130. **In its largest sense, a "state" is a body politic or a society of men.** Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d. 636, 254 N.Y.S.2d. 763, 765. **A body of people occupying a definite territory and politically organized under one government.** State ex re. Maisano v. Mitchell, 155 Conn. 256, 231 A.2d. 539, 542. A territorial unit with a distinct general body of law. Restatement, Second, Conflicts, §3. Term may refer either to body politic of a nation (e.g. United States) or to an individual government unit of such nation (e.g. California).*
>
> *[…]*
>
> ***The people of a state, in their collective capacity**, considered as the party wronged by a criminal deed; the public; as in the title of a cause, "The State vs. A.B."*
> *[Black's Law Dictionary, Sixth Edition, p. 1407]*

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

2. Admit that one's choice of citizenship is a type of political affiliation.

> ***"Allegiance and citizenship, differ, indeed, in almost every characteristic. Citizenship is the effect of compact [contract]; allegiance is the offspring of power and necessity. Citizenship is a political tie; allegiance is a territorial tenure**. [. . .] **The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous, sovereign**…."*
> *[Talbot v. Janson, 3 U.S. 133 (1795); From the syllabus but not the opinion; SOURCE: http://www.law.cornell.edu/supct/search/display.html?terms=choice%20or%20conflict%20and%20law&url=/supct/html/historics/USSC_CR_0003_0133_ZS.html]*

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

3. Admit that being a "citizen" implies a political affiliation with a group of people called a "state".

> *"There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association. He owes it allegiance and is entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance.*
>
> *"For convenience it has been found necessary to give a name to this membership. The object is to designate by a title the person and the relation he bears to the nation. For this purpose the words 'subject,' 'inhabitant,' and 'citizen' have been used, and the choice between them is sometimes made to depend upon the form of the government. **Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the Constitution of the United States. When used in this sense it is understood as conveying the idea of membership of a nation, and nothing more.**"*
> *[Minor v. Happersett, 88 U.S. 162 (1874)]*

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

4. Admit that one's choice of "domicile" is also a type of political affiliation.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

5. Admit that there are two legal prerequisites in determining one's "domicile", which are physical presence within the state ***and*** consent to be subject to the civil statutory laws of that place, which Black's Law Dictionary calls "intent".

> ***"domicile.*** *A person's legal home. That place where a man has his true, fixed, and* ***permanent home*** *and principal establishment, and to which whenever he is absent he has* ***the intention of*** *returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and* ***the intention*** *to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he* ***intends to*** *return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile.* ***The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.****"*
> *[Black's Law Dictionary, Sixth Edition, p. 485]*

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

6. Admit that according to the Declaration of Independence, 1776, all just powers of government derive from the consent of the governed.

> *"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That* ***to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed****, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."*
> *[Declaration of Independence]*

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

7. Admit that civil statutory enforcement authority which does not derive from the express consent of the target of enforcement is unjust as defined by the Declaration of Independence.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

8. Admit that the enforcement of all civil laws requires the "consent of the governed" while criminal laws do not require consent to enforce against the Defendant.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

9. Admit that a person may not have a legal "domicile" in a place without voluntarily consenting to be subject to the civil statutory laws of that place.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

10. Admit that the First Amendment Assembly Clause protects our right to freely associate with any political group we choose.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

11. Admit that the right to freely associate under the First Amendment also implies the right to be free from compelled association with any particular group, including a "state".

> *"The right to associate or not to associate with others solely on the basis of individual choice, not being absolute,* [96] *may conflict with a societal interest in requiring one to associate with others, or to prohibit one from associating with others, in order to accomplish what the state deems to be the common good.* ***The Supreme Court, though rarely called upon to examine this aspect of the right to freedom of association, has nevertheless established certain basic rules which will cover many situations involving forced or prohibited associations.*** *Thus, where a sufficiently compelling state interest, outside the political spectrum, can be accomplished only by requiring individuals to associate together for the common good, then such forced association is constitutional.* [97] ***But the Supreme Court has made it clear that compelling an individual to become a member of an organization with political aspects [such as a state or municipality], or compelling an individual to become a member of an organization which financially supports [through payment of taxes], in more than an insignificant way, political personages or goals which the individual does not wish to support, is an infringement of the individual's constitutional right to freedom of association.*** [98] *The First Amendment prevents the government, except in the most compelling circumstances, from wielding its power to interfere with its employees' freedom to believe and associate, or to not believe and not associate; it is not merely a tenure provision that protects public employees from actual or constructive discharge.* [99] *Thus, First Amendment principles prohibit a state from compelling any individual to associate with a political party, as a condition of retaining public employment.* [100] *The First Amendment protects nonpolicymaking public employees from discrimination based on their political beliefs or affiliation.* [101] *But the First Amendment protects the right of political party members to advocate that a specific person be elected or appointed to a particular office and that a specific person be hired to perform a governmental function.* [102] *In the First Amendment context, the political patronage exception to the First Amendment protection for public employees is to be construed broadly, so as presumptively to encompass positions placed by legislature outside of "merit" civil service.*

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[96] § 539.

[97] Lathrop v. Donohue, 367 U.S. 820, 81 S.Ct. 1826, 6 L.Ed.2d. 1191 (1961), reh'g denied, 368 U.S. 871, 82 S.Ct. 23, 7 L.Ed.2d. 72 (1961) (a state supreme court may order integration of the state bar); Railway Emp. Dept. v. Hanson, 351 U.S. 225, 76 S.Ct. 714, 100 L.Ed. 1112 (1956), motion denied, 351 U.S. 979, 76 S.Ct. 1044, 100 L.Ed. 1494 (1956) and reh'g denied, 352 U.S. 859, 77 S.Ct. 22, 1 L.Ed.2d. 69 (1956) (upholding the validity of the union shop provision of the Railway Labor Act).

The First Amendment right to freedom of association of teachers was not violated by enforcement of a rule that white teachers whose children did not attend public schools would not be rehired. Cook v. Hudson, 511 F.2d. 744, 9 Empl. Prac. Dec. (CCH) ¶ 10134 (5th Cir. 1975), reh'g denied, 515 F.2d. 762 (5th Cir. 1975) and cert. granted, 424 U.S. 941, 96 S.Ct. 1408, 47 L.Ed.2d. 347 (1976) and cert. dismissed, 429 U.S. 165, 97 S.Ct. 543, 50 L.Ed.2d. 373, 12 Empl. Prac. Dec. (CCH) ¶ 11246 (1976).

Annotation: Supreme Court's views regarding Federal Constitution's First Amendment right of association as applied to elections and other political activities, 116 L.Ed.2d. 997 , § 10.

[98] Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S.Ct. 2729, 111 L.Ed.2d. 52, 5 I.E.R. Cas. (BNA) 673 (1990), reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990) and reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990) (conditioning public employment hiring decisions on political belief and association violates the First Amendment rights of applicants in the absence of some vital governmental interest).

[99] Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S.Ct. 2729, 111 L.Ed.2d. 52, 5 I.E.R. Cas. (BNA) 673 (1990), reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990) and reh'g denied, 497 U.S. 1050, 111 S.Ct. 13, 111 L.Ed.2d. 828 (1990).

Annotation: Public employee's right of free speech under Federal Constitution's First Amendment–Supreme Court cases, 97 L.Ed.2d. 903.

First Amendment protection for law enforcement employees subjected to discharge, transfer, or discipline because of speech, 109 A.L.R. Fed. 9.

First Amendment protection for judges or government attorneys subjected to discharge, transfer, or discipline because of speech, 108 A.L.R. Fed. 117.

First Amendment protection for public hospital or health employees subjected to discharge, transfer, or discipline because of speech, 107 A.L.R. Fed. 21.

First Amendment protection for publicly employed firefighters subjected to discharge, transfer, or discipline because of speech, 106 A.L.R. Fed. 396.

[100] Abood v. Detroit Bd. of Ed., 431 U.S. 209, 97 S.Ct. 1782, 52 L.Ed.2d. 261, 95 L.R.R.M. (BNA) 2411, 81 Lab. Cas. (CCH) ¶ 55041 (1977), reh'g denied, 433 U.S. 915, 97 S.Ct. 2989, 53 L.Ed.2d. 1102 (1977); Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996), cert. denied, 117 S.Ct. 1818, 137 L.Ed.2d. 1027 (U.S. 1997).

[101] LaRou v. Ridlon, 98 F.3d. 659 (1st Cir. 1996); Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996), cert. denied, 117 S.Ct. 1818, 137 L.Ed.2d. 1027 (U.S. 1997).

[102] Vickery v. Jones, 100 F.3d. 1334 (7th Cir. 1996), cert. denied, 117 S.Ct. 1553, 137 L.Ed.2d. 701 (U.S. 1997).

Responsibilities of the position of director of a municipality's office of federal programs resembled those of a policymaker, privy to confidential information, a communicator, or some other office holder whose function was such that party affiliation was an equally important requirement for continued tenure. Ortiz-Pinero v. Rivera-Arroyo, 84 F.3d. 7 (1st Cir. 1996).

Positions specifically named in relevant federal, state, county, or municipal laws to which discretionary authority with respect to enforcement of that law or carrying out of some other policy of political concern is granted, such as a secretary of state given statutory authority over various state corporation law practices, fall within the political patronage exception to First Amendment protection of public employees. [103] *However, a supposed interest in ensuring effective government and efficient government employees, political affiliation or loyalty, or high salaries paid to the employees in question should not be counted as indicative of positions that require a particular party affiliation.* [104]*"*
[American Jurisprudence 2d, Constitutional law, §546: Forced and Prohibited Associations (1999)]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

12. Admit that freedom from compelled association implies the ability to pursue any of the following options and thereby avoid association with the local citizens of a political community called a county or a city.
    12.1. Choose a domicile in a place that has not government.
    12.2. Choose a domicile within a church or political group that governs itself.
    12.3. Not choose a domicile or residence anywhere.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

13. Admit that the freedom from compelled association implies ***the*** ability to not have a domicile in the place where one physically lives at any given time and that domicile is based on where you CONSENT to be civilly protected, not where you live now.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

14. Admit that a person who is compelled to maintain a domicile against his will is not legally responsible for the consequences of maintaining such a domicile.

*"**Similarly, when a person is prevented from leaving his domicile by circumstances not of his doing and beyond his control, he may be relieved of the consequences attendant on domicile at that place**. In Roboz (USDC D.C. 1963) [Roboz v. Kennedy, 219 F.Supp. 892 (D.D.C. 1963), p. 24], a federal statute was involved which precluded the return of an alien's property if he was found to be domiciled in Hungary prior to a certain date. It was found that Hungary was Nazi-controlled at the time in question and that the persons involved would have left Hungary (and lost domicile there) had they been able to. Since they had been precluded from leaving because of the political privations imposed by the very government they wanted to escape (the father was in prison there), the court would not hold them to have lost their property based on a domicile that circumstances beyond their control forced them to retain."*
[Conflicts in a Nutshell, Third Edition, David D. Siegel and Patrick J. Borchers, West Publishing, 2005, p. 24]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

15. Admit that one may not legally have more than one domicile at a time.

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[103] McCloud v. Testa, 97 F.3d. 1536, 12 I.E.R. Cas. (BNA) 1833, 1996 Fed.App. 335P (6th Cir. 1996), reh'g and suggestion for reh'g en banc denied, (Feb. 13, 1997).

Law Reviews: Stokes, When Freedoms Conflict: Party Discipline and the First Amendment. 11 JL &Pol 751, Fall, 1995.

Pave, Public Employees and the First Amendment Petition Clause: Protecting the Rights of Citizen-Employees Who File Legitimate Grievances and Lawsuits Against Their Government Employers. 90 NW U LR 304, Fall, 1995.

Singer, Conduct and Belief: Public Employees' First Amendment Rights to Free Expression and Political Affiliation. 59 U Chi LR 897, Spring, 1992.

As to political patronage jobs, see § 472.

[104] Parrish v. Nikolits, 86 F.3d. 1088 (11th Cir. 1996), cert. denied, 117 S.Ct. 1818, 137 L.Ed.2d. 1027 (U.S. 1997).

"A person may have more than one residence but only one domicile."
[Black's Law Dictionary, Sixth Edition, p. 485]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

16. Admit that the coincidence of citizenship and domicile establish one's "political rights" in a community.

CALIFORNIA CONSTITUTION
ARTICLE 2 VOTING, INITIATIVE AND REFERENDUM, AND RECALL

*SEC. 2. A United States citizen 18 years of age and **resident** in this State may vote.*
[SOURCE: http://www.leginfo.ca.gov/.const/.article_2]

_____

California Elections Code
349. (a) "Residence" for voting purposes means a person's domicile.

(b) The domicile of a person is that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. At a given time, a person may have only one domicile.

(c) The residence of a person is that place in which the person's habitation is fixed for some period of time, but wherein he or she does not have the intention of remaining. At a given time, a person may have more than one residence.
[SOURCE:
http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=349.&lawCode=ELEC]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

17. Admit that when one does not have a domicile in the place they occupy, they become all the following if they were born or naturalized in the country which has jurisdiction over that place.
    17.1. "nationals" but not "citizen" of that place under the statutory laws.
    17.2. "nonresidents"
    17.3. "stateless persons"
    17.4. "transient foreigners"

See Section 2 of:
Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006:
http://sedm.org/Forms/FormIndex.htm

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

18. Admit that courts may ***not*** lawfully interfere with the free exercise of First Amendment rights, but have a constitutional obligation to intervene to ***protect*** them, even among those who are non-residents, so long as they are on land to which the constitution attaches within a constitutional State.

"In holding that the subject matter of this suit was not justiciable, the District Court relied on Colegrove v. Green, supra, and subsequent per curiam cases. 29 The [369 U.S. 186, 209] court stated: "From a review of these decisions there can be no doubt that the federal rule . . . is that the federal courts . . . will not intervene in cases of this type to compel legislative reapportionment." 179 F. Supp., at 826. We understand the District Court to have read the cited cases as compelling the conclusion that since the appellants sought to have a legislative apportionment held unconstitutional, their suit presented a "political question" and was therefore nonjusticiable. We hold that this challenge to an apportionment presents no nonjusticiable "political question." The cited cases do not hold the contrary.

Of course the mere fact that the suit seeks protection of a political right does not mean it presents a political question. Such an objection "is little more than a play upon words." Nixon v. Herndon, 273 U.S. 536, 540 . *Rather, it is argued that apportionment cases, whatever the actual wording of the complaint, can involve no federal constitutional right except one resting on the guaranty of a republican form of government, 30 and that complaints based on that clause have been held to present political questions which are nonjusticiable.*

We hold that the claim pleaded here neither rests upon nor implicates the Guaranty Clause and that its justiciability is therefore not foreclosed by our decisions of cases involving that clause. *The District Court misinterpreted Colegrove v. Green and other decisions of this Court on which it relied. Appellants' claim that they are being denied equal protection is justiciable, and if [369 U.S. 186, 210] "discrimination is sufficiently shown, the right to relief under the equal protection clause is not diminished by the fact that the discrimination relates to political rights." Snowden v. Hughes, 321 U.S. 1, 11 . To show why we reject the argument based on the Guaranty Clause, we must examine the authorities under it. But because there appears to be some uncertainty as to why those cases did present political questions, and specifically as to whether this apportionment case is like those cases, we deem it necessary first to consider the contours of the "political question" doctrine. "*
[Baker v. Carr, 369 U.S. 186 (1962)]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

19. Admit that in cases where there are no contracts or agency with the government which might interfere with or impair private Constitutional rights, courts may not lawfully interfere with one's choice of citizenship or domicile without violating the First Amendment right of free association.

"The restrictions that the Constitution places upon the government in its capacity as lawmaker, i.e., as the regulator of private conduct, are not the same as the restrictions that it places upon the government in its capacity as employer. We have recognized this in many contexts, with respect to many different constitutional guarantees. Private citizens perhaps cannot be prevented from wearing long hair, but policemen can. Kelley v. Johnson, 425 U.S. 238, 247 (1976). Private citizens cannot have their property searched without probable cause, but in many circumstances government employees can. O'Connor v. Ortega, 480 U.S. 709, 723 (1987) (plurality opinion); id., at 732 (SCALIA, J., concurring in judgment). Private citizens cannot be punished for refusing to provide the government information that may incriminate them, but government employees can be dismissed when the incriminating information that they refuse to provide relates to the performance of their job. Gardner v. Broderick, 392 U.S. 273, 277 -278 (1968). With regard to freedom of speech in particular: Private citizens cannot be punished for speech of merely private concern, but government employees can be fired for that reason. Connick v. Myers, 461 U.S. 138, 147 (1983). Private citizens cannot be punished for partisan political activity, but federal and state employees can be dismissed and otherwise punished for that reason. Public Workers v. Mitchell, 330 U.S. 75, 101 (1947); Civil Service Comm'n v. Letter Carriers, 413 U.S. 548, 556 (1973); Broadrick v. Oklahoma, 413 U.S. 601, 616 -617 (1973)."
[Rutan v. Republican Party of Illinois, 497 U.S. 62 (1990)]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

20. Admit that courts which interfere with one's choice of citizenship or domicile are engaging in "political questions" that are beyond the jurisdiction of any court and which are reserved for coordinate branches of the government.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

21. Admit that the consequence of courts involving themselves in the forbidden area of "political questions" was described by the Supreme Court as follows:

"Another evil, alarming and little foreseen, involved in regarding these as questions for the final arbitrament of judges would be that, in such an event, all political privileges and rights would, in a dispute among the people, depend on our decision finally. We would possess the power to decide against, as well as for, them, and, under a prejudiced or arbitrary judiciary, the public liberties and popular privileges might thus be much perverted, if not entirely prostrated. *But, allowing the people to make constitutions and unmake them, allowing their representatives to make laws and unmake them, and without our interference as to their principles or policy in doing it, yet, when constitutions and laws are made and put in force by others, then the courts, as empowered by the State or the Union, commence their functions and may decide on the rights which conflicting*

parties can legally set up under them, rather than about their formation itself. ***Our power begins after theirs [the Sovereign People] ends. Constitutions and laws precede the judiciary, and we act only under and after them, and as to disputed rights beneath them, rather than disputed points in making them. We speak what is the law, jus dicere, we speak or construe what is the constitution, after both are made, but we make, or revise, or control neither. The disputed rights beneath constitutions already made are to be governed by precedents, by sound legal principles, by positive legislation [e.g. "positive law"], clear contracts, moral duties, and fixed rules; they are per se questions of law, and are well suited to the education and habits of the bench.*** *But the other disputed points in making constitutions, depending often, as before shown, on policy, inclination, popular resolves and popular will and arising not in respect to private rights, not what is meum and tuum, but in relation to politics, they belong to politics, and they are settled by political tribunals, and are too dear to a people bred in the school of Sydney and Russel for them ever to intrust their final decision, when disputed, to a class of men who are so far removed from them as the judiciary, a class also who might decide them erroneously, as well as right, and if in the former way,* ***the consequences might not be able to be averted except by a revolution, while a wrong decision by a political forum can often be peacefully corrected by new elections or instructions in a single month; and if the people, in the distribution of powers under the constitution, should ever think of making judges supreme arbiters in political controversies when not selected by nor, frequently, amenable to them nor at liberty to follow such various considerations in their judgments as [48 U.S. 53] belong to mere political questions, they will dethrone themselves and lose one of their own invaluable birthrights; building up in this way -- slowly, but surely -- a new sovereign power in the republic, in most respects irresponsible and unchangeable for life, and one more dangerous, in theory at least, than the worst elective oligarchy in the worst of times. Again, instead of controlling the people in political affairs, the judiciary in our system was designed rather to control individuals, on the one hand, when encroaching, or to defend them, on the other, under the Constitution and the laws, when they are encroached upon.*** *And if the judiciary at times seems to fill the important station of a check in the government, it is rather a check on the legislature, who may attempt to pass laws contrary to the Constitution, or on the executive, who may violate both the laws and Constitution, than on the people themselves in their primary capacity as makers and amenders of constitutions."*
[Luther v. Borden, 48 U.S. 1 (1849)]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

22. Admit that a government agency which fails to recognize one's choice of citizenship or domicile is interfering with one's First Amendment right of free association.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

23. Admit that one possible motivation for a court to change the declared domicile or residence or citizenship of a litigant is to extend the jurisdiction of the court and make the litigant into a "taxpayer" so his property and liberty can be plundered illegally.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

24. Admit that a court failing to recognize one's voluntary, consensual choice of legal "domicile" within a state of the Union and moves that domicile to the "United States", which is defined in 26 U.S.C. §7701(a)(9) and (a)(10) is implementing the equivalent of kidnapping and identity theft, by transporting the legal "res" or "identity" of the litigant to a foreign jurisdiction.

United States Code
TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART I - CRIMES
CHAPTER 55 - KIDNAPPING
Section 1201. Kidnapping

(a) Whoever unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away and holds for ransom or reward or otherwise any person, except in the case of a minor by the parent thereof, when -

(1) the person is willfully transported in interstate or foreign commerce, regardless of whether the person was alive when transported across a State boundary if the person was alive when the transportation began;

(2) any such act against the person is done within the special maritime and territorial jurisdiction of the United States;

(3) any such act against the person is done within the special aircraft jurisdiction of the United States as defined in section 46501 of title 49;

(4) the person is a foreign official, an internationally protected person, or an official guest as those terms are defined in section 1116(b) of this title; or

(5) the person is among those officers and employees described in section 1114 of this title and any such act against the person is done while the person is engaged in, or on account of, the performance of official duties, shall be punished by imprisonment for any term of years or for life and, if the death of any person results, shall be punished by death or life imprisonment.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

25. Admit that the above statute refers to kidnapping of a "person", and that such a legal person includes the "res" and legal identity of any litigant in any federal court.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

26. Admit that a judge who falsifies or changes the declared domicile or residence of a litigant against his or her will essentially is therefore instituting involuntary servitude in violation of the Thirteenth Amendment, and thereby abusing the taxing powers of government to plunder assets of the litigant and make him or her essentially into a compelled government subcontractor and "Kelly Girl", where the "contract" is the compelled choice of domicile.

"The constitutionality and scope of sections 1990 and 5526 present the first questions for our consideration. They prohibit peonage. ***What is peonage? It may be defined as a state or condition of compulsory service, based upon the indebtedness of the peon to the master. The basal fact is indebtedness.*** *As said by Judge Benedict, delivering the opinion in Jaremillo v. Romero, 1 N.Mex. 190, 194: 'One fact existed universally; all were indebted to their masters.* ***This was the cord by which they seemed bound to their masters' service.'*** *Upon this is based a condition of compulsory service.* ***Peonage is sometimes classified as voluntary or involuntary, but this implies simply a difference in the mode of origin, but not in the character of the servitude.*** *The one exists where the debtor voluntarily contracts to enter the service of his creditor. The other is forced upon the debtor by some provision of law. But* ***peonage, however created, is compulsory service, involuntary servitude.*** *The peon can release himself therefrom, it is true, by the payment of the [public/government] debt, but otherwise* ***the service is enforced.*** *A clear distinction exists between peonage and* ***the voluntary performance of labor or rendering of services in payment of a debt.*** *In the latter case the debtor, though contracting to pay his indebtedness by labor or service, and subject like any other contractor to an action for damages for breach of that contract, can elect at any time to break it, and* ***no law or force compels performance or continuance of the service."***
[Clyatt v. U.S., 197 U.S. 207 (1905)]

_____

"Slavery implies involuntary servitude—a state of bondage; the ownership of mankind as a chattel, ***or at least the control of the labor and services of one man for the benefit of another, and the absence of a legal right to the disposal of his own person, property, and services [in their entirety].*** *This amendment [the Thirteenth Amendment] was said in the Slaughter-House Cases, 16 Wall, 36, to have been intended primarily to abolish slavery, as it had been previously known in this country, and that it equally forbade Mexican peonage or the Chinese coolie trade, when they amounted to slavery or involuntary servitude and that the use of the* ***word 'servitude' was intended to prohibit the use of all forms of involuntary slavery, of whatever class or name."***
[Plessy v. Ferguson, 163 U.S. 537, 542 (1896)]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

27. Admit that the above type of abuse is described in the statutes as "racketeering". To wit:

TITLE 18 > PART I > CHAPTER 95 > § 1951

1951. Interference with commerce by threats or violence

*(a) **Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce [including one's labor and services], by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both.***

(b) As used in this section—

(1) The term "robbery" means the unlawful taking or obtaining of personal property from the person or in the presence of another, against his will, by means of actual or threatened force, or violence, or fear of injury, immediate or future, to his person or property, or property in his custody or possession, or the person or property of a relative or member of his family or of anyone in his company at the time of the taking or obtaining.

(2) The term "extortion" means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.

(3) The term "commerce" means commerce within the District of Columbia, or any Territory or Possession of the United States; all commerce between any point in a State, Territory, Possession, or the District of Columbia and any point outside thereof; all commerce between points within the same State through any place outside such State; and all other commerce over which the United States has jurisdiction.

(c) This section shall not be construed to repeal, modify or affect section 17 of Title 15, sections 52, 101–115, 151–166 of Title 29 or sections 151–188 of Title 45.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

28. Admit that a threat of contempt of court resulting from challenging a judge's determination of domicile or residence satisfies the criteria above of "extortion" and that a threat of prison time for contempt is every bit as strong a motivating factor as actual "physical violence" described above.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

29. Admit that the above type of abuse by government employees may explain why the Bible identifies kings and rulers and imperial monarchs called judges as "the Beast" in Revelations 19:19:

"And I saw the beast, the kings of the earth, and their armies, gathered together to make war against Him who sat on the horse and against His army."
[Rev. 19:19, Bible, NKJV]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

30. Admit that the only definition of "residence" provided in the context of the Internal Revenue Code is that relating to the domicile of an "alien", and that the term is not defined in the context either of "nonresident aliens" or "persons" other than "aliens".

Title 26: Internal Revenue
PART 1—INCOME TAXES
nonresident alien individuals
§ 1.871-2 Determining residence of alien individuals.

(b) Residence defined.

*An alien actually present in the United States who is not a mere transient or sojourner is a resident of the United States for purposes of the income tax. **Whether he is a transient is determined by his intentions with***

regard to the length and nature of his stay. *A mere floating intention, indefinite as to time, to return to another country is not sufficient to constitute him a transient. If he lives in the United States and has no definite intention as to his stay, he is a resident.* ***One who comes to the United States for a definite purpose which in its nature may be promptly accomplished is a transient; but, if his purpose is of such a nature that an extended stay may be necessary for its accomplishment, and to that end the alien makes his home temporarily in the United States, he becomes a resident****, though it may be his intention at all times to return to his domicile abroad when the purpose for which he came has been consummated or abandoned. An alien whose stay in the United States is limited to a definite period by the immigration laws is not a resident of the United States within the meaning of this section, in the absence of exceptional circumstances.*

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

31. Admit that the Declaration of Independence is organic law published in the first enactment of Congress in volume 1 of the Statutes at Large.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

32. Admit that the Declaration of Independence makes constitutional rights "inalienable" and identifies their source as "the Creator" rather than "the State".

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

33. Admit that rights which are "inalienable" cannot be sold, bargained away, or transferred, even WITH consent of the owner of the right.

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

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

34. Admit that because Constitutional rights cannot be alienated, the only geographical place one can consent to give them up in relation to a real government is where they don't exist, which is on federal territory.

"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that ***the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America****, and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."*
[Downes v. Bidwell, 182 U.S. 244 (1901)]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

35. Admit that any government which makes a profitable business or franchise out of alienating rights that the organic law says are "inalienable" is working a purpose OPPOSITE of that for which governments are created and hence, is not acting as a government.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

36. Admit that any government which makes a profitable business or franchise out of alienating rights that the organic law says are "inalienable" is not protecting anyone but its own self-interest and therefore is not a "government' as defined in the Declaration of Independence.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

37. Admit that governments or actors within government may not lawfully revoke, disregard, or refuse to enforce any right that they did not create and that they did not create any of the rights in the Bill of Rights.

> ***"The power to tax involves the power to destroy; the power to destroy may defeat and render useless the power to create; and there is a plain repugnance in conferring on one government [THE FEDERAL GOVERNMENT] a power to control the constitutional measures of another [WE THE PEOPLE], which other, with respect to those very measures, is declared to be supreme over that which exerts the control."***
> *[Van Brocklin v. State of Tennessee, 117 U.S. 151 (1886)]*

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

> *"****The great principle is this: because the constitution will not permit a state to destroy, it will not permit a law [including a tax law] involving the power to destroy."***
> *[Providence Bank v. Billings, 29 U.S. 514 (1830)]*

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

38. Admit that when any group of people makes a business out of alienating unalienable rights, it waives official, judicial, and sovereign immunity and goes down to the level of an ordinary private corporation because it is not acting as a government and hence cannot lawfully claim sovereign immunity.

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

> *See Jones, 1 Cl.Ct. at 85 ("****Wherever the public and private acts of the government seem to commingle, a citizen or corporate body must by supposition be substituted in its place, and then the question be determined whether the action will lie against the supposed defendant****"); O'Neill v. United States, 231 Ct.Cl. 823, 826 (1982) (sovereign acts doctrine applies where, "[w]ere [the] contracts exclusively between private parties, the party hurt by such governing action could not claim*

compensation from the other party for the governing action"). The dissent ignores these statements (including the statement from Jones, from which case Horowitz drew its reasoning literally verbatim), when it says, post at 931, that the sovereign acts cases do not emphasize the need to treat the government-as-contractor the same as a private party.
[United States v. Winstar Corp., 518 U.S. 839 (1996)]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

39. Admit that the only two ways that a human can lawfully be treated by any court as having a domicile in a specific place is for them to either select the domicile for themselves or to represent an artificial entity that is consensually domiciled in that place under Federal Rule of Civil Procedure 17.

IV. PARTIES > Rule 17.
Rule 17. Parties Plaintiff and Defendant; Capacity

(b) Capacity to Sue or be Sued.

Capacity to sue or be sued is determined as follows:

(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;
(2) for a corporation, by the law under which it was organized; and
(3) for all other parties, by the law of the state where the court is located, except that:
(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and
(B) 28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.
[SOURCE: http://www.law.cornell.edu/rules/frcp/Rule17.htm]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

40. Admit that a "public office" is a "res" and statutory "person" which has a civil domicile and existence of its own independent of the human consensually filling said office.

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

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

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

41. Admit that all public offices are domiciled at the seat of government of the government they are within under 4 U.S.C. §72 and Federal Rule of Civil Procedure 17.

4 U.S. Code § 72 - Public offices; at seat of Government

All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

42. Admit that when one consents to act as a public officer, their effective domicile while on official business is the seat of government of the government they are within under Federal Rule of Civil Procedure 17.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

43. Admit that when a public officer goes off duty and goes home, their effective domicile shifts from the seat of government BACK to their personal choice of domicile under Federal Rule of Civil Procedure 17.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

44. Admit that PRESUMING a person is a public officer or agent of the government or treating them AS IF they are effectively kidnaps or "steals" their legal identity and transports it to the seat of the government they are PRESUMED to represent under Federal Rule of Civil Procedure 17.

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

45. Admit that it is a crime per 18 U.S.C. §912 for an otherwise PRIVATE human being to impersonate a public office, to unilaterally "elect" themselves into public office by filling out any government form, or to bribe any government to treat them AS IF they are a public officer through illegal tax withholdings..

18 U.S. Code § 912 - Officer or employee of the United States

Whoever falsely assumes or pretends to be an officer or employee acting under the authority of the United States or any department, agency or officer thereof, and acts as such, or in such pretended character demands or obtains any money, paper, document, or thing of value, shall be fined under this title or imprisoned not more than three years, or both.

[SOURCE: https://www.law.cornell.edu/uscode/text/18/912]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

46. Admit that a human being physically on land protected by the constitution within a constitutional State but who did not have a domicile on that land would be protected by the Constitution and the common law and not the statutory civil law associated with that land.

"It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it."
[Balzac v. Porto Rico, 258 U.S. 298 (1922)]

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

47. Admit that a failure or refusal to establish a civil domicile in the place one physically lives is not an illegal act of anarchism, but a reservation of rights and sovereignty and an act of "self-government" protected by the United States constitution.

> ***"The determination of the Framers Convention and the ratifying conventions to preserve complete and unimpaired state self-government in all matters not committed to the general government is one of the plainest facts which emerges from the history of their deliberations****. And adherence to that determination is incumbent equally upon the federal government and the states.* ***State powers can neither be appropriated on the one hand nor abdicated on the other. As this court said in Texas v. White, 7 Wall. 700, 725, 'The preservation of the States, and the maintenance of their governments, are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National government.*** *The Constitution, in all its provisions, looks to an indestructible Union, composed of indestructible States.' Every journey to a forbidden end begins with the first step; and the danger of such a step by the federal government in the direction of taking over the powers of the states is that the end of the journey may find the states so despoiled of their powers, or-what may amount to the same thing-so [298 U.S. 238, 296] relieved of the responsibilities which possession of the powers necessarily enjoins, as to reduce them to little more than geographical subdivisions of the national domain.* ***It is safe to say that if, when the Constitution was under consideration, it had been thought that any such danger lurked behind its plain words, it would never have been ratified.***
>
> ***And the Constitution itself is in every real sense a law-the lawmakers being the people themselves, in whom under our system all political power and sovereignty primarily resides, and through whom such power and sovereignty primarily speaks. It is by that law, and not otherwise, that the legislative, executive, and judicial agencies which it created exercise such political authority as they have been permitted to possess. The Constitution speaks for itself in terms so plain that to misunderstand their import is not rationally possible.*** *'We the People of the United States,' it says, 'do ordain and establish this Constitution.' Ordain and establish! These are definite words of enactment, and without more would stamp what follows with the dignity and character of law.* ***The framers of the Constitution, however, were not content to let the matter rest here, but provided explicitly-'This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; ... shall be the supreme Law of the Land.' (Const. art. 6, cl. 2.)*** ***The supremacy of the Constitution as law is thus declared without qualification. That supremacy is absolute; the supremacy of a statute enacted by Congress is not absolute but conditioned upon its being made in pursuance of the Constitution.*** *And a judicial tribunal, clothed by that instrument with complete judicial power, and, therefore, by the very nature of the power, required to ascertain and apply the law to the facts in every case or proceeding properly brought for adjudication, must apply the supreme law and reject the inferior stat- [298 U.S. 238, 297] ute whenever the two conflict. In the discharge of that duty, the opinion of the lawmakers that a statute passed by them is valid must be given great weight, Adkins v. Children's Hospital, 261 U.S. 525, 544 , 43 S.Ct. 394, 24 A.L.R. 1238; but their opinion, or the court's opinion, that the statute will prove greatly or generally beneficial is wholly irrelevant to the inquiry. Schechter Poultry Corp. v. United States, 295 U.S. 495, 549 , 550 S., 55 S.Ct. 837, 97 A.L.R. 947.*
> *[Carter v. Carter Coal Co., 298 U.S. 238 (1936)]*

YOUR ANSWER: ____Admit ____Deny

CLARIFICATION:_____

Affirmation:

I declare under penalty of perjury as required under 26 U.S.C. §6065 that the answers provided by me to the foregoing questions are true, correct, and complete to the best of my knowledge and ability, so help me God. I also declare that these answers are completely consistent with each other and with my understanding of both the Constitution of the United States, Internal Revenue Code, Treasury Regulations, the Internal Revenue Manual (I.R.M.), and the rulings of the Supreme Court but not necessarily lower federal courts.

Name (print):_____

Signature:_____

Date:_____

Witness name (print):_____

Witness Signature:_____

Witness Date:_____