Vol. 10 No. 2

AntiShyster

Almost In Our Sights!

AntiShyster

News Magazine

Anno Domini 2000
Volume 10, No. 2

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An Irate, Tireless Minority

Samuel Adams remarked "it does not require a majority to prevail, but rather an irate, tireless minority keen to set brush fires in people's minds." I've used that motto in every issue of the AntiShyster for at least five years. Originally, it was published to shore up morale in the tiny "patriot" community since the probability that we'd ever actually have much effect seemed unlikely. So we did a lot of "whistling in the dark" to sustain (or simulate) our confidence.

But as you'll see in this issue, Sam Adams might've been prophetic. The income tax will be gone or hugely moderated within three to five years. The corporate "United States" government may have already expired in a 1997 bankruptcy. And people in foreign nations are using American tax resistance "technology" to neuter foreign income tax systems and even threaten their governments' existence.

All of this flows in large measure from the work of a few hundred determined researchers and the support of less than 100,000 American "constitutionalists". The work of a tiny remnant of researchers who were underpaid, unnoticed, and often jailed is truly changing the world.

As a result, we are in the midst of a silent, fast-moving revolution that may be just as important and unappreciated as FDR's 1933 "New Deal". But it's happening right now, and the immediate results may be a little scary. Get ready. The "brush fires" have been ignited.

"AntiShyster" defined:

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

Legal Advice

The ONLY legal advice this publication offers is this: Any attempt to cope with our modern judicial system must be tempered with the sure and certain knowledge that "law" is always a crapshoot. That is, nothing (not even brown paper bags filled with hundred dollar bills and handed to the judge) will absolutely guarantee your victory in a judicial trial or administrative hearing. The most you can hope for is to improve the probability that you may win. Therefore, DO NOT DEPEND ON THE ARTICLES OR ADVERTISEMENTS IN THIS PUBLICATION to illustrate anything more than the opinions or experiences of others trying to escape, survive, attack or even make sense of "the best judicial system in the world". But don't be discouraged; there's not another foolproof publication on law in the entire USA – except the Bible.

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

Multiculturalism and Marxism

by Prof. Frank Ellis

Over the last generation, sociologists identified a new class of Americans called "angry white males". Generally, this class includes some white males who have reacted angrily to social changes that advanced the status of blacks and women while diminishing that of white males.

Although the "angry white male" syndrome is real, the underlying complaints are typically dismissed as the misguided whining of old-fashioned men upset over the loss of privileges that were largely unearned and, in any case, unfair. Equality is changing America for the better and spoiled white males will simply have to adjust.

Maybe so.

The "angry white male" syndrome is presumably unique to America because of our history of racial conflict and racist cultural values. Because of that cultural history, most "angry white males" were presumed to be latent bigots. This argument seems absurd since America has its fair share of "angry black males". Thus, if we have "angry white males" and "angry black males," it follows that the correct term for the syndrome might be "angry males".

Nevertheless, by tying racism to white male anger, "angry white males" were shamed into silently accepting their anger as caused by their own latent prejudices rather than legitimate complaints about real anti-male discrimination. (Angry black males, of course, remained free to express their anger as legitimate.)

The validity of idea that "angry white males" are latent racists is further challenged (as you'll see in this article) by the fact that there are also "angry white males" in jolly old England. This seems curious since England does not share America's troubled racial past. If England's "angry white males" can't be automatically dismissed as latent cultural racists, we have to wonder if maybe the white English males' anger is legitimate.

But once we concede the possibility that English white males may have legitimate cause for anger, it seems inevitable that we should also reconsider the validity of the anger felt by white American males. Who know? Perhaps even "angry white American males" have legitimate complaints.

Further, is it merely coincidence that both England and America are producing "angry white males"? Or does this simultaneous anger suggest that larger, international forces are at work?

As you read this article, bear in mind that the author is not crazed member of the Klu Klux Klan – he's a professor of Soviet affairs of Leeds University, England.

No successful society shows a spontaneous tendency towards multiculturalismor multi-racialism. Successful and enduring societies show a high degree of homogeneity. Those who support multiculturalism either do not know this, or, what is more likely, realize that if they are to transform Western society into strictly regulated, racial-feminist bureaucracies they must first undermine these societies.

This transformation is as radical and revolutionary as the project to establish Communism in the Soviet Union was. Just as every aspect of life had to be brought under political control in order for the commissars to impose their vision of society, the multiculturalists hope to control and dominate every aspects of our lives. Unlike the hard tyranny

of the Soviets, theirs is a softer, gentler tyranny but one with which they hope to bind us as tightly as a prisoner in the gulag. Today's "political correctness" is the direct descendant of Communist terror and brainwashing.

Unlike the obviously alien implantation that was Communism, what makes multiculturalism particularly insidious and difficult to combat is that it usurps the moral and intellectual infrastructure of the West. Although it claims to champion the deepest held beliefs of the West, it is in fact a perversion and systematic undermining of the very idea of the West.

Dates back to Soviet Union

What we call "political correctness" actually dates back to the Soviet Union of the 1920s (politicbeskaya pravil 'nost' in Russian), and was the extension of political control in education, psychiatry, ethics, and behavior. It was an essential component of the attempt to make sure that all aspects of life were consistent with ideological orthodoxy which is the distinctive feature of all totalitarianism. In the post-Stalin period, political correctness even meant that dissent was seen as a symptom of mental illness, for which the only treatment was incarceration.

As Mao Tse-Tung, the Great Helmsman, put it, "Not to have a correct political orientation is like not having a soul." Mao's little red book is full of exhortations to follow the correct path of Communist thought and by the late 1980s Maoist political correctness was well established in American universities. The final stage of development, which we are witnessing now, is the result of cross-fertilization with all the other "isms" - anti-racism, feminism, structuralism, and post-modernism, which now dominate university curricula. The result is a new and virulent strain of totalitarianism, whose parallels to the Communist era are obvious. Today's dogmas have led to rigid requirements of language, thought, and behavior, and violators are treated as if they were mentally unbalanced, just as Soviet dissidents were.

Some have argued that it is unfair to describe Stalin's regime as "totalitarian," pointing out that one man, no matter how ruthlessly he exercised power, could not control the functions of the state. But, in fact, he didn't have to. Totalitarianism was much more than state terror, censorship, and concentrations camps; it was a state of mind in which the very thought of having a private opinion or point of view had been destroyed. The totalitarian propagandist forces people to believe that slavery is freedom, squalor is bounty, ignorance is knowledge and that a rigidly closed society is the most open in the world. And once enough people are made to think this way it is functionally totalitarian even if a single dictator does not personally control everything.

Today, of course, we are made to believe that diversity is strength, perversity is virtue, success is oppression, and that relentlessly repeating these ideas over and over is tolerance and diversity. Indeed the multicultural revolution works subversion everywhere, just as communist revolutions did. Judicial activism undermines the rule of law, "tolerance" weakens the condition that makes real tolerance possible; universities which should be havens of free enquiry practice censorship that rivals that of the Soviets.

At the same time we find a relentless drive for equality: the Bible, Shakespeare, and "rap" music are just texts with "equally valid perspectives;" Deviant and criminal behavior are an "alternative life style." Today Dostoyevsky's *Crime and Pun-*

ishment would have been repackaged as "Crime and Counseling".

Built on Violence

In the Communist era, the totalitarian state was built on violence. The purpose of the 1930s and the Great Terror (which was Mao's model for the Cultural Revolution) uses violence against "class enemies" to compel loyalty. Party members signed death warrants for "enemies of the people" knowing that the accused were innocent, but believing in the correctness of the charges. In the 1930s, collective guilt justified murdering millions of Russian peasants. As cited by Robert Conquest in *The Horror of Sorrowing* (p. 143), the state's view of this class was "not one of them was guilty of anything, but they belonged to a class that was guilty of everything." Stigmatizing entire institutions and groups makes it much easier to carry out wholesale change.

This, of course, is the beauty of "racism" and "sexism" for today's culture attackers — sin can be extended far beyond individuals to include institutions, literature, language, history, laws, customs, entire civilizations. The charge of "institutional racism" is no different than declaring an entire economic class an enemy of the people. "Racism" and "sexism" are multicultural's assault weapons, its Big Ideas, just as class warfare was for Communists, and the effects are the same. If a crime can be collectivized, all can be guilty because they belong to the wrong group. When young whites are victims of racial preferences they are today's version of the Russian peasants. Even if they themselves have never oppressed anyone, they "belong to the race that is guilty of everything."

The purpose of these multicultural campaigns is to destroy the self. The mouth moves, the right gestures follow, but they are the mouth and gestures of a zombie, the new Soviet man or today, PC-Man. Once enough people have been conditioned this way, violence is no longer necessary; we reach steady-state totalitarianism, in which the vast majority know what is expected of them and play their allotted roles.

Russian Totalitarianism

The Russian experiment with revolution and totalitarian social engineering has been chronicled by two of that country's greatest writers, Dostoyesky and Solzhenitsyn. They brilliantly dissect the methods and psychology of totalitarian control. Dostoyevsky's *The Devils* has no equal as a penetrating and disturbing analysis of the revolutionary and totalitarian mind. The "devils" are radical students of the middle and upper classes flirting with something they do not understand. The ruling class seeks to ingratiate itself with them. The universities have essentially declared war on society at large. The great cry of the student radicals is freedom, freedom from the established norms of society, freedom from manners, freedom from inequality, freedom from the past.

Russia's descent into vice and insanity is a powerful warning of when a nation declares war on the past in the hope of building a terrestrial paradise. Dostoevsky did not live to see the abominations he predicted, but Solzhenitsyn experienced them firsthand. The Gulag Archipelago and August 1914 can be seen as histories of ideas, as attempts to account for the dreadful fate that befell Russia after 1917.

Solzhehitsyn identifies education, and the way teachers saw their duty as instilling hostility in all forms of traditional authority, as the major factors that explain why Russia's youth was seduced by revolutionary ideas.

In the West during the 1960s and 1970s - which collectively can be called "the 60s" - we hear a powerful echo of the mental capitulation of Russia that took place in the 1870s and continued through the revolution.

One of the echoes of Marxism that continues to reverberate today is that truth resides in class (or sex or race or erotic orientation). Truth is not something to be established by rational enquiry, but depends on the perspective of the speaker. In the multicultural universe, a person's perspective is "valued" (a favorite word) according to class. Feminists, blacks, environmentalists, and homosexuals have a greater claim to truth because they are oppressed. They see truth more clearly than the white heterosexual men who "oppress" them. This is a perfect mirror image of the Marxist proletariat's moral and intellectual superiority over the bourgeoisie. Today, ''oppression" confers a ''privileged perspective'' that is essentially infallible. To borrow an expression from Robert Bork's *Slouching Towards Gomorrah,* blacks and feminists are "case hardened against logical argument" as Communist true believers are.

Reject Objective Truth

Indeed, feminists and anti-racist activists openly reject objective truth. Confident that they have intimidated their opposition, feminists are able to make all kinds of demands on the assumption that men and women are equal in every way. When outcomes do not match that belief, this is only more evidence of white-male deviltry.

One of the most depressing sights in the West today, particularly in the Universities and the media, is the readiness to treat feminism as a major contribution to knowledge and to submit to its absurdities. Remarkably, this requires no physical violence. It is the desire to be accepted that makes people truckle to these middle-class, would-be revolutionaries. Peter Verkovensky, who orchestrates murder and mayhem in *The Devils,* expresses it with admirable contempt: "All I have to do is raise my voice and tell them that they are not sufficiently liberal." The race hustlers, of course, play the same game. Accuse [an early 21st century] liberal of "racism" and "sexism" and watch him fall apart in an orgy of self-flagellation and Marxist self-criticism. Even "conservatives" wilt at the sound of those words.

Ancient liberties and assumptions of innocence mean nothing when it comes to "racism." You are guilty until proven innocent, which is really impossible, and even then you are forever suspect. An accusation of racism has much the same effect as an accusation of witchcraft did in 17th century Salem.

It is the power of the charge of "racism" that stifles the derision that would otherwise meet the idea that we should "value diversity." If "diversity" had real benefits, whites would want more of it and would ask that even more cities in the U.S. and Europe be handed over to immigrants. Of course, they are not rushing to embrace diversity and multiculturalism; they are in headlong flight in the opposite direction. Valuing diversity is hobby for people who do not have to endure its benefits.

A multicultural society is one that is inherently prone to conflict, not harmony. This is why we see a large growth in government bureaucracies dedicated to resolving disputes along racial and cultural lines. These disputes can never be resolved permanently because the bureaucrats deny one of the major causes: race. This is why there is so much talk of the "multicultural" rather than the more precise "multiracial." Even more changes and legislation are introduced to make the host society even more congenial to racial minorities. This only creates more demands, and encourages the non-shooting war against whites, their civilization, and even the ideas of the West.

Massive Systemic Censorship

How is such a radical program carried forward? The Soviet Union had a massive system of censorship - the Communists even censored street maps — and it is worth noting there were two kinds of censorship: the blatant censorship of state agencies and the more subtle self-censorship that the inhabitants of "peoples democracies" soon learned.

The situation in the West is not so straight forward. There is nothing remotely comparable to Soviet-style government censorship and yet we have deliberate suppression of dissent. Arthur

Jensen, Hans Eysenck, J. Philippe Rushton, Chris Brand, Michael Levin, and Glayde Whitney have all been vilified for their racial views. The case of Professor Rushton is particularly troubling because his academic work was investigated by the police. The attempt to silence him was based on provisions of Canadian hate speech laws. This is just the sort of intellectual terror one expected in the Soviet Union. To find it in a country which prides itself on being a pillar of Western liberal democracy is one of the most disturbing consequences of multiculturalism.

A mode of opinion control softer than outright censorship is the current obsession with fictional role models. Today, the feminist and anti-racist theme is constantly worked into movies and television as examples of Bartold Brecht's principle that the Marxist artist must show the world not as it is but as it ought to be. This is why we have so many screen portrayals of wise black judges, street wise, straight-shooting lady policemen, minority computer geniuses; and, of course, degenerate white men. This is, almost a direct borrowing from Soviet-style socialist realism with its idealized depictions of sturdy proletarians routing capitalist vermin.

An Ideology to end all Ideologies

Multiculturalism has the same ambitions as Soviet Communism. It is absolute in its pursuit of its various agendas, yet it relativizes all other perspectives in its attack on its enemies. Multiculturalism is an ideology to end all other ideologies, and these totalitarian aspirations permit us to draw two conclusions:

First, multiculturalism must eliminate all opposition everywhere. There can be no safe havens for counter-revolutionaries.

Second, once it is established the multicultural paradise must be defended at all costs. Orthodoxy must be maintained with all the resources of the state.

Such a society would be well on its way to being totalitarian. It might not have concentration camps, but it would have re-education centers and sensitivity training for those sad creatures who still engaged in "white male hegemonic discourse." Rather than the bald totalitarianism of the Soviet state we would have a softer version in which our minds would be the wards of the state; we would be liberated from the burden of thought and therefore unable to fall into the heresy of political incorrectness.

If we think of multiculturalism as yet another manifestation of 20th century totalitarianism, can we take solace in the fact that the Soviet Union eventually collapsed? Is multiculturalism a phase, a periodic crisis through which the West is passing, or does it represent something fundamental and perhaps irreversible?

Despite the efforts of pro-Soviet elements, the West recognized the Soviet empire as a threat. It does not recognize multiculturalism as a threat in the same way. For this reason, many of the assumptions and objectives remain unchallenged. Still, there are some grounds for optimism. For example, the speed with which the term "political correctness" caught on. It took the tenured radicals completely by surprise, but it is only a small gain.

The Most Important Battleground

In the long term, the most important battleground in the war against multiculturalism is the United States. The battle is likely to be a slow war of attrition. If it fails, the insanity of multiculturalism is something white Americans will have to live

with. Of course, at some time whites may demand an end to being punished because of black failure. As Professor Michael Hart argues in *The Real American Dilemma* (published by New Century Foundation), there could be a racial partition of the United States. We might find that what happened in the Balkans is not peculiar to that part of the world.

Race war is not something the affluent radicals deliberately seek but their policies are pushing us in that direction.

I have argued thus far that the immediate context for understanding political correctness and multiculturalism is the Soviet Union and its catastrophic utopian experiment. And yet the PCI multicultural mentality is much older. In *Reflections on the Revolution in France,* Edmund Burke offers a portrait of French radicals which is still relevant 200 years after he wrote it: "They have no respect for the wisdom of others, but they pass it off with a very full measure of confidence in their own. With them it is sufficient motive to destroy an old scheme of things because it is an old one. As to the new, they are in no sort of fear of the duration of a building run up in haste because duration is no object to those who think little or nothing has been done before their time, and who place all their hopes in discovery."

Of course, multiculturalism is far from being a solution to racial and cultural conflict. Quite the contrary. Multiculturalism is the road to a special kind of hell that we have already seen in the last century, a hell that man, having, abandoned and in revolt against God's order, builds for himself and others.

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Apparently, there are also some "angry white males" in Australia. Anthony Grigor-Scott is an Australian minister who publishes "Bible Believers' Newsletter" from Currabubula, NSW 2342, Australia.

Judging from his August 05, 2000 issue (#130), he is also concerned with international forces of multi-culturalism which not only challenge the white culture, but seemingly threaten the white race.

I can't vouch for the accuracy of his quotes, and no one should draw too many conclusions from isolated excerpts taken out of context. Nevertheless, his Australian perspective tends to support the idea that "angry white men" may be an international, rather than strictly American phenomenon.

In 1912 Israel Cohen wrote a book on Communist tactics entitled A Racial Program for the Twentieth Century. It has proven to be prophetic: 'We must realize that our Party's most powerful weapon is racial tension. By pounding into the consciousness of the dark races that for centuries they have been oppressed by the Whites, we can mould them to our program. The terms "colonialism" and "imperialism" must be featured in our propaganda. In America we will aim for subtle victory while inflaming the Negro minority against the Whites, we will endeavour to instil in the Whites a guilt complex for exploiting the Negroes. We will aid the Negroes to rise to prominence in every walk of life, in the professions and in the world of sport and entertainment. With this prestige, the Negroes will be able to intermarry with the Whites and begin a process which will deliver America to our cause."

Of course, that quote is 88 years old. It's validity and relevance in 2000 is questionable. Nevertheless, 20th Century race relations have unfolded in ways that seem consistent with the 1912 prediction. The question is whether that consistency is coincidental, or evidence of persistent, behind the scenes international forces. Note also, that the 1912 prediction makes clear that racism would be intentionally fanned, exaggerated and exploited to serve the interests of Communist world government. Blacks and whites would be made to fight when they had no real reason to do so.

Mr. Gregor-Scott also provided a more current comment based partly on a recent survey by the UN Population Division:

Marseille, July 28, 2000 — The European Union could admit up to 75 million immigrants over the next half-century and must be prepared to become racially hybrid society, according to a

paper drawn up by France.

Jean-Pierre Chevnement, the French interior minister, produced the document for a meeting of EU ministers in Marseille today. Citizens of the EU should be told, the paper says, that Europe will become an area of "cross-fertilization". . . Public opinion must be told clearly that Europe, a land of immigration, will become a place where cross-fertilization occurs," Mr. Chevnement says the document also translates as "cross-breeding".

Gregor-Scott implies that UN projected figures don't merely reflect immigration into Europe that is invited and welcomed. Instead, Gregor-Scott believes that immigration will be forced – or at least no effort to stop immigration will be allowed to succeed.

Further, given that Europe is the heart of the world's white population, any "hybridization" and "cross-fertilization" imply that the white community will be racially diluted, perhaps even eradicated.

The idea that some sort of genocide is being planned for whites strikes most people as absurd. Given the death rates from strange diseases in Africa, it seems to me that if "they" are conspiring to eradicate any race, it's probably the blacks. I'd bet that most black Americans would agree with that paranoia.

Regardless of whether "they" actually exist, whenever "they" are perceived to tamper with society on a racial basis, "they" are triggering some ancient and powerful emotions. While those emotions may be suppressed, they cannot be eradicated, and under certain circumstances can explode into view with astonishing virulence.

For example, I can't help but wonder if the previously quoted 1912 strategy on using racial tension to promote Communism helped create the racial attitudes that dominated Nazi Germany and precipitated Hitler's notions of a "final solution". Did that causal relationship ever exist? I don't know.

However, it's certain that racial issues can trigger incredibly dangerous emotional outbursts in large numbers of people. Those who think the "angry white male" can simply be shoved to the back of the political bus and ignored may be making a big mistake.

If America slides back into another depression, the suppressed anger in white males may not only erupt, but fuel political bonfires of exactly the sort seen Berlin in the 1930s. Under those circumstances, angry white men won't whine, they'll march – and if they do, God help us all.

An Urgent Appeal For Help

My name is Thomas J. Wainwright, age *52*. I am a long time victim of government harassment, spying, entrapment, physical torture, financial and social ruination.

My troubles began in the autumn of 1977 I was a graduate student at the University of Michigan. I inadvertently learned of a plot to kill then President Gerald Ford. Being a patriotic American I reported what I had learned to the appropriate government authorities. At this point I realized I had stumbled upon an on-going operation between foreign nationals and members of our own security agencies.

By inadvertently stumbling across this planned operation, I opened a Pandora's box of problems. Operatives of both the United States and foreign security agencies assaulted all my privacy, physical wellbeing, and psychological health. Chemicals were injected into my body to cause me severe physical and psychological problems. All of this occurred in an attempt to silence me and cause my social and economic ruin.

Most recently I was assaulted outside of my home and given a warning to, "keep your mouth shut and leave town." No American citizen should be subjected to this type of treatment from foreign nationals and our own security agencies on American soil.

I now appeal to each and all of you who are concerned about the degradation of our laws, the assault on the Constitution and the restoration of our national security to aid me. My struggle, at the end of the day, is also your struggle.

If we don't put an end to the arrogant behavior of foreign operatives as well as our own security agencies, the cancer will grow.

I am currently seeking all manners of help to set up a legal defense fund. A lawsuit against those who instigated my situation will then follow. I also am seeking volunteer paralegal, an Internet web master, and those proficient with writing skills that are familiar with word processing and desktop publishing, Lastly, I seek the services of a legal team seasoned in the art of litigating cases at high government levels, both foreign and domestic.

Together we can expose this. Now is not the time to be complacent. True Americans will stand and fight this tyranny and oppression. Thank you, and may God Bless You.

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Great Britain and Gun Control

by Miguel A. Faria Jr., M.D.

After reading the previous article from England some might still doubt the legitimacy of white male anger. If so, here's another article about England that helps to indirectly explain and justify that anger.

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Great Britain, which gave birth to the great political philosophy of classic liberalism and to America, the flowering of Western civilization, is in moral decline.

Not content with holding Gen. Augusto Pinochet hostage, Britain now holds its own citizens hostage like an authoritarian nation that distrusts its own citizens with firearms.[1]

Since 1996, when a madman went on a rampage killing 16 children and their teacher in Dunblane, Scotland, Great Britain has tightened to strangulation its already draconian gun control laws so that only certified members of approved target-shooting clubs are allowed to own guns. These must be .22 caliber or smaller and must be kept locked up at the club at all times.

Guns have been virtually banned, and the God-given right to self-defense has been virtually abrogated in England.

Dramatic Increase in Robberies and Other Crime

And yet, crime has steadily risen in Britain in the last several years. The U.S. Department of Justice says a person is nearly twice as likely to be robbed, assaulted or have a vehicle stolen in Britain as in the United States. Although the U.S. remains ahead of Britain in rates of murder and rape, the gap is rapidly narrowing.

And while robberies rose 81 percent in England and Wales, they fell 28 percent in the United States. Likewise, assaults increased 53 percent in England and Wales but declined 27 percent in the United States. Burglaries doubled in England but fell by half in the United States. And while motor vehicle theft rose 51 percent in England, it remained the same in America.

To make matters worse for England – and this is also true for Canada – in those countries where citizens are disarmed in their own homes, daytime burglary is commonplace and dangerous because criminals know they will not be shot at if caught flagrante delicto. Not so in the U.S., where burglars not only prefer night burglaries but try to make sure homeowners are not in to avoid being shot at by the intended victim.

The rising tide of thievery and burglaries in England has dubbed Britain "a nation of thieves," wrote the London Sunday Times, which noted: "More than one in three British men has a criminal record by the age of 40.

While America has cut its crime rate dramatically Britain remains the crime capital of the West. Where have we gone wrong?"[2] Perhaps England should look introspectively.

The most drastic ascendancy of crimes in Britain was found in those types of felonies where recent studies in the U.S. have shown that guns in the hands of law-abiding citizens not only save lives but also protect private property, reduce injuries to good people, and crime is generally deterred.[3]

Writing in the May/June 2000 issue of the Medical Sentinel of the Association of American Physicians and Surgeons (AAPS), Dr. Michael S. Brown writes that while the British laws have disarmed law-abiding citizens, "a black market has flourished, as usual with prohibitions, to supply criminal elements. Up to 3

million illegal guns are in circulation in Britain, leading to a rise in drive-by shootings and gangland-style executions."

Dr. Brown continues, "Young criminals (ages 15 to 25 with prior convictions), according to the Sunday Times, 'own or have access to guns ranging from Beretta submachine guns to Luger pistols, which can be bought from underworld dealers for as little as £200 ($320 U.S.).'"[4] In the U.S., ordinary citizens shoot three times as many criminals in self-defense as do the police.

Recent work by professor John R. Lott Jr. at the University of Chicago has shown that allowing people to carry concealed weapons deters violent crime - without any apparent increase in accidental death or suicide. While neither state waiting periods nor the federal Brady Law is associated with a reduction in crime rates, adopting concealed-carry gun laws cuts death rates from public, multiple shootings like those in Littleton, Colo., this year or Dunblane, Scotland in 1996.

Professor Lott found that when concealed-carry laws went into effect in a given county, murders fell by 8 percent, rapes by 5 percent and aggravated assaults by 7 percent. For each additional year concealed-carry gun laws have been in effect, the murder rate declines by 3 percent, robberies by more than 2 percent and rape by 1 percent.[5]

Women Using Guns for Self-Defense

Moreover, studies in the U.S. have shown that guns are the great equalizer for females when accosted in the streets or assaulted in their homes.

When a woman is armed with a gun, up to 83 percent of the time she will be successful at preventing rape, and only half as likely of being injured in the process.[3] These figures should be good news in the U.S. for the 17 million American women estimated to carry guns, but not for those in Great Britain who have been proscribed from keeping guns for self-protection.

While the number of rapes in the U.S. is still higher than in Great Britain, it is falling, whereas the rate of sex crimes and violent assaults in England and Wales is increasing rapidly because of their permissive criminal justice system and even greater tendency than the U.S. to rehabilitate rather than punish criminals - and, of course, the stringent policy of citizen disarmament.

This pusillanimous policy advertises to sex criminals that they have nothing to fear not only from their criminal justice system but also from their intended victims.

Will the British require another American Revolution to come to their moral senses? Or, instead, will we Americans reject our Second Amendment, the palladium of our liberties and our legacy of freedom?

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Dr. Miguel A. Faria Jr. is the editor-in-chief of the Medical Sentinel, the official journal of the Association of American Physicians and Surgeons (AAPS) and author of "Vandals at the Gates of Medicine: Historic Perspectives on the Battle Over Health Care Reform" (1995) and "Medical Warrior: Fighting Corporate Socialized Medicine" (Macon, Ga., Hacienda Publishing Inc., 1997), http://www.haciendapub.com.

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Dr. Faria's article shows that taking guns from the English people has resulted in a dramatic increase in crime. Similar articles have documented identical increases in Australia. Nationwide, armed robbery is up 44% and in the state of Victoria, homicide is up 300% in just one year since gun control was imposed "down under". Around the world, irrefutable evidence is mounting that gun control leads to increased crime. That evidence is now so overwhelming that only morons and traitors would advocate more gun control.

So, "Why doth the white man rage?" Perhaps he's perturbed about losing his God-given right of self-defense. Maybe he's angry by being denied his right to protect himself and his family against criminal assault. Could be he's infuriated by living under governments in England, Australia , Canada and the United States that stubbornly pursue an international agenda that violates historic national rights, intentionally imperils the public they claim to protect, and stubbornly ignores undeniable facts, reason and reality.

The fact that similar betrayals are happening simultaneously in Europe, Australia, and the North America helps validate the white man's anger as rational and justified.

But the term "angry white males" still seems disingenuous since it implies that only white males are mad. The phrase indirectly implies that all blacks are merrily dancin' and all white women are singin' like birds. So, since everyone else is so happy, white boy – what's your problem?

But I doubt that rational anger is only found in white males. I don't have any black friends, but I'm sure that some black males are also pretty testy. And having been married twice, I know that some white women are seriously vexed.

So I look back at the phrase "angry white male" and realize that those three little words divide our society, first, into blacks and whites and, second, into men and women. Implication? We have four groups (white men, black men, white women and black women) with seeming disparate and competing interests.

Of course, that division is valid. Each of those groups *do* have competing interests. But although that competition has gone on for ages, is it our only cause for anger? Are race and gender even the primary cause for our anger?

Divide and pacify

Insofar as our anger is implicitly "divided" along the lines of race and gender, that anger's validity is diluted and compromised.

For example, if someone is described as an "angry white male," his anger is disparaged not only in other people's minds, but also in his own. To the extent he believes that he's only angry because he's white and male, he'll lose confidence in the righteousness of the reasons that inspired his anger.

Likewise, when someone disparages a Negro's concerns about injustice as "black man's anger," that description doesn't merely disparage the anger, it disparages all the underlying values on which that anger is based. Thus, "black man's anger" not only trivializes the man's anger as something almost genetic, it trivializes the man's values, his character and thus, the man himself.

The same observation can be made for white and black females.

But perhaps our persistent conflicts based on race and gender (while real) are not the primary source of our anger. Perhaps, if we understood the world well enough, we might realize that we're not individually angry because of our race or gender but because we're human beings who've suffered intentional and continuing injustice.

For example, perhaps the principal threats in my life aren't blacks or women. (Sure, they aggravate me from time to time, but I'm sure I aggravate them, too.) Maybe the principal threat to my life, my values and my sense of righteousness is the government and whatever forces it represents. Maybe I have more to fear from a government that seeks to disarm me than I do from blacks who might want to mug me. Maybe I have more to fear from a government that institutionalizes an anti-male bias in divorce courts than I do from females who are fool enough to exploit that bias.

Divide and conquer

At the risk of sounding paranoid, I can't help wondering if maybe, just maybe, terms like "angry white male" aren't intended to simply classify and describe. Maybe those kinds of terms are tactical examples of a greater strategy promoted by "them" (whoever "they" are) to divide blacks, whites, women and men – and thereby conquer all of us.

The term "angry white male" is almost astonishingly divisive. Do you see how it divides the cause of anger felt from white males from the causes of whatever anger is felt by blacks and women? Is that division accidental?

Do you see how "angry white male" not only divides us, but implicitly renders our values *relative* rather than absolute? The term implies that a white man's anger is primarily due to some aberration in his race or gender. "Angry black female" implies that her anger is also somehow based on her race or gender. Both of their angers are thereby dismissed as something almost chemical (like menopause or a shortage of serotonin) that has no basis in objective social reality.

Further, if such anger is caused merely by one's race or gender, then that anger can't possibly be *absolute* in the sense of being caused by universal values that are imposed by God and the Bible.

And do you see how terms like "angry white male" internalize anger? It implies that an individual not angry because the system he once trusted and served as a soldier has betrayed him and taken his children. No. And he's not angry that taxes have increased so much in the last fifty years that an average man can't earn enough to support his family or buy a house. And he couldn't possibly be angry that his government uses deception every day to trick him and him neighbors into accepting a social order that was never intended or allowed by our Constitution.

Nooo. The real reason he's angry is because his skin is white and he have a penis. And that black woman is angry because her skin is not white and she doesn't have a penis. (See? It's so simple, once you understand. Just slip us all a little thorazine, and we'll be fine.)

Unite and rule

But the truth is that most people aren't angry because of their race or gender, they're angry becauset they've been subjected to injustice by the very government that promised to serve them. They're angry because sometimes they realize that the injustice they've experienced was not an isolated event, but commonplace. They're angry because they've begun to suspect that their government is working to radically alter (and perhaps destroy) this nation and system they've sworn to protect.

Like most people, I'm far from perfect. I admit that I've caused and earned much of the anger I've experienced. But I am nevertheless a decent man and I believe I deserve to live in a society that respects that decency. I deserve to live with a government that affords me the dignity of unalienable Rights rather than the burden of secret, unstated presumptions (prejudice) which harm me, my family and my nation.

I suspect that most people's anger is similar to mine. Insofar as we are angry, it's not caused by our race or gender – it's caused by betrayal by government and society and injustice that's less accidental than institutionalized and, in any case, indifferent.

Of course, if those who are angry ever agree that their anger isn't primarily due to their race or gender, they might actually tend to unify rather than divide. If such unification takes place, I suspect government will have a serious confrontation on it's hands.

However, so long as anyone's anger can be disparaged as a mere genetic consequence of their race or gender, we shall remain divided and government will continue to rule. ■

Is this the End of the Income Tax?

by Ian Whishart

If it's true that international forces are at work which might make white men angry, it's also true that there are constitutionalist forces at work that make white men laugh.

The following article is an edited version of an article originally written for New Zealanders. I don't think the original article was intended to be funny, but any American constitutionalist or tax resistor should find it cause for glee. You can almost "see" the expressions of shock and frustration on the proper – and perhaps even pride.

As you'll see, the American constitutionalist movement is reaching out internationally, and directly impacting the tax systems of New Zealand, Australia and Canada. This impact is so great that some suspect it may not only change those countries' tax systems, but even imperil their national governments "over there".

Remember that old World War I song? Better get ready to play it again. As you'll read, it appears that, once more, "The Yanks are Coming!"

This was sent to me by an Internet friend in New Zealand. Worth reading.

Makes you wonder who is behind all of this since it's the same basic charade, no matter what the country. The Internal Revenue Code doesn't define "income" either.

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Please distribute to all New Zealand (NZ) Networks. The following is a reproduction of an article written by Investigative Reporter Ian Wishart in a previous issue of "Investigate Magazine" - http://www.howlingatthemoon.com. Read the full story and other related articles at http://www.detaxnz.com/

New Zealand and Australia are facing what could escalate into their biggest constitutional crisis ever - an income tax revolt by ordinary taxpayers with the potential to bring down the current system of government.

Already two thousand New Zealanders and a similar number of Australians have joined the movement, and organizers are expecting thousands more as news of their activities spreads.

The New Zealand tax inspector shook his head and blinked at the American grinning at him across the table. "What do you mean 'it's chickens!'?," he sputtered. "What the hell have chickens got to do with it?"

The American just smiled. "Well, you show me in the New Zealand Income Tax Act where it says that chickens are *not* a legal form of income. And seeing as my client didn't earn any chickens last year, he doesn't owe you any tax."

It's an amusing diversion, and American tax litigator Eddie Kahn has used it on a number of occasions with tax officials around the world. "It's the same in the US," he explains later, "because they don't legally define 'income' there either. What's really funny about it is the agent will look at you in a state of shock, saying 'No, it's not chickens', and I say 'Well, how do you know it's not chickens: you didn't define it.'

"You see, when they say 'No it's not', then they are obligated to show you what it actually is. And they can't, because it isn't defined."

It's an approach the New Zealand and Australian tax offices have never seen before: a drag-em-out-knock-em-down fist-fight with revenue authorities forcing them to prove that ordinary citizens are covered by

existing tax legislation.

While it might sound Alice in Wonderland or Don Quixote in nature, the process appears to be working.

But is it possible that New Zealanders can legally opt out of the tax system using the same freedoms available to American citizens? Kahn and New Zealand accountant Andrew Carstensen believe they can. To that end, Carstensen wrote a letter under the Official Information Act (OIA) to the New Zealand Inland Revenue Department (IRD) in early 1998, asking them to define what 'income' is. The disturbing result proves that the IRD doesn't know exactly what income is, or isn't willing to say.

The IRD's national policy manager, Margaret Cotton, wrote back, "There is no definition of 'income' in the current Income Tax Act".

The reason there's no definition appears to be that since 1908 successive governments have been anxious to cast their tax net as widely as possible, opting for deliberate ambiguity in defining key terms in the tax legislation.

"When you fill out your tax return, it tells you to list your income," explains Carstensen. "Well, what's income? They won't tell you what income is, they let you decide what you *think* income is – and when you've made that decision yourself, you 'dob' yourself in, basically."

By filing a tax return, he says, you are voluntarily telling the IRD you accept their jurisdiction over you. There is no longer a technical question as to whether you are a taxpayer. All that remains to be determined is how much. You have entered a contract with the Government.

Every Act of Parliament carries an "interpretation" section that spells out the *meanings* of key words and terms in the Act. In the Revenue Acts, most definitions are prefaced by the word "means". However, certain crucial words are not given an exact meaning. Take the definition for "person":

"Person: *Includes* a company and a local or public authority; and also includes an unincorporated body of persons." [Emph. add.]

But by using the word "includes" rather than the word "means," they don't define it at all.

Further, at no point does the Income Tax Act specify that the term "Person" *includes* a "natural person", which is legal terminology for an actual living and breathing person. Nor does the Act even define "natural person". This is despite the fact that the phrase "natural person" is specifically referred to in the Income Tax Act under the definition "foreign entity".

Why doesn't the definition of "person" in the Income Tax Act specifically include "natural persons"? And does this mean that ordinary members of the public can legally stop paying tax on the grounds that the legislation is unclear and therefore void?

Curiously – and probably not coincidentally – the tax codes of Canada or Australia also don't use the word "means" to define a person. Instead, both countries use "includes". Neither do those countries define a "person" as specifically including a natural person.

An innocent oversight by one legal hack in the Crown Law Office in Wellington, New Zealand while drafting legislation could be explained as a simple mistake, but when three developed nations all have the same definitions for "person," with no mention of human beings, one starts to wonder.

Just as the US Internal Revenue Service managed to fool a hundred million Americans

into paying tax by playing legal word games with them, Kahn argues the New Zealand's Inland Revenue Department's (IRD's) inability to define "income" or "person" is a deliberate act aimed at undermining New Zealanders' common law rights not to pay tax on ordinary employment earnings by deceiving people into the tax system under colour of law.

According to American Eddie Kahn, "The IRD has been no more successful in answering our questions than the IRS has, which are: 'What tax am I liable for? What form am I required to file it on?' They can't answer the questions! You know, in America I have over two thousand clients at American Rights Litigators, and they've never been able to answer the question one time for any of the clients.

On the battleground of legal technicalities, one of Kahn's weapons of choice against the NZ IRD is what he claims is the department's failure to officially "gazette" the requirement for taxpayers to file tax returns.

"If they're required to file a form at all, it must be published in the Gazette, there must be a volume date and page number that this public obligation exists and the public has to have public notice of it. It's never been published, so obviously there's no requirement.

"If somebody doesn't file a form, they'll get a letter saying 'Why didn't you file?', and the answer is 'I didn't know there was an obligation to file. If there is, it must be published in the Gazette. Please give me the volume date and page number and I'll be happy to do it'."

But it's the practical, not the theory, that will determine whether Kahn and his American legal advisors can cause the IRD lasting damage. They're already claiming victory with a New Zealand taxpayer, Jeanette Harper of Tauranga.

On April 6, 1998, the IRD wrote to Harper telling her she owed the New Zealand Government $286.13 in unpaid tax. She wrote back, under the Privacy Act 1993, demanding to know "What particular tax am I, Jeanette Elizabeth Harper, a human being, liable for, and what particular form am I required to file for that tax?

"Please send me copies of documents that evidence the liability, if any, as a human being, and also the evidence that links this liability to the particular form required to be filled out. I am a law abiding citizen and as such only require the specific facts as requested. I specifically request no opinions be given."

The IRD replied:

"As a person who is a New Zealand resident you are liable to Income Tax on all your income, in this instance wages, interest and rent. 'Person' is de-

fined in Section OB1 of the Income Tax Act. I am aware that it is your understanding this definition *includes* just 'a company and a local or public authority; and also *includes* an unincorporated body of persons.' But with respect, the definition also *includes* the word 'Person'. Person has the natural and ordinary meaning of the word." [Emph. add.]

However, Mrs. Harpers' bombardment on the IRD continued:

She wrote, "It is a cardinal rule of statutory interpretation that a word cannot be used to define itself. That is to say, you cannot use the term 'person' to define the word 'person'. I'm sorry, but with respect, [your response] makes no sense."

Ultimately, Harper did not file a tax return this year, and instead wrote in to say she did not believe she had earned any "income" as defined by the Act, and therefore was not required to file a tax return.

The IRD accepted her letter and refunded a $50 late filing penalty charge.

New Zealand Rights Litigators fired off a series of OIA requests to the IRD including one that asked if it was compulsory for an individual to have a tax file number. The IRD wrote back:

"There is no provision in either that [the Income Tax] Act or the Tax Administration Act 1994 that makes it compulsory for taxpayers to have a tax file number."

You heard it right: there is no law requiring you to have an IRD number.

Carstensen, Eddie Kahn and others believe this provides a major clue as to the *voluntary* nature of income tax. Kahn argues that if the Government had a lawful right to tax natural persons, it would have made tax numbers compulsory. Instead, you are given a choice: you can comply, or not.

In a second letter, the tax department said that although it was not compulsory for anyone to have an IRD number, failure to provide one meant the person concerned would not be permitted to file a tax return or claim back any overpayment of tax.

So here are two important points: you are not required by law to have a tax number. If you do not provide one, you cannot file a tax return either. Now comes the triple whammy:

"You have asked if you can give up an IRD number and close your account if you wish," wrote the IRD's David Belchamber. "I can advise that IRD numbers are normally issued for life. However, the number can be closed off if it is no longer required."

In other words, even if you have an IRD number you can return it and close your account with the tax department. Does this sound like the essence of a compulsory tax system, or do the rules only apply to those who choose to become taxpayers?

According to Eddie Kahn, "Basically the issue is quite simple, people have to get into the mindset: they are either natural persons born with human rights, or they are inferior serfs still subject to the Crown's orders and taxes."

But there is a big difference, between the United States and New Zealand, and the growing tax revolt in New Zealand, Australia and Canada is raising public awareness of that difference to a potentially dangerous level.

What happens, argues Andrew Carstensen, when it dawns on New Zealanders that legally they really are still feudal serfs who must pay a tithe to the Crown? What happens when they realise that Americans have managed to gain a whole raft of rights that Kiwis and Aussies do not have?

"At the moment, the Government has all the power. If these tax protesters are successful, all that will happen is the Government will pass new statutory law to negate it. New Zealanders only have the rights that the Crown allows them to have."

But Carstensen doubts Government would have the courage to publicly slap its citizens in the face and risk a domestic political crisis.

"My feeling is that they won't chance it. If they do, then they're admitting that previously a natural person did *not* have to pay tax and they could be faced with refund claims. Kiwis have a choice. They have the right to be free or the right to be enslaved. But people genuinely don't realise they have a choice."

And critics argue that it really is a choice. Canadian tax researcher Eldon Warman,

heading a movement called "De-Tax Canada", says people often ask why the Government won't simply close the loophole by changing the law. He doesn't believe they can.

"If they could have written the [Canadian] Income Tax Act so as to include natural persons, it would never have been written that way in the beginning or re-written that way in subsequent amendments. The Government wouldn't have had to resort to manipulating contract law and to implementing other elaborate means to play upon the legalese ignorance of the Canadian people.

"But, further, the basis of this detax system is the fact that the Government cannot make statutes, rules or regulations requiring a natural person to either make, or not to make, a contract. It would be an interference in the property right."

But there is another issue: what happens if so many New Zealanders refuse to pay tax that it causes a Government crisis anyway? With public opinion of the IRD at an all time low, and many New Zealanders angry at the department's apparent inability to collect hundreds of millions of dollars from tax dodging big business, some officials are admitting privately there is a real risk that the tax system and the Government could be crippled by large numbers of people opting to use cheap tax haven and trust solutions to keep their income and assets out of reach, the same way the big boys do.

Eddie Kahn says it's a wake-up call.

"I think that New Zealanders need to take control of their Government, and the way you do that is by telling your MPs: 'No'.

"You have to get into this mentality: 'I pay your salary. You're there for my benefit, not yours. If you're not benefiting me, then I don't want you there'.

"You are really in control, as long as you exercise control. If you don't exercise it the politicians will assume it for themselves."

A decade ago, the citizens of California brought their Government to its knees in a tax strike. Ultimately, New Zealanders, Australians and Canadians are yet to test their powers, but the knowledge that the US Internal Revenue Service is allowing Americans to opt out of the tax system is likely to put incredible pressure on the former British colonies and the constitutional void appearing to surround them.

You can reach Eddie Kahn at American Rights Litigators, Mt. Dora, Florida at 352-383-9100.

The New Zealand author's idea that the US IRS is "allowing Americans to opt out of the tax system" is somewhat exaggerated. Although a small number of Americans are using sophisticated strategies to intelligently "opt out" of the income tax, millions of Americans without any understanding of tax law whatever, are simply "dropping out" of the income tax like Hippies once "dropped out" of the corporate business culture. The IRS isn't precisely "allowing" all those Americans to drop out, they simply powerless to stop this tidal wave of tax resistance.

Nevertheless, the average American would never dream that our own tax resistance movement could create "incredible pressure" on the tax systems and governments of New Zealand, Australia and Canada.

But that's exactly what's happening because those "foreign" income tax systems are virtually identical to our own. Just like our American income tax – the New

Zealand, Australia and Canadian income tax systems are based on deceiving the natural person into paying the tax imposed on an artificial entity.

More importantly, the similarity in these four nation's tax structures implies the presence of a conspiracy that may be a century old and clearly serves interests other than those of the natural people of New Zealand, Australia, Canada and the USA. But because the four tax systems are based on the same clever deceit, whatever Americans have found to defeat IRS abuse will generally work "over there", too.

Over There! That World War I marching song keeps coming back to mind.

"Send the word, send the word, over there"? Remember?

"The Yanks are coming! The Yanks are coming! There's drum, drum, drumming *over there*!"

I don't remember the whole song. Can't remember its words.

But I remember the tune. I remember its spirit. I remember the pride that song inspired. Do you?

One of the most surprising aspects of the previous article from England on "Multiculturalism" and this New Zealand income tax article, is that common people of those nations look up to Americans. Not to the American government, but to the American people. The disarmed English and Australians admire our determination to retain our right to keep and bear arms. New Zealanders are inspired by our courage in the face of seemingly massive government power. They're *cheering* for us. American resistance to government abuse is keeping the hope of freedom alive among common people around the world. Although we may have forgotten, those foreign nations understand that we *are* the world's last, best hope.

In fifty-five years of life, I am hard-pressed to remember anything my government's done that makes me proud. But my fellow constitutionalists make me proud.

I am proud of the people who research and write articles for America's Bulletin, Media Bypass, The Free American, The Free Press, the Jubilee, Oregon Observer, Veritas, The Nationalist Times and a host of other "patriot" publications – including the AntiShyster. And I'm proud of the men and women who publish those magazines and newsletters because I know that all of them could probably make more money working as 7-11 clerks – and yet they persist, barely survive but won't quit because they know there's far more at stake than money.

I'm proud of the tax resistors like Eddie Kahn, Phil Marsh, Irwin Schiff and scores of others who've struggled for much of their adult lives to understand and expose the IRS. Some of their research was imperfect. Sometimes their motives were questionable. Many have been jailed for resisting the IRS. But every one of them struggled to understand and then expose the IRS. More importantly, every one of them inspired more Americans to study and resist illegal applications the income tax.

Still, it's almost astonishing how few Americans have actively worked to understand and resist the IRS. I'd bet that over the last twenty years, the entire tax resistance movement has been carried on the shoulders of no more than one hundred constitutionalist researchers. The real number could be less than twenty, and even I don't know their names.

And what about the folks who merely read "patriot" publications and thereby support the constitutionalist movement? A few years ago (1996, when the movement was "hot"), there might've been two or three million constitutionalist supporters nationwide. Today, the number of constitutionalists who remain to read and support the research could be less than 100,000. Maybe less than 50,000.

What a trivial number in a nation of 300 million, hmm?

And yet, that "trivial number" is causing an *international* revolution. Income tax systems (and even *governments*) on three continents are imperiled by a handful of stubborn American constitutionalists. This revolution will never be reported by the mainstream press, but it's happening. And who's caused this revolution? A remnant. A tiny, tiny remnant.

Result? Besides the growing tax resistance in New Zealand, Australia, and Canada, Eddie Kahn reports receiving a letter from the IRS Commissioner's office that admits over *63 million*

Americans didn't bother to file income tax returns in 1998. Six years ago, the IRS admitted eight million hadn't filed. Today they admit *sixty-three million!* Roughly *one-third* of all alleged "taxpayers" have simply "Just Said No" to income tax.

And there's nothing the IRS can do about it. Do you know what it costs just for paper, envelopes and stamps to send a single computerized form letter to 63 million people?

So, what can government do? Indict all 63 million for willful failure to file? That should strain the courts considerably since the IRS currently prosecutes only about 1,000 people a year for criminal tax offenses.

The world is changing silently, but radically. Just five years ago, it seemed equally impossible to repay the National Debt or resist the IRS. Today, the National Debt is on the verge of being repaid, and tax resistance is not only possible but commonplace.

The IRS has become so ineffective that even Congress has noticed. With virtually no fanfare, on April 4, 2000, the U.S. House of Representatives passed House Resolution 4199 which would terminate the existing Internal Revenue Code (IRC) as of December 31, 2004. They intend to replace the existing IRC with a simpler, more easily understood tax code. The Senate is currently considering that Resolution.

But the existing tax code's complexity is no accident. It's mass is intended to conceals the tricks and deceptions the IRS uses to impose the tax on unwitting Americans. Constitutionalist researchers are already adept at penetrating the current IRC maze; any newer, simpler code will be quickly dissected. As a result, a "newer, simpler" tax code is not possible – unless that tax law excludes deception.

Thus, government has to choose between maintaining the current deceptive tax code they can't possibly enforce, and installing a newer, simpler code that's honest, open and excludes deception. Tough choice, hmm?

In any case, the fact that the House of Representatives even considered, let alone passed, a Resolution to terminate the IRC is an extraordinary event that confirms the IRS's days are not only numbered but might even be less than one thousand.

And bear in mind that our beloved Representatives and Honorable Senators are not trying to do us a favor. They're responding to the "incredible pressure" we've created. We're grinding the bastards down. The battle's far from over, but we are winning.

Imagine! A ragtag band of American constitutionalists are on the verge of not only toppling the mighty IRS, but perhaps the income tax systems of several other *nations*. This is a story to rival the destruction of Jericho.

In 1914, the Yanks came to Europe by boat to fight for freedom. Today, we're coming by internet. But no matter how we get there, once again, we are coming.

The *Yanks* are coming!

Once again a torch is being kindled and held high in North America by a handful of God-fearing constitutionalists. Once again, an American remnant is showing a grateful world that it's possible to be free.

Send the word . . . send the *word* . . . over there . . . ! ■

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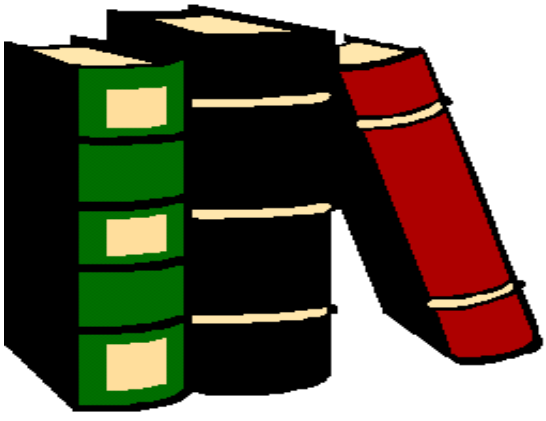

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Help End the Income Tax!

by Irwin Schiff

Ordinarily Americans feel frustrated and powerless by their inability to effect changes in government policies that effect their lives. Americans see a number of things wrong with the various levels of government that they are called upon, by taxes, to support – yet they can do nothing about it. For example, in most cases, voting is simply a choice between "Tweedle-dum" or "Tweedle-dee".

However, by writing a short letter to the Supreme Court, you can have a significant and direct impact on ending the income tax.

Economic decline

While President Clinton brags about our miraculous economy, bear in mind that we are also the world's biggest debtor nation. Yes, Americans are living well, but our prosperity is based on money we've borrowed rather than earned.

Our debtor status is necessary, in part, because our local, state and national governments collectively take about 40% of what every American earns. Is this what America's Founding Fathers had in mind for us when they wrote the Constitution? No.

Prior to the Second World War, America's vast middle class did not pay either Federal or state income taxes. Similarly, most of the products Americans used were made right here in America: our shoes, clothing, automobiles, cameras, washing machines, telephones, etc. were all "Made in the USA".

Today, go to Wal-Mart and see how many items are still "Made in America." Most of the products we buy are made in foreign countries. The 200 or so shoe factories that were once located in Lynn and Brockton, Massachusetts are long gone, along with most of the steel mills that once provided high paying jobs to those living in the Pittsburgh area.

How did we go from a Nation whose shops and stores overflowed with goods made here to become a Nation where almost everything is labeled "NOT Made in America"?

The disappearance of American-made goods has nothing to do with the alleged "global economy" or low cost "foreign labor." Economics has always been "global". American workers always earned higher wages than those paid in the rest of the world, but our high wages had nothing to do with America going from being a creditor nation to becoming the world's biggest debtor nation.

The birth of the blues

What changed America – and converted her from being the world's foremost creditor nation to the biggest debtor nation – is the taxes and red tape generated by the Federal Government as a result of W.W.II.

Prior to W.W.II, America's middle and working class did not pay income taxes. Prior to 1943 income taxes were only paid by America's "well-to-do," and they paid income taxes the year following that taxable year. Thus, 1937 income taxes were paid in 1938; 1938 income taxes were paid in 1939, etc. It's important to note that since only the wealthy paid income taxes, and the wealthy had substantial savings – it wasn't difficult for them to pay all of their 1937 income taxes at once in 1938.

However during W.W.II with 10 million men under arms, the Government needed more money to fight the war. The federal budget increased tenfold from about $8 billion to $80 billion. To raise the additional revenue, government lowered personal exemptions so average American workers became subject to the tax.

However, unlike the well-to-do who could easily pay each year's income taxes from their savings in the following year,

working Americans lived hand-to-mouth, had no significant savings, and would certainly not have enough money in their saving account in 1942 to pay their 1941 taxes.

Therefore, Government wanted working Americans to pay income taxes on a "pay-as-you-go basis." This is the foundation of the modern "withholding" wherein government takes a percentage of your wages from each weeks paycheck.

However according to law, income taxes must be assessed *before* they needed to be paid. Therefore it was impossible to legally collect income taxes in advance, on a "pay-as-you-go" basis.

So what the Government did to get around this problem is to create a new tax – a WAGE tax. But they didn't tell the public they had created a new tax. They simply let the public believe that the new "*wage* tax" was actually the withholding of *income* tax, when that wasn't the case. They even mislabeled the statute imposing the new tax (Section 3402 of the current Internal Revenue Code) by stating it concerned "Income tax collected at source" when income taxes were not being "collected" at all.

However, they provided in the law that you could get a "credit" for any wage taxes you paid against the income taxes you might owe as of April 15th of the following year. As a result, when people took that "credit," by deducting taxes withheld from each paycheck during the year from the taxes due on April 15th (as shown on their returns), they thought they were deducting *income* taxes already paid from *income* taxes still due.

In reality, the public was taking a credit for one tax (on wages) against another tax (on income). Two different taxes were involved – not one tax as the government fraudulently represented.

Why do I say the wage tax was implemented through fraud? Because if a direct tax on wages were legal, Government would not have gone to such lengths to hide it.

Why does it make a difference whether our withholding tax is based on wages or income? Because a "wage tax" would be unconstitutional on a variety of grounds.

However, the law [IRC Section 31(a)(1)] still allows you to take a credit on your income tax return for the wage taxes you *paid*, against any income taxes you show you *owe*.

Case at hand

Robert and Elena Brown of Las Vegas paid $5,035 in withholding taxes for *wages* earned in 1996. However, they filed a 1996 "zero" income tax return showing they had no *income* for that year. Under our laws "income" for income tax purposes means a "corporate profit," no one has any "income" to report except corporations. Therefore, every person who is not a corporation can file a return as the Brown's did, and request a refund of all the withholding of wage taxes they might have paid for that year.

Since the Browns are not a corporation, they had no income, they did not owe income tax. As a result, there was no need to credit the $5,035 that had been withheld as a *wage* tax to their nonexistent (corporate) *income* tax liability. Therefore, the Browns demanded that the IRS refund the $5,035 in wage tax withholding.

When the IRS did not refund their $5,035 for wage tax withholding, the Browns sued the Federal government for their refund. Although over 30 statutes said they were entitled to their refund, Las Vegas District Court Judge, Philip M. Pro, ruled against the Browns and denied them the

refund. The judge apparently realized that if he obeyed the law and ruled in favor of the Browns, all wage earners in America could do the same thing. So what did Judge Pro do in order to save the income tax? He apparently lied about the relevant law in order to deny their refund. Anyone reading his Order of January 19, 1999 (posted on the Web site paynoincometax.com) will have no trouble seeing how he lied. In his Order, Judge Pro ducked the "wage tax" issue completely and didn't even address it.

Since Judge Pro's decision ignored thirty relevant statutes, the Browns appealed to the Ninth Circuit Court of Appeals. The three judges on the Ninth Circuit also refused to address the "wage tax" issue and affirmed Judge Pro's Order. The Ninth Circuit did not cite *one* statute in its decision affirming Judge Pro's Order, while the Browns cited numerous statutes and constitutional provisions in support of their claim. An extensive analysis of how all the judges perverted the law for the benefit of the Federal government is posted at paynoincometax.com.

On to the Supremes

So now the Browns have appealed the Ninth Circuit decision to the Supreme Court. Their Petition for Certiorari (their request that the Supreme Court agree to hear their case) is now before the Supreme Court, Docket No. 99-2066. Extensive excerpts from that petition can be seen at paynoincometax.com.

Unfortunately, the Supreme Court is not obligated to hear every case that comes to it for appeal. Instead, the Supreme Court will normally only hear those cases that touch on new or controversial applications or interpretations of the law.

Our research indicates that the Supreme Court has never yet heard a case on the constitutionality and proper administration of wage tax withholding. Because this issue is new to the Supreme Court, it should agree to hear it.

Also, the Brown's aren't challenging the constitutionality of any laws. They are simply asking that the courts enforce the existing laws on withholding of wage taxes as opposed to income taxes.

If the Supreme Court agrees to hear their case, the Browns should receive a refund for their withheld wages. But more importantly, if the Supreme Court hears the case, it will have to admit there's a difference between a withheld wage tax and withheld income tax. Once that difference is recognized, the income tax is finished.

Why? Because key to the modern income tax system is withholding. And once people realize the government is unconstitutionally withholding their wages rather than our incomes, the withholding tax must end.

However, given the importance of the wage tax issue, it's clear that the Supreme Court does not want to hear the Brown's case. After all, if they order the Brown's refund, they'll end the income tax, since all American wage earners will do the same thing. If the Federal government can not (illegally) collect income taxes in advance on a "pay-as-you-go" basis, they simply won't be able to collect income taxes at all.

Thus, although the Supreme Court should hear the Brown's case, they have the power to refuse to do so. If they refuse, the 9th Circuit Court's decision will stand, the Brown's won't get their $5,035 refund, and the IRS will continue to harass ordinary wage earning Americans.

Lobby the Supreme Court

But Americans don't have to feel helpless when it comes to changing our political climate. You can help end the withholding tax which, after all, was origi-

nally sold to Americans as a *temporary* "Victory Tax" for WWII. Well, as history shows, we were victorious and WWII ended in 1945. So isn't it about time we also ended the "temporary" Victory Tax?

How can you help end the income tax? By helping to persuade the Supreme Court to hear the Brown Case.

How can you persuade the Supreme Court to hear the Brown case? By writing a simple letter to the Supreme Court asking them to hear the Brown case. Then write to everyone on your e-mail list to do the same thing – and ask them to send the same message to everyone on *their* e-mail list. With enough support, we can generate hundreds of thousands of letters, publicity and political pressure to compel the court to hear the case.

If, by the time the Supreme Court returns from its summer recess, it finds two or three hundred thousand letters waiting for them, asking them to hear the Brown case, they'll have to hear it.

If they hear it, we believe they must give the Browns their refund. If so, then all Americans can claim refunds of their withheld wage tax – which means "bye-bye" IRS and the income tax.

Your letters should be sent to the

Supreme Court
1 First Street, N.E.,
Washington, D.C. 20543.

A suggested letter might say:
"Dear Justices:

"This is to urge you to hear the case of Brown v. U.S. Docket No. 99-2066. This case effects every working American. In addition, since the issue of the wage tax (imposed in Code Section 3402) has never been addressed by any Federal court, and since this issue was obviously ducked by the two lower courts involved in the Brown case, it is incumbent upon the Supreme Court to address this issue. Constitutionally yours,"

If you'll write this letter and encourage your friends to do the same, we can end the income tax, all the time-consuming paper work that goes along with it, and even help restore America to its former economic greatness. SO LET'S GET THOSE LETTERS MOVING!

For more information or to get copies of the Writ, contact Freedom Books at 544 E. Sahara, 702-385-6920.

Irwin Schiff is the author of a number of books on the IRS including "The Federal Mafia".

Who are the IRS & USA?

by Dan Meador

The following article is reprinted with permission from The Free Press, POB 2303, Kerrville, Texas 78029-2303. freepres@ktc.com.

In essence, the article demonstrates that constitutionalist researchers like Dan Meador are systematically chipping away at the lies and misinformation our government uses to deceive the American people into accepting obligations and burdens that have little or no legitimate legal foundation.

Here, Mr. Meador is simply asking government, "Who th' H___ are you guys?" To most, that question may seem silly. To some who are more astute, however, the question is profound.

Since the article is really a legal document (FOIA request) it's dry reading. Nevertheless, it offers more evidence that the constitutionalist onslaught on the IRS is not only growing more sophisticated but will soon topple the IRS.

A Freedom Of Information Act (FOIA) request was initiated by Dan Meador of Ponca City, Oklahoma on June 14, 2000 to uncover the answers to the questions, "Who is the Internal Revenue Service?" and "Who is the United States of America?" These questions may seem like nonsense to many Americans. Everyone knows the answers.

But do we? Researchers have discovered that many common terms have been defined in law quite differently from the meanings we commonly attribute to them and that presumptions we make, often with encouragement from government, lead us to conclusions and actions which are not in our best interest and are contrary to the intent of America's founders as prescribed in the Declaration of Independence and the Constitution for the united States.

Our misunderstanding of such entities as Internal Revenue Service and United States of America have resulted in the people falling more and more under the control of the few special interests who dominate our federal government. Meador' s FOLA request drives to the heart of these misunderstandings. His request is directed to: Margaret P. Grafeld, Information & Privacy Coordinator Office of Information Resources Management Programs and Services; Melanie Ann Pustay, Deputy Director, Office of Information and Privacy; Director of Disclosure Services, FOIA Request Division and Chief Disclosure Officer, Internal Revenue Service.

The request included:

1) documents establishing the [Federal] United States of America that first appeared as a principal via the Act of Oct. 23, 1918, c. 194, 40 Stat. 1015, that amended § 35 of the Criminal Code of 1909 (The 1918 amendment had first appearance of the phrase "... or any corporation in which the United States of America is a stockholder . . .");

2) documents that revised the coalition or political compact of territories and insular possessions, and/or the municipal corporation charter or charters, that have modified geo*graphical composition* and/or powers of this [Federal] United States of America since its inception;

3) documents that authorize the [Federal] United States of America as a principal of interest, whether for civil remedies or criminal prosecution, in Oklahoma and other States of the Union, other than where there is fraud against a corporation in which the [Federal] United States of America owns stock (See current 18 U.S.C. §1001; 18 U.S.C. § 80, 1940 ed.);

4) documents that establish the Internal Revenue Service as an agency of, or agent for, Government of the United States other than in the District of Columbia, insular possessions of the United States, and maritime jurisdiction of the United States;

5) documents that authorize

the Internal Revenue Service to seize property in Oklahoma and other States of the Union other than under authority of 26 U.S.C. §§ 7302 & 7327 and 26 CFR § 403. (Do not include authority authorized at 26 U.S.C. §7701(a)(12)(B) and other authority relating exclusively to the District of Columbia and/or insular possessions of the United States);

6) documents that authorize Internal Revenue Service personnel to carry guns, effect arrests, and execute warrants in Oklahoma and other States of the Union other than in instances that might have a nexus relating to maritime trafficking of controlled substances (26 U.S.C. §§ 7302 & 7327 and 26 CFR §403);

7) documents that authorize the Department of Justice to litigate for collection of delinquent taxes administered by the Internal Revenue Service in Oklahoma and other States of the Union other than what might be applicable under authority of 26 U.S.C. §§ 7302 & 7327 and 26 CFR § 406;

8) documents that authorize the Department of Justice to criminally prosecute for matters relating to internal revenue laws of the United States administered in Oklahoma and other States of the Union by the Internal Revenue Service other than what might have a nexus relating to maritime trafficking in controlled substances (26 U.S.C. §§7203 & 7327 and 26 CFR§ 403);

9) documents that authorize the Department of Justice to defend Internal Revenue Service personnel in civil or criminal actions prosecuted in Oklahoma and other States of the Union other than what might relate to instances where there is a nexus relating to maritime trafficking in controlled substances (26 U.S.C. §§7203 & 7327 and 26 CFR § 403);

10) documents that authorize the Department of Justice to defend the Internal Revenue Service in civil or criminal actions prosecuted in Oklahoma and other States of the Union other than instances where there is a nexus relating to maritime trafficking in controlled substances (26 U.S.C. §§ 7203 & 7327 and 26 CFR § 403);

11) documents that authorize the Department of Justice to defend the [Federal] United States of America in civil or criminal actions prosecuted in Oklahoma and other States of the Union, or in the U.S. Court of International Trade, other than where there is fraud against a corporation in which the [Federal] United States of America owns stock (18 U.S.C. § 1001) and finally,

12) documents that establish the United States resident agent of the [Federal] United States of America.

The request is supplemented by the following:

Discussion

The above requests go to the heart of the Federalism scheme on the side of Government of the United States. The state side, i.e., Cooperative Federalism, is also known, but the manner in which governments of States of the Union accommodate Federal usurpation of power goes beyond the scope of this Freedom of Information Act request.

The Constitution of the United States enumerates powers of a governmental entity designated and known as the United States; it vests precious little authority in the original United States of America established by the Articles of Confederation then mentioned in .the Preamble and Article 11 of the Constitution. Through the Nineteenth Century, as is the case today at 18 U.S.C. § 3231, 26 U.S.C. § 7402 & 28 U.S.C. §§ 1345 & 1346, the 'United States" was and is the lawful principal of interest in matters relating to Government of the United States.

The 'United States of America' that first appeared as a principal via the Act of October 23, 1918 appears to have been established via mutual assistance agreements and/or political compacts between territories and insular possessions of the United States some time after 1909. Cumulative evidence suggests that this entity is actually the 'Federal United States of America", not to be confused with the original. This entity is defined as a "State" in the Interstate Agreement on Detainers Act (22 Okla. Stat. § 1347, Art. II(a)), and is clearly distinct and separate from the "United States" in various Attorney General delegation orders, particularly 28 CFR § § 0.64-1, 0.64-2 & 0.96b. It is defined as an "agency" of the United States, i.e., it is a political subdivision of the United States (See notes following the current

18 U.S.C. § 1001) even though the U.S. Supreme Court defined the constitutionally unincorporated insular possessions as "foreign" to the United States in insular tax cases decided in the early Twentieth Century.

From 1789 through the early 1930s, the "United States" was properly named as principal of interest in civil litigation and criminal prosecution where the United States was a party of interest. The "United States of America" seems to have been substituted, without lawful authorization required by Article I § 8, clause 18 of the Constitution, in the 1934-37 timeframe.

By 1926 when the first edition of the United States Code was published, Congress had all but abandoned Article I delegated authorities in favor of plenary power in possessions of the United States. States of the Union seemingly accommodated the shift, albeit with some resistance, through the early years of the great depression, then for all practical purposes capitulated with advent of New Deal legislation in 1933.

In the last half of the Twentieth Century in particular, Federal encroachment on the tax front was primarily through the Internal Revenue Service, successor of the Bureau of Internal Revenue, (BIR) Puerto Rico.

Inception of this entity was May 1, 1900 when the first civil governor and executive council of Puerto Rico established five bureaus, then later the five were merged into one. BIR, Puerto Rico and BIR, Philippines administered the China Trade Act (international trade agreements relating to opium, cocaine and citric wines) after 1904. BIR, Philippines ceased to formally exist when the Philippines was granted independence in 1946. The Bureau of Internal Revenue encroached into the Continental United States, i.e., States of the Union, to enforce Federal maritime drug laws under color of 1914 & 1918 legislation, then via Reorganization Plan No. III of 1940, took over administration of the Federal Alcohol Administration Act after the U.S. Supreme Court declared that state and Federal enforcement agencies no longer had concurrent jurisdiction for enforcement of liquor laws (U.S. v. Constantine, Dec. 1935).

From 1862 through implementation of the Internal Revenue Code of 1954 (Reorganization Plan No. 26 of 1950 & Reorganization Plan No. 1 of 1952), assessors and collectors were appointed for internal revenue districts of the United States much the same as U.S. Attorneys are presently appointed for judicial districts. Assessor and collector offices were abolished by the reorganization plans, then BIR, Puerto Rico, renamed Internal Revenue Service by Treasury order in 1953, stepped in to fill the gap. Published statements by the Commissioner of Internal Revenue in the Federal Register and older editions of the Internal Revenue Manual confirm that Congress never legislatively created a Bureau of Internal Revenue, i.e., Internal Revenue Service, so IRS obviously has no lawful authority in States of the Union even if the current IRS isn't in direct lineage of BIR, Puerto Rico.

At any rate, the delegation of authority from the Secretary of the Treasury to the Commissioner of Internal Revenue, as head of IRS (the office seems to have been shifted from an office of Government of the United States to the Government of Puerto Rico via the reorganization plans) has never been geographically applicable in States of the Union. In the last year, Internal Revenue Code taxing authority has been unraveled sufficiently that we now know most applications.

Normal tax, inheritance tax, and other "income taxes" in Subtitles A & B of the Internal Revenue Code fall into two broad categories. First, nonresident aliens and foreign corporations with items of income from sources within the United States are subject to these taxes, then Citizens and residents of the United States and domestic corporations are subject to Subtitles A & B taxes on items of income from foreign sources and from insular possessions of the United States. The Larken Rose memorandum posted on the www.taxgate.com web site provides thorough documentation relating to application of these taxes.

Social welfare taxes in Chapter 21 are applicable only in the District of Columbia and insular possessions; the government personnel tax in Chapter 24 is applicable to officers and employees of government of the United States, governments of the District of Columbia and insular possessions, and officers of corporations in which the United States has a proprietary interest. In 1935, the U.S. Supreme Court declared the first effort to impose a social welfare tax scheme in the several States unconstitutional, then the subsequent legislation, i.e., the Social Security Act of 1935, was promulgated under auspices of Congress' plenary power in possessions of the United States. See definitions of "State", "United States", and "citizen" at 26 CFR § 31.3121(e)-i to verify geographical application.

Consult 26 CFR §§ 31.6001-1 through the end of Part 31 to verify that the Internal Revenue Service should virtually never have direct contact with "employees" subject to withholding at the source under auspices of Chapter 24 of the Internal Revenue Code. Administration of these taxes is primarily between the officer or employee and the agency financial or withholding agent, the Treasury Financial Services Administration, and in the extreme, the Attorney General in his capacity as Solicitor of the Treasury. The Treasury Financial Services Manual posted on the Department of Treasury web site exposes a world of sin relating to the government personnel tax and qualified state and local taxes. Even if IRS was legitimately an agency of Government of the United States, the notion that IRS or any other government agency can administratively seize property, seize bank accounts, garnish wages or otherwise take property without judicial process, as secured by the Fifth Amendment, is an outrage to the dignity to the American people. Judicial process necessary to determine contested liabilities is prescribed in Chapter 76 of Title 26 and Chapter 176 of Title 28.

Even where property is seized in admiralty jurisdiction, which depends on there having been criminal use of the property (26 U.S.C. § 7302), requires judicial forfeiture of anything with value in excess of $2,500 (See 26 CFR § 403).

The Bureau of Alcohol, Tobacco & Firearms and the Drug Enforcement Administration share roots with the Internal Revenue Service, all in one way or another springing from the Bureau of Internal Revenue, Puerto Rico. ATF was directly split from IRS in 1972 via Treasury order.

Per 1993 pleadings of a Department of Justice Tax Division trial attorney by the name of Richard R. Ward, we know the Internal Revenue Service is not an agency of Government of the United States, but of the [Federal] United States of America. Thus the loop is closed with sufficient documentation to prove the case. (Diversified Metal Products, Inc. v. Bow Company Trust et al Civil No: 93-405-E-EJL (USDC, Idaho)).

Piercing the Corporate Veil

The previous article reported how one researcher was using a Freedom of Information Act (FOIA) request to "compel" government (and especially the IRS) to precisely identify itself. How government will answer that request remains to be seen. The strong probability is that, one way or another, government will not precisely identify itself or the IRS.

The next article essentially describes another strategy to force government to identify itself. However – rather than ask "Who th' H___ are you guys?" and wait politely for an answer – this strategy simply denies that various governmental entities even exist. And based on that denial, those government entities cannot proceed until they prove they do exist. That proof will necessarily include enough identification information that constitutionalists will be able to precisely ID the the "masked marauders" we've come to accept as government.

This article opens with an email I recently received:

Al

Some folks down in the southern States seem to be having extraordinary success by filing a simple affidavit. The parallel statue for Texas is found in the Texas rules of Court, Civil Procedure, Rule #52. Below is what was sent me.

Comments are appreciated.

Christopher Stephen, of baum

My first comment is that this article conveys important insights into the constitutionalists' growing appreciation for the strategy of denial.

To save space, I've edited the article to remove text that strikes me as unnecessary.

The original text is in brown. I've inserted my own comments (in blue) wherever I thought they might clarify the authors' opinions.

Re: Corporate Scam

Corporations were originally established for unlawful purposes – primarily to escape personal punishment for crimes by placing the blame on a fictional organization responsible to no one.

"Piercing the Corporate Veil" is a legal term which signifies the process where a court removes the protection provided to individual members of a corporation for criminal activity, and makes those members responsible for their own actions.

The "United States" government jumped on the corporate bandwagon in the 1870's by declaring itself a separate entity from Constitutional government. The fact that the Constitution had already established a "United States" was inconsequential to those traitors in Congress.

Corporations are legal fictions. That is , they do not exist except in the minds of men. By itself, a corporation cannot think, act, or even communicate with natural men. Corporations have no weight or color and thus cannot be seen, tasted or touched.

Because corporations are imaginary, they must have some real person (typically a lawyer) to speak and act for them.

That, is, since corporations don't actually exist, they must be "represented" by a flesh and blood person who does exist. Such "representation" is mandated by law in all American courts.

Some people suspect that today's courts only recognize artificial entities like corporations and trusts. This suspicion ties closely to the theory that all-upper-case names (like "ALFRED") identify artificial entities while capitalized names ("Alfred") signify natural, flesh and blood persons.

Whether the courts actually presume that all "parties" to a lawsuit to be artificial entities remains questionable. However, there is little doubt that most of the government entities that "appear" to sue us in court are corporations.

For example, under Title 28 of the United States Code, section 3002(15)(a) declares that the term "United States" means "a Federal corporation". Although this corporate identity may have been created by Congress just after the Civil War, this corporation is not the same "United States" that was created by the Constitution.

The resulting confusion between the "United States" Republica and the "United States" corporation has allowed the corporate "United States" to intrude into the Americans' lives while masquerading as the constitutional "United States" Republic. This deception has been oppressive since the corporate "United States" is not directly bound by the Constitution and thus not obligated to respect the American people's "unalienable Rights". As a result, the corporate "United States" is hugely empowered in court while the rights of Americans facing that corporation are hugely diminished.

After years of research, a few people have found, what we believe to be that "out" from corporate jurisdiction: denying corporate existence. We've had great success with this strategy, and the shocked looks and frenzies of judges presented with this procedure show us that we are on the right track.

As with all other "sure" things, however, we can't rest on our laurels and smugly assume this strategy is foolproof. We have to remember that it took the legal profession many years to devise their gimmicks, and they won't simply faint away as we proceed to break up their playhouse. We know from experience that they can play rough.

There is nothing complicated about the procedure of disclaiming corporation existence. The difficulty lies in overcoming our own habitual beliefs based on a lifetime of corporate propaganda. We who work with this procedure went through the same agonizing process before we realized that it really works We were looking for the complicated when the answer to our problems was right under our noses all the time.

You will find that some prosecutors and judges just haven't got the picture yet, and will ask your source of information when you go before them. Thus, you may need a little background to keep form being embarrassed. Again, try not to read difficulty into a perfectly simple procedure which is outlined below.

Not having access to laws of other states, I can only quote from those which are available to me in Louisiana . We've also tried this system in Alabama and Florida, and know it works there (we didn't even research the law books in those states before acting) and we assume it will work nationally, since the "corporate veil" extends over every nook and cranny of the nation. Because the government's corporate jurisdiction is so extensive, we can't yet see where a general withdrawal from corporate jurisdiction is possible. Thus, every case must be decided on its own. That is, every application of corporate jurisdiction must be individually and successfully denied until the cumulative weight of those denials forces government to admit that corporate jurisdiction no longer works.

Please read the following sections from the Louisiana Civil Codes, and Louisiana Revised Statutes carefully. Dissect them word by word and the message will come out loud and clear.

Civil Codes of Louisiana

Art. 445. The statutes and regulations which corporations enact for their police and discipline, are obligatory upon all their respective members who are bound to obey them, provided such statutes contain nothing contrary to the law, to public liberty, or to the interest of others.

Louisiana Revised Statutes

Art. 429. Corporate existence presumed unless affidavit of denial filed before trial. On trial of any criminal case it shall not be necessary to prove the incorporation of any corporation mentioned in the indictment, unless the defendant, before entering upon such trial, shall have filed his affidavit specifically denying the existence of such corporation. [Emph. add.]

The previous two, simple paragraphs say it all.

According to Article 445 of the Louisiana Civil Code, if one is a member of a corporation he is bound by corporate rules and regulations. Implicitly, those outside those corporations are not subject to their jurisdiction. Thus, if you can prove you are not part of a particular corporation, you will not be subject to its rules.

Under Article 429 of the Louisiana Revised Statutes, the corporate status of an individual entering the court is automatically presumed by the court unless they have notice to counter such presumption. An affidavit specifically denying a corporations existence seems to defeat this presumption.

Corporate government

All of the socialistic programs and the grab of power at all echelons of government are corporate "enterprises". One cannot escape oppression by corporate authority until he has removed himself from the corporation's jurisdiction. If we "pierce the corporate veil," we can remove ourselves from that corrupt jurisdiction and regain the status of natural men with "unalienable Rights".

We can view modern government as a system of inter-linked corporations, where the Constitution is merely a byword, Congress is the board of governors, the president is the corporate CEO, and the "courts" – including the U.S. Supreme Court (but not the Supreme Court of the United States) – are mere corporate arbitration boards.

The government corporations of greatest concern are:

- UNITED STATES
- all Bar Associations
- every state
- every county, parish of every corporate state.
- Every city, town, municipality or other corporate subdivision.
- Every member of corporations – including you – until those corporations' existence is effectively denied by affidavit.
- Every department of national, state, county, city, etc. – including sheriff departments, police departments, judges, prosecutors and all other municipal officers and employees, the IRS, and state and city tax departments.

Affidavit of Denial of Corporation Existence

Here's an example of how the affidavit denying corporate existence has been applied:

John Preston Hickman has just been stopped by a Tarrant City, Alabama police officer by the name of William C. Henly, for doing 45 in a 35 MPH zone. After the normal procedures of checking driver's license, insurance, etc., Henly gives Hickman a ticket, with an appearance date of June 15, 2000, in city court.

John does it right by not arguing with the officer, and accepting the and even signing the ticket as ordered. Then John goes home and prepares himself an affidavit, which reads something like this:

I, John Preston Hickman, a living, breathing man, declare in my own handwriting that the following facts are true to the best of my knowledge and belief.

I hereby deny that the following corporations exist: UNITED STATES, THE STATE OF ALABAMA, THE COUNTY OF JEFFERSON, TARRANT CITY, ALABAMA, THE TARRANT CITY POLICE DEPARTMENT, WILLIAM C. HENLY, ALL BAR ASSOCIATIONS, THE TARRANT CITY COURT, JOHN PRESTON HICKMAN of 3102 WILLOW DRIVE, TARRANT CITY, ALABAMA, and ALL OTHER CORPORATE MEMBERS WHO ARE OR WHO MAY BE ASSOCIATED WITH COMPLAINTS AGAINST MY NATURAL BODY.

If any man or woman desires to answer this affidavit, please answer in the manner of this affidavit, with notarized affidavit, using your Christian or family name for signature, and mail to the below named notary, address provided, within five (5) days or default will be obtained.

/s/ John Preston Hickman

On the 25th day of June, 2000 A.D., a man who identified himself as John Preston Hickman appeared before me, a notary, and attested to the truth of this affidavit with his signature.

/s/ Wilson R. Nimbly, Notary Public 1423 Fairnon Drive, Tarrant City, Alabama 35217

Four copies of this affidavit should be (preferably) handwritten; one copy forwarded to the Tarrant City Police Department in time to give them five days to respond. One copy should be kept on you when you go to court. Thirty minutes before you enter the court, take the remaining two copies, file one in their court, have the clerk stamp the other and keep it with you in court in case the prosecutor and judge have not received their copies.

In our experience – once the police and court have been notified by affidavit of the denial of corporate existence – when the "defendant's" name is called in court, he stands and answers, and the judge asks the prosecutor to state the charges. Then the prosecutor (speaking in low tones) replies that the evidence is lacking for prosecution, or something similar, and the judge dismisses the case.

The affidavit's use seems limited only by the imagination. For example, the affidavit strategy has worked in a state tax case, where the state was required to return the money taken from the bank accounts of a husband and wife, with the tax "debt" being cleared from the records.

I have personally used this strategy to place a $150,000 lien against a lawyer in Birmingham, Alabama which has been there for several years. He brought suit in HIS court to have the lien removed, to no avail. I never answered his frivolous suit because I had already identified myself as a living man, and not one of his fictions.

I also used the affidavit to stop my phone company from adding AT&T charges for their social engineering, and a couple of other minor purposes; all were stopped cold.

The amount of wins in this area, with no losses, convinces us that this procedure, set up in 1925 by the state legislature of Louisiana, is a very valid process and should be effective for any and all reason, against any corporation, public or private, within the United States. There is a case pending against the Social Security administration or involving social security, and the results will be reported when final.

The affidavit of denial also works against tax liens. The IRS is a corporation, and the fact that it operates within this nation makes it liable to the affidavit.

Government response

One man was hesitant to use the affidavit of denial strategy because "judges just walk all over those who challenge their jurisdiction".

Well, with the affidavit we are most certainly challenging their jurisdiction, but not in general. What we need to get straight is the fact that they DO have jurisdiction in their corporate capacities, but that doesn't mean they can bring any non-corporate citizens into that jurisdiction – which is exactly what they've done – through fraudulent presumptions.

All we're doing with the affidavit is showing them that their presumption that "all men are created corporate" and are thus a part of their scheme is mistaken – and that we have the law on our side that shows them to be wrong.

The bottom line of the affidavit in denying the existence of corporations is that it pierces the corporate veil by an individual on a case by case basis. It pierces that veil for purpose to expose

fraudulent activities of the courts and expose government actors to personal liability.

Government's use of false presumptions to bypass the Constitution and our unalienable Rights has to stop, and I mean to do everything within my power to help it stop soon.

According to the email I received, the author of the unedited version of this document is "Ray" at "www.jusbelli.com".

Editor's comment

Consistent with the previous author's assumption, the strategy for denying a corporation's existence seems to be also supported in Texas. According to the 1993 Dorsaneo & Soules' "Texas Codes and Rules," Rule 52 of the Texas Rules of Civil Procedure reads:

> **Rule 52.**
> **Alleging a Corporation**
> An allegation that a corporation is incorporated shall be taken as true, unless denied by the affidavit of the adverse party, his agent or attorney, whether such corporation is public or private corporation and however created.
> Source: Art. 1999
> * See Texas Litigation Guide by William V. Dorsaneo III, Ch. 12, "Pleading the Parties," and Ch. 70, "Answer".

OK – it seems undeniable that we can use affidavits to deny the existence of any corporation, including government corporations. And judging from reports, this denial strategy seems to be enjoying some success.

However, I have two concerns: 1) the corporations exist, and 2) the affidavits are therefore false.

First, it appears to me that most government corporations are "real". That is, just as it reads in Title 28 of the United States Code, section 3002(15)(a), the term "United States" can truly mean "a Federal corporation".

I also know that virtually all local Bar associations in Texas (and probably across the nation) are established as 501(c)(3) charitable corporations under Title 26 (Internal Revenue Code).

I am likewise confident that there are records and statutes that confirm that the STATE OF TEXAS, STATE OF DELAWARE, and the other 48 corporate "states" are, in fact, incorporated. I assume that similar evidence of incorporation must be available for virtually all of the other "corporate" departments of city, state and national governments.

This tells me that the government corporations do, in fact, exist. If so – and if the "affidavit of denial of corporate existence" strategy is working as reported – it appears to me that the strategy must be working for reasons which were not made clear in the previous article.

It appears to me that if the affidavit denying a government corporation's existence actually works, it does so not because the government corporation doesn't actually exist (it does), but because government is reluctant to publicly admit or prove that it is operating in a corporate capacity.

But just because government may be a little too embarrassed to admit it's operating in a corporate capacity, that doesn't mean that government absolutely can't make that admission. Yes, the corporate STATE OF TEXAS might not want to make that admission for a simple traffic ticket, but if that STATE were faced with a very serious tax or criminal issue, in theory, it might make the admission and submit sufficient documentation to prove the STATE OF TEXAS is a corporation.

This suggests that the affidavit of denial strategy is not reliable. It might work, but is not guaranteed to so for reasons so far explained.

My second concern with this strategy is that my spiritual beliefs render me reluctant to sign my name to an affidavit of facts which I believe to be false. Having seen 28 USC 3002(15)(a) declare that "United States" can mean a "Federal corporation," I am not about to take an oath in which I deny that corporation's existence.

And if your spiritual values don't prevent you from signing your name to false affidavits, you might want investigate your state's civil and criminal penalties for perjury.

Wheels within wheels?

So. Is the denial of corporate existence strategy bogus?

I don't think so. I suspect the strategy is fundamentally good,

but there are more layers to this onion which remain to be discovered.

I suspect the denial strategy works – not because the corporations don't exist – but because government doesn't want to talk about them. In other words, although the denial affidavits may not be technically correct, they raise an issue the government does not want to debate in public.

Why – if government could prove the existence of the various corporations – would it choose not to do so?

Two reasons come to mind: political liability and legal liability.

The political liability is based on the assumption that even if government corporations have been lawfully created and are technically "constitutional," they are nevertheless dependant on a massive political deception. What will Joe Sixpack say if he finds out he's been paying his income taxes all these years to some corporation rather than the lawful government? No bureaucrat wants to precipitate that discussion; no politician wants to face that issue in public.

However, I suspect the deeper reason for the affidavit's reported success may be that government corporations are violating other fundamental laws governing corporations. For example, corporations doing business in Texas are required to register with the Texas Secretary of State. Has the CITY OF DALLAS registered with the Secretary? If not, it may have no legal capacity to do business in Texas. The same is probably true for any other government corporation – perhaps including the IRS and even the STATE OF TEXAS, itself.

Other questions of corporate procedure include who is the corporation's registered agent? Do police officers or other agents of the corporation have the legal authority to sign documents on behalf of the corporation? Must a corporation identify itself as such on it's official paperwork?

But even if the corporation does exist, is properly registered, and all of its agents are lawfully empowered to act on the corporation's behalf – what's that got to do with you? Where is the contract that subjects you to the corporation's authority? I'd bet that the last thing government will reveal is precisely which documents "tricked" us into corporate jurisdiction. They must know that if they dare publicly identify these "nexus" documents, the news will spread over the internet and within days, that document and all the authority it generates will be vaporized.

Deny your own existence?

Perhaps the real power of the denial strategy may be less in denying the existence of the government corporations than in denying your own "corporate existence". It may be much easier and more truthful to deny the existence of the ALFRED ADASK corporation than the STATE OF TEXAS corporation.

It's possible that the real reason the previous denial strategy has worked is not that it denied the existence of the government corporation but that it denied the defendant's existence as a corporation. I guarantee that I am not an artificial entity, and I have no problem swearing to that fact on an affidavit or a stack of Bibles.

It's possible that some of our courts can only administer over corporations. If so, once I prove by affidavit that I'm not a corporation, that court's jurisdiction may disappear.

Whatever the reason, the affidavits of denial of corporate existence seem to work. But no one should absolutely rely on these denials until more research reveals why they work.

More Denials

Whenever the patriot community discovers what appears to be a valid new strategy for fending off government, that strategy is quickly "enhanced" by a host of patriot "guru's". Sometimes the enhancements are helpful, but just as often, they are misguided.

Nevertheless, the new strategy will typically work during a "window of opportunity" of about nine to eighteen months. Initially, these new strategies work either because they are valid, or because they at least sound sufficiently valid to fool a few judges into ruling in their favor. However, during that window of opportunity, government feverishly analyzes the new patriot strategy and devises a counter-strategy.

Once government has circled its wagons and agreed to a counter-strategy, anyone who tries to use the "new" patriot strategy will probably suffer a severe penalty as an example to deter others from trying that strategy.

The "denial of corporate existence" strategy is only a few months old and therefore likely to work for another six to twelve months. During that period, we'll see a host of variations on that strategy – some insightful, others half-baked.

The following are examples or excerpts of the new-and-improved denial strategies. I received these strategies by email or regular mail, but their sources are not clearly identified. Further, these examples of the denial strategy don't strike me as highly refined. I believe they are all worth considering, but you should not try to use them without enough of your own research to confirm their validity.

The documents are presented in brown text, the original author's side-comments are presented in black text, and my comments are present in [bracketed blue] text.

To be written by HAND. (Use the notation of Firstname Middlename: Lastname - the last name is properly your only name. The rest are like modifiers/adjectives)

[Writing by hand is intended to remove any doubt that the entity preparing the document is a natural person as opposed to an artificial entity of the sort that spits out computerized, boiler plate letters and notices without any real human intervention.

I disagree with the name format advised here. I'm learning that a proper Christian name contains just two elements: Your first, given, "Christian" name and your family or surname. For example, my proper, Christian name is "Alfred Adask". However, if I use my middle initial or niddle name, I may inadvertently designate my "legal, juristic personality" ("evil twin," "straw man," etc.) that is usually designated by the all upper case name ("ALFRED N. ADASK").]

Affidavit of Denial of Corporate Existence

I, Firstname Middlename: Lastname, a living, breathing man, declare in my own hand writing that the following facts are true to the best of my current knowledge, understanding and belief.

I hereby deny that the following corporations exist:

(here you will put in all applicable corporate names, IN ALL CAPS. Some will always apply, some will change (name of city and state), and some will only apply as needed. Examples follow.)

Always include:

UNITED STATES, UNITED STATES OF AMERICA, all BAR ASSOCIATIONS, THE STATE OF _(twice: where the alleged offence took place, and where you live)__, COUNTY OF _(twice: where the alleged offence happened, and where you live)__, CITY OF _(twice: where it happened, and where you live)__, your full proper name, your name with first and last spelled out and middle initial, your street address, your legal description where you live (LOT nn, BLOCK mm, ___ estates addition), your zip code where you live,

[The idea of denying the existence of the corporate locations

of both where you are alleged to live, and where the alleged offense took places seems clever.]

Include as applicable:

THE DEPARTMENT OF MOTOR VEHICLES, THE DEPARTMENT OF PUBLIC SAFETY, THE DEPARTMENT OF CORRECTIONS, OFFICE OF STATE POLICE, TARRANT APPRAISAL DISTRICT, THE POLICE DEPARTMENT, lastname, firstname ETUX wife's first name

Finish the list with:

"and all OTHER PERSONS acting in the name of any corporation."

If any man or woman desires to answer this affidavit, please answer in like kind, by hand written, notarized affidavit, using your Christian name for signature, to the below named notary, address provided, within five (5) Days or default will be obtained.

s/ Firstname Middlename: Lastname

On the __ day of ____, 2000 a.d., a man known as (Firstname Middlename: Lastname) came before me, a notary, and attested to the truth of this affidavit.

s/ notary public
address
My commission expires:

Example of finished product:

Affidavit of Denial of Corporate Existence

I, Robert Edward: Smythe, a living, breathing man, declare in my own hand writing that the following facts are true to the best of my knowledge and belief.

I hereby deny that the following corporations exist: UNITED STATES, UNITED STATES OF AMERICA, all BAR ASSOCIATIONS, THE STATE OF TEXAS, COUNTY OF TARRANT, COUNTY OF DALLAS, THE CITY OF IRVING, THE CITY OF FORT WORTH, ROBERT EDWARD SMYTHE, ROBERT E. SMYTHE, 1402 MIDWAY ROAD, LOT 14, BLOCK 5, VALENTINE OAKS ADDITION, 75032, THE DEPARTMENT OF MOTOR VEHICLES, THE DEPARTMENT OF PUBLIC SAFETY, CITY OF FORT WORTH POLICE DEPARTMENT, and all OTHER PERSONS acting in the name of any corporation.

If any man or woman desires to answer this affidavit, please answer in like kind, by hand written, notarized affidavit, using your Christian name for signature, to the below named notary, address provided, within five (5) Days or default will be obtained.

s/ Robert Edward: Smythe

On the 23rd day of May, 2000 a.d., a man known as Robert Edward: Smythe came before me, a notary, and attested to the truth of this affidavit.

s/Mary Higgins, notary public
13500 N. Dallas Expressway Suite 507, Dallas, Texas
My commission expires:

Another example:

Affidavit of Denial of Corporate Existence

I, Jane Doe , a living breathing woman declare that to the best of my knowledge the facts below are true so help me God.

The United States, State of Louisiana, City of Lafayette, Parish of Lafayette. Louisiana BAR Association, Clerk of Court's Association, Rob Rob. Inc. the legal name Louis J. Ferret, The 15th Judicial District Court, all legal names signed on documents, are fictions, and I deny that they exist.

The legal name JANE A DOE, used in the correspondence purportedly sent to me under pretext by the non-existent State of Louisiana (exhibit attached) is not me.

Should any man or woman deem that the statements above are not true, please answer by notarized affidavit in their handwriting using their Christian Name for signature within three days, to the address of the notary.

s/ Jane Doe

(Sign Christian Name and do not print or type below your signature, as it negates your true name. Use only your own hand writing in red ink.)

[Red ink??]

A woman whose Christian Name is Jane Doe, came before me on the ___ day of____, 2000 AD., and attested that the above statements were true and correct to the best of her knowledge.

s/ Notary Public
Address,
My commission expires:

Check the definition of "fictitious plaintiff" in Black's Law Dictionary; it is contempt of court to bring an action as "fictitious plaintiff". All those that continue

the action after you have denied the existence of the fictions (corporations), then become fictitious accusers; I suggest you start looking for their surety, as you have been damaged by that fiction.

Remember that the "civil" law is secular, and destroys blood kindred. Whenever an action is brought against the man (husband), for property which he and his (woman) wife own, they both have to record (with the notary) affidavits denying the corporate existence individually. "They both have a social security number, so the "civil" law deems them to be two separate "Persons".

[Judging by the "Divorcing the Corporate State" article in AntiShyster Volume 10 No. 1, it appears that our relationship to the state may be hugely complicated if we are married with a state-issued marriage license in an incorporated church. Regardless of whether each spouse has a SSN, it appears that each spouse and the property of the marriage is subject to the corporate state which appears to be a legal third party in the state-licensed marriage. If so, it may be insufficient for a husband and wife to both deny the existence of various corporate entities involved with their property until they first divorce themselves from the state corporation that's legally a third party in their marriage.]

When confronted by the issue of Corporate nonexistence, The purported judges like to say that it's their "duty is to protect society" — but *which* society? Bouvier's Law Dictionary states that there are two kinds of "society," one which is incorporated and noted in the law, and one which is not incorporated and not under the law!

Here's a variation on the denial of corporate existence strategy based on a 1918 statute that prohibits the Federal government from suing a corporation unless the U.S. government has stock in that corporation. (This same statute is referenced in the Dan Meador article in this issue entitled "Who are the IRS and USA?")

The fundamental strategy (demanding government prove it owns stock in the corporate entity being sued) is interesting since, once raised, it might force government to admit it's not acting in it's Federal capacity. Thus, this argument doesn't precisely challenge the existence of a particular corporation, but it might indirectly force government to reveal the capacity in which its appears in court.

In the United States District Court For the Western District of Oklahoma

UNITED STATES OF AMERICA.
Plaintiff
vs.
JOE PUBLIC, et al
Defendant.

Motion to Vacate Judgment

Now comes Joe Public as and for myself. I herewith move the judicial officer of the United States District Court for the Western District of Oklahoma to vacate judgment in this matter under authority of Rule 60(b), Federal Rules of Civil Procedure, subsections (3) (fraud) and (4) (judgment is void).

This motion to vacate is timely as there is no time limit where the [trial] court lacks subject matter jurisdiction:

There is no time limit on attack on judgment as void; one-year limit applicable to some Rule 60(b) motions is expressly inapplicable to Rule 60(b)(4) motion, and even requirement that motion be made within reasonable time cannot be enforced with regard to this class of motion. Briley v Hidalgo (1993, CAS La) 981 F2d 246.

FRCP 60(b)(4), which provides relief from void judgments, is not subject to any time limitation. Hall v Commissioner (1994, CA 10) 30F3d 1304, CCH Unemployment Ins Rep P 14044B, 94-2 USTC P50392,94 TNT 154-21.

There is no time limit on FRCP 60(b)(4) attack on judgment as void; one year limit applicable to some FRCP 60(b) motions is expressly inapplicable, and requirement that motion be made within "reasonable time" cannot be enforced with regard to FRCP 60(b)(4) motion. New York Life ins. Co. v Brown (1996, CAS La) 84 F3d 137.

Further, the judicial officer is compelled to provide appropriate relief under auspices of Rule 60(b). F.R.Civ.P., where the judgment is void:

"If underlying judgment is void, it is per se abuse of discretion for district court to deny movant's motion to vacate judg-

ment under FRCP 60(b)(4)." Antoine v. Atlas Turner, Inc. (1995, CA6 Ohio) 66 F3d 105.

The causes underlying this motion to vacate are predicated on (1) usurpation of power, (2) lack of subject matter jurisdiction due to operation of law, and (3) lack of subject matter jurisdiction and fraud by virtue of lack of a competent witness.

Causes are as follows:

1. The [Federal] United States of America, defined as an agency of the United States (see notes following 18 U.S.C. § 1001), lacks standing to sue absent proof of fraud against a corporation in which the [Federal] United States of America owns stock. (See Act of Oct. 23, 1918, c. 194, 40 Stat. 1015) No such proof of standing is in evidence. Judgment favoring this coalition or political compact of possessions of the United States constitutes usurpation of power as the Constitution of the United States and 26 U.S.C. § 7402 vest exclusive authority in the United States, i.e., Government of the United States.

2. The Plaintiff has failed to prove tax liability by entering procedurally proper assessments into record, as required by 26 U.S.C. § 6203 & 26 CFR § 301.6203-1, therefore the court lacks subject matter jurisdiction as there is no tax liability unless or until said procedurally proper assessments are executed and are in evidence.

3. The Plaintiff has failed to prove tax liability by entering procedurally proper 10-day notices and demands for payment issued subsequent to lawful assessments being made, as required by 26 U.S.C. § 6303 & 26 CFR § 301.6303-1, therefore the court lacks subject matter jurisdiction.

4. The Plaintiff has failed to produce a competent witness as only a properly appointed assessment officer may validate accuracy of an assessed liability, and only third parties responsible for executing reports, returns and other evidence of taxable income are competent witnesses as to legitimacy of any given liability. Absent competent witnesses who have first-hand knowledge of facts necessary to establish liability, the court lacks subject matter jurisdiction as secondary reports such as the Form 4340 and Notice of Lien instruments are dependent on antecedent requirements for documentary evidence of taxable income and properly executed assessments.

5. The Plaintiff has failed to enter taxing and liability statutes into evidence that would warrant either the presumption of liability or assessment of liability. -

To support the above allegations, I hereby offer evidence via my properly executed Affidavit of Material Fact attached hereto, and a true and correct copy of 40 Stat. 1015 & 1016, which are printed records of the Act of October 22, 1918, Chapter 194, said publication in the Statutes at Large by law requiring mandatory judicial notice.

Premises considered, I hereby move the presiding judicial officer of this court to vacate judgment as being void and therefore a nullity.

S/ Joe Public Date:
Contact information:
Postal mailing address:
Telephone:

Offer of Evidence

1. Affidavit of Material Fact executed in compliance with 12 Okla. Stat. §§ 421, 431 & 432 and attending Federal Rules of Evidence.

2. The Act of October 23, 1918, Chapter 194, 40 Stat. 1015 & 1016. providing for criminal prosecution for fraud against "any corporation in which the United States of America is a stockholder..."

Notice of Service

Under penalties of perjury, I attest that on this date, this Motion to Vacate Judgment is being mailed via certified mail, with sufficient postage paid to assure delivery, to the following:

The original and 2 copies (1 to be filed stamped and returned) to:
Robert D. Dennis, Clerk
United States District Court for the Western District of Oklahoma
200 N.W. 4th Street, Room 1210
Oklahoma City. Oklahoma 73102

One true and correct copy to:
Donald N. Dowie, Jr. Trial Attorney
United States Department of Justice, Tax Division
P.O. Box 7238, Ben Franklin Station
Washington, D.C. 20044

S/ Joe Public Date
Contact information:
Postal mailing address:
Telephone:

The Obligation of Contracts

by Howard L. Bevis, LL.B., S.J.D.
William Zigler Professor of Government and Law,
Harvard University

Although the previously described "denial of corporate existence" strategy seems to work, it's unclear why it works. So long as we don't know why a strategy works, we can't know how long it's likely to keep working. Without knowing the "why," our confidence in the strategy is necessarily diminished. This article offers a clue to "why".

"The Obligation of Contracts" was originally published in 1939 in an extraordinary, six volume collection of books entitled *The National Law Library*. This collection was written by three Harvard professors (one former dean of the Harvard law school, another a former justice on the Ohio state supreme court), a University of California professor of law, a University of Pittsburgh professor of law, and a Deputy Commissioner of the New York City Department of Investigation. These six men are far more than mere amateurs. I believe they were top-notch lawyers, professors and judges who truly understood the revolutionary changes in our legal system imposed by Franklin D. Roosevelt's "New Deal" in 1933. Moreover, I suspect this collection of books may have been intended to explain those changes for the benefit of "knowing" lawyers, judges, politicians and bureaucrats.

The National Law Library's clear language and stunning insight into how our government really works convinces me that is the finest collection of books on law and government that I've ever seen. I've learned more by simply skimming these books than I've learned from reading any other publication in years. Although my understanding of the six volumes is far from complete, everything I've read so far indicates that this collection offers an open, honest of how our government really works since the 1933 "New Deal". It is a remarkable find.

You have to read a little between the lines, but I believe that the information in these books may be sufficient to understand, unwind, challenge – and perhaps overcome – the existing system of corporate government and show the way back to constitutional government.

I could sing praises to "The National Law Library" for another page or two, but there's no point since this article is largely a sales pitch. I'm scanning the original text into my computer, reformatting the six volume set into six annotated electronic books available for distribution over the internet.

What follows is a one chapter sample of the *National Law Library* (plus my added comments). This isn't the best chapter in that collection, but it seems relevant to the "denial of corporate existence" strategy and (combined with a footnote from another chapter) offers an excellent insight into the nature of our relationship to corporate government. This article's implications are extraordinary. But virtually every chapter I've read in *The National Law Library* offers similar insight and astonishing implications.

If you're interested in buying annotated copies of *The National Law Library*, complete ordering info will appear at the end of this article. If you're not interested in buying, read the article anyway. I guarantee it will open your mind and make you think.

The key to understanding this article is in a footnote from another chapter in *The National Law Library*. Roughly speaking, that footnote explained that the

only way you can relate to a corporation is through *contract*! When you think about it, the idea that we can only relate to corporations (artificial entities, legal fictions) by contract is obvious. Of course . . . after all, while I can "contract" with another natural person (flesh and blood) with oral agreement and a handshake, where is the hand to shake on a corporation? What color is a corporation? What is its mass, gender and educational background? Answer: Corporations have none of those attributes because they don't really exist.

So how can I relate in law to a nonexistent entity (corporation)? By contract.

And what is the essential feature of any contract with a corporation? Your agreement that the corporation (a fictional entity that exists only in our imagination) does in fact exist. You're lying, of course, since the corporation does not exist in fact, but once you agree to it's existence by contract, you are legally bound by that agreement.

For example, suppose I want to buy a new Ford. To do so, I must sign a contract with the local Ford dealer in which, first and foremost, I agree that FoMoCo is "real" and the party I'm doing business with. By agreeing (contracting) that the Ford Corporation is real, I have limited my remedy to suing only that artificial entity if my new Ford is defective. Thus, by my contract, I effectively grant personal immunity to the dealer from being sued for deceiving me or selling me a defective product. How? By agreeing (contracting) that I bought the Ford from the *imaginary* corporation rather than the *real*, flesh and blood dealer.

The implications are extraordinary. It appears that the corporation is not "real" in my life until I agree by contract that it does, in fact, exist. Until I contract, the corporation does not exist – at least not for me. In other words, the "pink elephants" that plague alcoholics don't really exist – unless the alcoholic signs a contract with the imaginary "pink elephants". Then, as a matter of law, the pink elephants are real (at least relative to the particular drunk).

Let's apply this implication to the idea of corporate government. How could we relate to a *corporate* government? Perhaps only by *contract*.

If so, then we might also ask How do we relate to constitutional government? By *law* . . .?

In other words, if *contracts* are the "medium" through which we relate to *corporate* government, are *laws* the medium through which we relate to the organic, *constitutional* government?

I suspect the answer is Yessss. If so, the implications are extraordinary.

For example, unless there were a contract in which we individually agreed to "pretend" that the fictional corporate government did in fact exist, that corporate government would not be "real" in our individual lives . . . it would not have jurisdiction over those of us who had not contractually "agreed" to be bound by the legal fiction (lie) that the imaginary corporation was real. If so, if we could argue that we have not knowingly contracted with the corporate state (or if we could identify and cancel such contracts as we signed unknowingly), we might be able to avoid the corporate state's jurisdiction.

To illustrate, what would happen if you were stopped for speeding (no one harmed) by a police officer representing an incorporated municipality and you put him on notice that you have no contractual relationship with his corporate employer? If my hypothesis is valid, your failure to contract with the corporate municipality would deprive the corporation and its officers of authority over you and leave the police officer (and later prosecutor and judge) without jurisdiction or without personal immunities.

For years, I've heard anecdotes about defendants who kept demanding "Where's the contract? Where's the contract?" until the courts finally dismissed the case. Until now, I had no idea why that strategy reportedly worked. But thanks to *The National Law Library*, I'm beginning to understand. If there's no contract, the corporate government may not "exist" – at least relative to the particular defendant. Unless there was evidence (not presumption) that I first agreed (contracted) to recognize the imaginary government corporation as real, its individual agents may be personally liable for intruding in my life. If so, rather than risk exposing themselves to personal liability, government agents might choose to drop the case.

This might also explain the mysterious success behind the "denial of corporate existence" strategy. Perhaps the issue is not precisely whether any of the various governmental corporations actually "exist," but whether a particular defendant has a contractual relationship in which he agreed to recognize to those imaginary governmental corporations.

I.e., by denying that various corporations exist (at least relative to the particular defendant), the defendant forces government to produce the contract(s) in which the defendant first agreed to "recognize" the imaginary corporate government and be legally bound by that recognition. Perhaps government, lacking such contracts or unwilling to identify them publicly, declines to prosecute.

Get it? If we can't relate to corporations without contracts,

without contracts corporate governments may be unable to relate to us. If so, no contract means no relationship and thus no corporate government jurisdiction.

I suspect the corporate government has bypassed the lack of express contract with specific individuals with contracts "implied in law" or otherwise presumed to exist and "quasi-contracts" (see below). But once the validity of those implied, presumed and "quasi-" contracts is called into question, government may be unable to produce or proceed.

The contractual recognition of nonexistent entities also raises intriguing spiritual issues. If the essence of our contracts with corporations is our willingness to agree that the nonexistent corporations actually exist, then the contract (*your* agreement) is inevitably based on a legal fiction – a *lie*. Does God want you to engage in lies? Does God want you to agree (contract) that lies (legal fictions) are true (real)? Does God want you to live your life and conduct your business based on lies (limited liability corporations) rather than the truth of natural persons who are created by God and personally liable for their acts? And what can you say for a government that encourages us to agree that lies are true?

Thus, the possibility that we only relate to corporations through contracts offers important political and spiritual insights.

The following footnotes identified by black numbers are the original author's. The footnotes identified by blue letters refer to my own added comments along side of the author's original text.

Among the commercial troubles which led to the formation of the Constitution were State bankruptcy and insolvent laws designed to alleviate the prevalently bad situation of those in debt, and State acts of repudiation, or other measures impairing the public credit. Article I, Section 10, clause 1 of the Constitution was made, therefore, to carry the provision: "No State shall ... pass any . . . law impairing the obligation of contracts."

1. Contracts and the Due Process Clause

No similar stricture was imposed upon the Federal Government. The Fifth Amendment, however, adopted almost immediately after the adoption of the Constitution contained the "due process" clause (See Chapter XIII, Due Process of Law) which has been so interpreted as largely to prevent Congressional action amounting to the impairment of contractual obligations, except where a specific grant of power, *e.g.,* the bankruptcy power or the money power, authorizes such action.[A] Until the passage of the Fourteenth Amendment, on the other hand, the States were not subject to a "due process" clause, and the chief instrument of Federal control over state legislation was found in the clause forbid ding the impairment of the obligation of contracts.

2. Prohibitions Directed at Governments

Like the "due process" clause, the clause prohibiting the impairment of contractual obligation is directed at governments, not at private persons. It offers no remedy for breaches of contract nor for erroneous judicial findings in contract cases. Even where the party defaulting on its contract is a State or city, the "contract clause" furnishes no ground of relief. The clause, however, binds States and their governmental subdivisions, including cities, not to exercise their law making power in the proscribed manner.[B]

[A] The "money power" is "exception" to the impairment of contracts prohibition is vital to the use of paper (inflatable) currency. With lawful money (gold or silver coin), a contract for $10,000 in 1930 when gold was $20 per ounce would inevitably require payment in a fixed amount of gold (500 ounces) no matter when the contract was finally executed – even a decade later. But, since Congress can "impair the obligation of contracts" in regards to *money*, Congress can give us a paper currency which will inevitably suffer a loss of value (inflation) over time. With a 3% annual inflation rate, a man who contracts in 1995 to later receive $10,000 will really only receive the equivalent of $7,000 if he waits ten years to be paid. Thus, inflation and paper money (Federal Reserve Notes) have effectively "impaired" the obligation of contracts since a debtor who resists paying promptly can still technically repay his debt at a later date, but will in fact deprive his creditor of full value of the agreed price.

[B] N.B. "no remedy for erroneous judicial findings in contract cases" and "no ground for relief"? Note that the prohibition against "impairing the obligation of contracts" applies only to the "law making power" of the *legislative* branch of government – not to the judicial or executive branches. Thus, judges and administrators might be free to "impair" certain contractual relationships to favor government over private parties. If so, the private person might have "no remedy" or "relief".

3. Judgments As Well As Statutes Included

By the indulgence of a fiction[C] the judgments of courts, as well as the enactments of legislatures, have sometimes been brought under the "contract clause." Departing from the general rule, that Federal courts will follow the decisions of State courts in construing the State's statutes, the Federal courts have held that where a State court has reversed an earlier decision upholding the validity of a State law, contracts entered into in reliance upon such earlier decision will be protected by the "contract clause." So far as such contracts are concerned the later decision is of no avail.

4. Meaning of the Term "Contracts"

Before the provision in question can be brought into play a contract must exist. If the transaction whose obligation is claimed to be impaired is not in law a contract, there is nothing for the provision to act upon. In determining whether there be in reality a contract the Federal courts will follow their own judgment rather than that of the State courts.

While the law of contracts as now known to the courts has largely been developed since the Constitution was framed, it has generally been held that the "contract clause" refers to contracts in the ordinary legal sense. It applies both to executed and executory, to implied and express, contracts. It does not, however, apply to "quasi-contracts," situations in the borderland between contracts and torts[D] which the courts treat as if *(qua si)*[E] there were real contracts between the parties. Such situations are not contracts and the courts have properly excluded them from the operation of the clause.[F]

5. Public Contracts Included

The contracts of public bodies, States, cities, the United States, itself, are protected as well as those of private persons. A distinction must be noted, however, between the legal validity of a governmental agreement and the enforcement of it. Governments are continually making contracts (See herein The Law of Public Contracts, Part VI, Ch. 1) but neither the states nor their subdivisions nor the Federal Government can be sued unless they have consented; consequently the remedy may be lacking even though the right exist.[G] The "contract clause" does not operate to give such a remedy where otherwise there is none.[1]

6. Dartmouth College Case

The most famous instance of the application of the "contract clause" to a public contract is that of the Dartmouth College case.[2] The legislature of New Hampshire had passed an act changing the government of Dartmouth College from private to public hands. The school had long operated under a charter and under that charter had received gifts. The Supreme Court held that the charter was a contract between the State and the

[C] What "fiction"? Corporate government? If we can only relate to corporations through contracts, it follows that this "fictional" reliance on previous "legislative" enactments and "judicial" decisions might be based on the government's shift from an organic, constitutional basis to a corporate conglomerate.

[D] According to Black's Law Dictionary (7th), a "tort" is a "civil wrong . . .; a breach of a *duty* that the law imposes . . . ." The relationship to "duty" suggests that "tort" is the common law term used to describe a violation of one's unalienable Rights by a government official or agent.

[E] The elusive meaning of the term "quasi" is revealed as derived from two Latin words: "qua" and "si". Together they mean "as if". Thus a "quasi-contract" is some sort of agreement that is not a true contract, but will be treated "as if" it were. I suspect these "quasi-contracts" create the presumptions necessary to bind us to the corporate government. If so, they should be easily defeated since, by their name alone, they are admittedly not true contracts. But if no contract, then no recognition, no jurisdiction.

[F] Since the courts have "properly excluded" quasi-contracts from the operation of the "impairment of contracts" clause, and since (as previously read) the "impairment" clause only prohibits State *legislatures* from making laws that impair the obligation of contracts, it appears that the State legislature CAN make laws which impair the obligations of quasi-contracts.

Thus, if you entered into a quasi-contract today, the State legislature could conceivably modify the terms of that contract next year in a way that impaired your rights or obligations under that "quasi-contract".

[G] Another chapter of *The National Law Library* explains that a true contract must be "actionable". That is, if your "contract" can't be adjudicated in court, it's not really a contract. Insofar as a government can't be sued for breach of contract unless it agrees to be sued, a refusal to agree to be sued (provide "actionable" remedy) would seem to refute the presumption that the original agreement was a lawful contract in the first place. Thus government must either admit there is no contract or allow itself to be sued.

College which was protected by the Constitution against impairment by the state.[H] The decision of this case has been much criticized by legal scholars, but it has stood in the courts and has become a landmark in the law of corporations.

One of its results has been the moulding of corporation law to protect against its operation. Corporate charters now almost universally carry provisions for their own amendment, or even cancellation, at the will of the state.[I] Such provisions, of course, cannot operate retroactively. Another effect has been to give impetus to the development of the doctrine that corporate charters and similar agreements are to be strictly construed against the corporation. Grants of immunity from taxation and agreements exempting utility companies from rate regulation[3] will be subject to the rule of strict construction.

7. Municipal Charters

The charters granted by States to municipal and other public corporations are not subject to the "contracts clause." Such corporations are, in essence, arms of the state itself, government subdivisions, and hence not really separate parties with whom contracts can be made.[J]

[H] If charters are protected from impairment by the "contract clause," what does this say about the Declaration of Independence, Articles of Confederation or the organic Constitution adopted in 1789? Do these charters also qualify as "contracts" entitled to protection against "impairment"? If so, might we argue that modern gun control laws are unlawful because they impair the previous contractual relationships? Can lawmakers pass laws that impair our previous contracts which were written in reliance on the terms of those original instruments? If state legislatures can't pass laws which impair the obligation of contracts, can they pass laws that allow judges or administrators to (indirectly) impair those obligations?

[I] Apparently, the modern states now only grant charters which expressly allow the states to later "impair" the charter's original contractual relationships. This implies that if states can today expressly include amendment provisions to allow later "impairment" of their charter-contracts, there must've been a time when those charters could not ever be modified. It might be interesting to see how many of those old "un-impairable" charters are still in existence and see if they still have legal relevance.

[J] Fascinating. Not only municipal corporations like cities etc., but *all* corporations are "arms of the state, . . . government subdivisions, and . . . not really sepa-

8. Bankruptcy Laws, Federal and State

Although the Constitution confers upon Congress the power to pass "uniform laws on the subject of bankruptcies throughout the United States" (Article I, Section 8, clause 4), the power has been deemed not exclusive in the Federal Government. In the absence of Congressional action the field is open to the States, and upon several occasions, when there were no Federal bankruptcy acts, state laws were in operation. The States, however, unlike the United States, are subject to the "contracts clause," and cannot, therefore, pass laws for the impairment of pre-existing contracts.[4] [K] As to contracts made subsequently to the enactment of the laws, the situation is different; the law, itself, is deemed an implied condition in each contract, hence there is no impairment.

As has been said, the Federal Government has been held subject to limitations growing out of the "due process clause" of the Fifth Amendment roughly equivalent to the "contracts clause." But the Federal Government, under the specific grant of the bankruptcy power, is relieved of inhibition in this field.[5]

9. Rules of Procedure Not Affected

It is a principle familiar to the lawyer that there are no vested rights in remedies. Changes in procedure, in the length of statutes of limitation, in the rules of evidence, in the means of enforcing judgments and in many other matters are within the power of states, regardless of private rights which may be affected. The "contracts clause" has no effect to prevent such procedural changes.[L]

It has been held, however, that the total abolition of a remedy such as would render a contract right null, may not be accomplished. [M]

10. Contract and Property Rights

In this connection a distinction must be observed between contract rights and property rights. Contracts create, primarily, rights *in personam, i.e.,* state-protected interests enforceable against the other contracting party out of any property he then has or may acquire.[N] Property rights attach to particular things. Even the bankruptcy power may not annul vested rights in property; it may only cancel rights *in personam.*[6] [O]

Thus, when the Supreme Court came to consider the moratoria legislation passed in various states and by Congress during the Depression of 1930-34, it held void the Frazier-Lemke Act which purported virtually to destroy the liens of mortgages (property rights) while upholding laws which postponed foreclosures for a limited time. The latter effect, indeed, as a matter of procedure, was probably within the equity powers of the courts without enabling legislation.[7]

rate parties with whom contracts can be made.

Also scary. If all corporations are "government subdivisions," then whenever you enter into any contract with any corporation, you may have effectively "recognized" the fictional corporate government as real and thereby become subject to corporate jurisdiction.

[K] Thus, State laws which impair the obligation of contracts previously established under organic documents (like the Declaration of Independence, Articles of Confederation and Constitution) might be challenged as unconstitutional. "Impairment of contract" might offer an uncommon ground for a constitutional challenge.

[L] While the contracts clause has no effect on *procedural* changes, it might still be used to challenge *substantive* changes.

[M] Again, if there is no remedy, the alleged "contract" is not "actionable" and is therefore not truly a contract.

[N] Whoa! A contract with any corporation (especially corporate government) allows government to enforce against the contracting party (you or me) by taking *any* property he has at the time of contract or may *later acquire!*

That's a fantastic, almost unlimited power of enforcement based on nothing more than contracting with the government.

[O] The distinction between contract rights and property rights is so important that bankruptcy courts (the most powerful in the country) are free to meddle endlessly with contract/ *in personam* rights, but apparently can't touch true property rights.

"Property rights in things" sound suspiciously dependent on *legal* title to those things. The "in personam" rights, on the other hand, sound like those of beneficiaries who have only an equitable interest in trust property. This adds the faint scent of trusts to our consideration of contracts.

[1] The Federal Government and most States have set up courts of claims or equivalent tribunals or have authorized suits on contracts in the ordinary courts, in which contract claims may be adjudicated.

[2] Dartmouth College v. Woodward, Wheaton 518 (1819).

[3] Such agreements for limited periods have been held valid notwithstanding the general rule that the state's police and taxing powers cannot be granted away.

[4] Sturges *v.* Crowninshield, Wheaton 122 (1819).

[5] In similar manner the Federal Government, under the "money power," may devalue the currency and perform other acts which amount taking of property or the impairment of contract rights.

[6] See, however, herein the state's capacity to deal with property under the Police Power (pages 143-144).

[7] The "contracts clause" of the Federal Constitution has been uniformly held not to apply to divorces. While the status of matrimony is created by contract, marriage, itself, is not a contract; it is a true status, in which rights and duties are fixed by law. As such it has never been regarded as within the scope of the Constitutional prohibition. Obviously it was never intended to divest the state of jurisdiction over divorce.

Well, what do you think? Was *The National Law Library's* original text as easy to read as I promised? As clear? Concise? Sure, it's not "See Spot Run!", but this law. And as law goes, *The National Law Library* is more clearly written than any other legal books I've yet seen.

And what about the insights and implications? Have you ever before even imagined that contracts may the only method to relate to corporations – especially corporate government? Have you read any other books on law that offered so much understanding in so few pages? Page for page, *The National Law Library* offers more insight and implication than any other legal text I've ever seen.

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Connecting Dots

by Alfred Adask

If the strategy outlined in the previous two articles (denying the existence of government entities) seems strange, you ain't seen nothin' yet.

In this article I present some anecdotal evidence and a lot of conjecture to suggest that maybe the denial of existence strategy is more valid than anyone imagines. Maybe, the corporate government no longer exists.

I've studied legal reform issues for over ten years and talked to thousands of patriots, constitutionalists and legal reform advocates who were trying to make sense of the allegedly "best legal system in the world". During that decade, I've learned that most of what passes for "research" in the patriot community is, at best, incomplete. While a handful disciplined researchers do outstanding work and carry the entire legal reform movement on their shoulders, most constitutionalists are content to base their arguments on conjecture more than facts.

I fall into the second classification. I'm not only guilty of conjecture, I'm guilty of speculation, intuition and, at times, willful guessing. Can't help myself. As Robert Duval said in the movie *Apocalypse Now*, "God help me, but I love it!"

See, I understand that the truth is always based on facts, and facts depend on research. But if you retain all of your opinions until there are sufficient facts to absolutely prove your position, you'll never have much to say. Inevitably, we must rely on conjecture, speculation and personal belief to provide a framework on which we hang and "make sense" of our facts. Although conjecture routinely leads us down some false rabbit trails, those trails are always intriguing and, most importantly, make us think.

Sure, facts are essential, but without a conjectural framework, a mere collection of facts is boring. Conjecture adds the element of danger that makes ideas both personal and exciting. The danger, of course, is that those of us who rely on conjecture to "leap" to our conclusions, risk taking a very serious fall and publicly exposing our own poor judgment. Ahh, but when you're right . . . when your conjecture turns out to be (substantially) correct, you feel as if you can fly.

What follows is a handful of a facts tied together in a fantastic loom of conjecture. Take it all with salt.

Puzzlements

1) In 1995, Ohio Congressman James Traficant was widely quoted as saying, "We [Congress] are presiding over the biggest bankruptcy in the history of the world."

2) In 1997, the entire federal government shut down for 31 days.

3) Since 1997, a new form of Federal Reserves Notes has been printed and more recently, a new form of coins (including the coveted "golden dollars") is being minted.

4) In 1998, the IRS announced that income tax checks should be made out to the U.S. Treasury rather than the I.R.S..

5) In February, 2000, President Clinton announced that National debt will be completely repaid within five years.

6) The term "United States" is missing from the 7th edition (1999) of Black's Law Dictionary.

Although these "dots" may seem unrelated, a number of clever people suspect their "connection" is not only real, but explosive. Collectively, these facts suggest to some that the corporate "United States" has gone bankrupt and no longer exists.

If the idea that the corporate United States is gone sounds

nuts, it's also intriguing. It's kinda like Uncle John's stories about UFOs. You know the old coot is nuts, but you can't resist hearing his stories.

Dots in depth

To understand how the corporate United States might've ceased to exist, you'll need a few "interpretations" of the relevant "dots".

1) In 1995, when Congressman Traficant admitted that Congress was "presiding over the largest reorganization [bankruptcy] in history," patriots cheered his confirmation that the United States was technically bankrupt. Nevertheless, everyone assumed the corporate U.S. would continue to function despite the legal disability of bankruptcy. But looking back, some people now believe Traficant's admission accurately warned that an official bankruptcy was imminent and would soon be final.

2) In 1997, President Clinton and the Congress couldn't agree on a budget, so much of government was closed for 31 days. At the time, constitutionalists chuckled at government's predicament but no one dreamed the shut-down indicated anything more profound than the Republicans' inability to get along with Democrats.

However, David Merrill later made some extraordinary allegations concerning the 31-day government shut-down:

"The first default ever of the United States of America was announced by Associated Press release on January 23, 1996 in an article titled: *Rubin predicts default date.* The default date was to occur on February 29, 1996. Because it was an election year, arrangements were made for China to pledge a $600 billion note to raise the debt ceiling from $4.9 trillion to *$5.5* trillion just in time to keep Bill Clinton from appearing to be the President who lost the nation to international bankers and therefore losing the election." [This incredible allegation is generally consistent with the scandal involving the Clinton administration's campaign contributions from Red China.]

"China's $600 billion note postponed the foreclosure action until early 1997 when the corporate process of changing principals was executed. This was done during the 31-Day Government Shutdown when the United States Corporation shut its doors to all non-essential personnel. This is general and common foreclosure practice in bankruptcy and insolvency."

In other words, Mr. Merrill believes that government's 31-day shut-down in 1997 resembled standard bankruptcy procedure so closely that the "budget feud" between Congress and Clinton was contrived to conceal the fact that the corporate "United States" had gone bankrupt and ceased to exist.

3) Since 1997, we've been treated to a new form of Federal Reserve Notes (FRNs) which include embedded plastic threads, micro-printing and ink that changes color depending on angle at which it's viewed. Although the new FRNs look like monopoly money, the change in appearance was justified as a necessary to thwart counterfeiting. Could be.

But curiously, about the same time we're also getting new coins (quarters to commemorate each State and shiny "golden dollars"). Why new coins? Surely, not to defeat counterfeiters since no one is making phony quarters (except the National government, of course).

Is it merely coincidental that we're simultaneously receiving new paper currency and new coins? Or does the change in the appearance of our paper money and coins signal an important change in our government?

The U.S. Attorneys' Manual offers a clue. Section "9-64.111 Counterfeiting – 18 USC Sect. 489 – Prosecution Policy" reads, "Sections 489 and 475 of Title 18 are in essence copyright statutes." If counterfeiting is a copyright violation, some entity must own the copyright to Federal Reserve Notes. But if the corporate "United States" owned the FRN copyright and went bankrupt, would the old copyright be forfeit to creditors or invalidated? Would a new copyright – perhaps for an unmistakably new form of currency – be necessary? If so, then the real purpose for the new FRNs and coins might not be to prevent counterfeiters, but to reflect the U.S. corporate bankruptcy and re-establish a new FRN copyright for a new owner.

4) In 1998, the IRS announced that we should stop making our income tax checks to the IRS and instead write them to the Department of Treasury. For most Americans, the change seemed unimportant. But suppose IBM suddenly told its customers to stop writing their checks to IBM and instead make them out to Alfred Adask. I guarantee that everyone would understand that something important had happened to the IBM corporation.

Similarly, after decades of writing checks made out to the IRS, it's hard to imagine that changing to the Department of Treasury doesn't signal an important changes in government structure. Some people suspect the changing from IRS to Department of Treasury reflects the bankruptcy of the corporate "United States".

5) President Clinton's February announcement that the National debt will be repaid this decade struck me as shocking. For thirty years, it's been gospel among conservatives and constitutionalists that the National debt could *never* be repaid because 1) foreign banker-creditors make an endless stream of interest on that debt; 2) the debt will be used to ultimately "enslave" the American people; or 3) the entire debt-based monetary system would collapse if the National debt were repaid.

Apparently, the conservatives and constitutionalists were wrong. The "eternal" National debt may now have a shelf-life of about five years.

As a result of Clinton's stunning announcement, some people suspect that the real reason the National debt is being suddenly repaid is that corporate United States' creditors want to get their assets out *now* – before the corporate U.S. sinks completely into bankruptcy and takes all those assets to the bottom of the Red (ink) Sea.

6) Finally, there's *Black's Law Dictionary*. Published since 1891, Black's is our judicial system's "bible". As you'd expect, Black's 4th (1968) through 6th (1990) editions have consistently defined the term "United States" as per the 1945 *Hooven & Allison Co. v. Evatt* case as having several definitions: sovereign among nations, a territory, or the collective name of the states united under the Constituion. Curiously, those same editions of Blacks' did not define "United States of America".

However, in Black's 7th edition (published in 1999) the term "United States" is *missing* and no longer defined — but "United States of America" has suddenly appeared as a "federal republic".

I suppose it's possible that "United States" is no longer defined due to a clerical oversight. Perhaps some lexicographer is smacking himself on the head, moaning, "Damn! How could I forget to include the definition for 'United States'?!" Could be.

But Black's is not compiled

by amateurs from a stack of alphabetized note cards. All of the text from it's most recent editions must be computerized, and given its legal importance, it's unlikely that proofreaders were in short supply. So it's hard to understand how "United States" could be missing from the most current edition – unless it were deleted intentionally.

If the idea that Black's would *intentionally* delete "United States" seems incredible, it seems even less likely that "United States of America" – missing for decades – would "accidentally" reappear in Blacks 7th edition at the same time "United States" accidentally disappeared. Instead, it seems more likely that if "United States of America" was intentionally added, then "United States" must've been intentionally deleted.

But why? Some people believe Black's deleted "United States" because that corporate entity died in bankruptcy during the 1997 31-day government shut-down — and Black's can't define an entity that no longer exists.

Ripley wouldn't believe it

Believe me, the idea that the corporate United States has expired in bankruptcy makes my eyes roll, too. It's too bizarre to be believed or even considered.

I mean, who *thinks* of these crazy ideas, and what kind of drugs are they doing? It's just not possible. The Post Office is still losing mail, the FBI is still concealing evidence, the military-industrial complex still sells defective weapon systems to the government, and the President is probably in some office, somewhere, entertaining some intern. How could any of this continue if the corporate "United States" had died in bankruptcy? It doesn't make sense.

True.

But new forms of currency, a 31-day government shut-down, IRS refusals to accept checks made out to the IRS, suddenly paying off the National debt, and missing definitions from the nation's principle law dictionary don't make sense, either.

On balance, the National government's business-as-usual operation is so massive and seemingly unchanged, that the few "dots" connected in this article seem truly trivial. Still, these few "dots" carry surprising weight since they are strange and almost unprecedented.

I don't know what — if anything — has happened to the corporate United States. But I'm increasingly suspicious that "something" — maybe "something big" — has occurred. I'm about 80% confident that the corporate "United States" experienced a substantial but unpublicized reorganization between 1997 and 2000. I'm about 20% confident that maybe — just maybe — the corporate "United States" has silently ceased to exist.

If so, what's this mean?

I don't know – but it at least means we live in "interesting times". And at most, it might mean a change has already taken place in our government that's every bit as revolutionary and yet as invisible to the public as that of FDR's 1933 "New Deal".

If you have evidence or insight concerning the truth or falsity of this article's conjecture, please e-mail to adask@gte.net.

If you'd like to talk about the this article, call in on the Anti-Shyster Radio Hour at hbroadcast.com. I'll be broadcasting live from 12 Noon to 1PM (Central Time) Monday through Friday. Toll-free call in at 877-933-7788.

Choose Who You Will Serve

by Alfred Adask

Several articles in Volume 10 No. 1 explored the concept of citizenship. This next article continues that exploration with a series of email which express common concerns about government abuse but neglect to consider the relevance of citizenship.

For example, the first segment of this article is based on an email entitled "9th Circuit Rules Murder OK If It's Doing Your Job" from Jail4 Judges.[1] This email focused on the lawsuits and criminal charges that have stemmed from the 1992 standoff between federal agents and Randy Weaver's family at the Weaver's Ruby Ridge cabin.[2]

I suspect that the Weaver case may illustrate something important about the nature of citizenship. I've reprinted excerpts from the email below in brown and interjected my own comments in black or [bracketed] text.

Should federal agents who killed a woman and child and wounded two men at Ruby Ridge be immune from prosecution or lawsuits simply because they were doing their jobs?

The 9th Circuit Court of Appeals has answered that question two different ways [criminally, he could not be prosecuted; civilly, he could] — and it's now being asked to rule again.

"The case is highly significant, and raises issues of the greatest importance and of national concern," said Stephen Yagman, a Los Angeles attorney who is working with Boundary County Prosecutor . . . to prosecute FBI sniper Lon Horiuchi for manslaughter. If Horiuchi can't be charged, Yagman said, "This changes the entire law with respect to the use of force."

Absolutely. If government agents are immune from prosecution for shooting unarmed mothers holding babies, they can get away with shooting anyone, anytime, for any reason. Of course, I don't mean they can get away with shooting rich people, judges, lawyers or government officials. But niggers, wetbacks, and po' white trash who (in government's opinion) comprise about 80% of the population can surely be shot without legal repercussion.

"In its petition for rehearing, the county said it could have charged Horiuchi with second-degree murder instead of manslaughter."

Then why didn't' they? Professional courtesy for fellow government employees?

"When Horiuchi fired, he was 'mindlessly shooting to kill on sight, firing blindly a 200-yard shot through a door,' the petition states. 'Mrs. Weaver was killed by a wild-headed government sniper in violation of our Constitution, and still is dead.' "

The allegation that Horiuchi was "mindless" and "wild-headed" justifies charging him with second-degree murder rather than first-degree murder – since first-degree requires evidence of intent. That is, to convict Horiuchi of first-degree murder, you'd have to show he *intended* to kill Vickie Weaver and did not shoot as a "mindless, wild-headed" sniper firing a random round in the general vicinity of the victims. Nevertheless, the prosecutor's second-degree allegation is implausible. First, Horiuchi is reputed able to hit a target the size of a quarter at 100 yards. He is arguably one of the finest hit men who's ever contracted to kill for the FBI. His reputation for accuracy belies any claim that he "accidentally" shot Vickie Weaver in the head.

The shot was almost certainly straight, true, intended and done on orders from his superiors. Further, if it were true that Horiuchi acted "mindlessly" when he "accidentally" shot Vickie Weaver, Horiuchi should've been relieved of duty by the FBI. Instead, Horiuchi went on to play a sniper role in the Waco siege. It's inconceivable that the FBI, having suffered serious adverse public exposure by Horiuchi's "mindless, wild-headedness" in Ruby Ridge would risk being badly exposed again by the same man in the super-sensitive stand-off at Waco.

"Boundary county tried to prosecute Horiuchi for manslaughter for Vickie Weaver's death, but a three-judge panel of the 9th Circuit Court ruled 2-1 in June, 2000, that Horiuchi *couldn't be charged*. The 9th Circuit's Horiuchi ruling came under the Supremacy Clause of the Constitution, saying the *state* couldn't prosecute Horiuchi for "actions taken in pursuit of his duties as a federal law enforcement officer."

If the (corporate?) *state* can't prosecute, what about *private* prosecution by the Weaver family?

"In that decision, dissenting Judge Alex Kozinski wrote that the decision "throws a monkey wrench into our law governing the proper use of deadly force." He added, "Perhaps most troubling, the opinion waters down the constitutional standard for the use of deadly force by *giving officers a license to kill* even when there is no immediate threat to human life, so long as the suspect is retreating to `take up a defensive position.' This has never been the law in this circuit, or anywhere else I'm aware of, except in James Bond movies. I fear this change in our long-standing law." [Emph. add.]

"The 9th Circuit Court's ruling is being appealed. In the meantime, Harris' $10 million civil lawsuit against the federal *government* is also headed back to the 9th Circuit, after a U.S. district judge ruled last month that five of the eight agents Harris sued, including Horiuchi, *must* stand trial. . . .

Thus, it appears possible that while Horiuchi is not personally liable for criminal prosecution (under the common law?), the *government* may be civilly liable (under the 14th Amendment?).

"Its earlier decision in the Harris case dealt with "qualified immunity," a similar concept. In the June ruling, the majority of the court argued, "The two immunities are not the same, nor do they serve the same purposes. Immunity under the Supremacy Clause from state *criminal* prosecution may cover instances in which qualified [civil?] immunity does not apply."

"Judge Kozinski responded, "This might be a plausible argument but for the fact that precisely the same test applies as to both: Did the officer act constitutionally? What protects an officer from civil and criminal liability is the lawfulness of his actions." If the officer does something unlawful, Kozinski said, states should be able to enforce their criminal laws.

Exactly! But while it may be civilly unlawful to damage another 14th Amendment citizen-subject, it may not be criminally unlawful to kill the very same 14th Amendment citizen-subject. However, would it be criminal to kill that same person if that individual were not a 14th Amendment citizen-subject?

"Harris' lawsuit charges that federal agents violated his 4th Amendment right to be free from unreasonable search and seizure and excessive force. He also alleges battery and false imprisonment.

If you read the definition of "Incorporation" in the 7th Edition of Black's Law Dictionary, you'll discover,

"*Constitutional law.* The process of applying the provisions of the Bill of Rights to the states by interpreting the 14th Amendment's Due Process Clause as encompassing those provisions. In a variety of opinions since 1897, the Supreme Court has incorporated all of the Bill of Rights *except* the following provisions: (1) the Second Amendment right to bear arms, (2) the Third Amendment prohibition of quartering soldiers, (3) the Fifth Amendment right to grand-jury indictment, (4) the Sevenths Amendment right to a jury trial in a civil case, and (5) the Eighth Amendment prohibition of excessive bail and fines." (Emph. add.)

This doctrine of "incorporation" implies that only *some* of the rights guaranteed in the Bill of Rights are available under the 14th Amendment, while other rights are not. If so, it follows that citizens under the 14th Amendment do not have all of the rights guaranteed by the Bill of Rights. Thus, there must be two fundamental classes of citizenship: (1) those Citizens who enjoy all of the unalienable Rights granted by God, declared in the Declaration of 1776, and guaranteed by the Constitution and Bill of Rights; and (2), those 14th Amendment citizens how enjoy only some of those rights.

According to Black's 7th, the 4th Amendment has been fully "incorporated" under the 14th Amendment and therefore Keven Harris (presumably a 14th Amendment citizen) suit against the government is lawful. But note that if Mr. Harris had sued under the 2nd or 5th Amendments, his suit might've been summarily dismissed since 14th Amendment citizens' claim to those rights can't fully sustained. Point: there are two kinds of citizenship, and your rights depend on which citizenship you claim.

On the face of it, it's hard to make sense of the courts' seemingly inconsistent verdicts: The Weaver survivors can file civil charges against the federal government for damages they've suffered due to Sam and Vickie Weavers' deaths, but the state can't file criminal charges against the federal agents for actually killing Sam and Vickie Weaver.

It's possible that we're just witnessing another incomprehensible judicial aberration. More likely, we're watching the courts respond to political pressures by 1) protecting government agents at all costs from the threat of criminal liability; and 2) quieting public discontent by throwing a few civil bones to the survivors in the form of million-dollar settlements.

But what if the courts decisions were neither idiotic or political? What if it is simultaneously "legal" for federal agents to kill civilians, and for civilian survivors to sue the federal government for abuse? Is there a hypothesis that might explain that seeming inconsistency?

Consider the farmer's cows. The farmer can milk his cows; take the cows' calves and sell them for veal; he can even kill his cows and butcher them into steaks and roasts.

But what happens if I were to go to the farm and try to milk the cows? What happens if I try to sell the calves or butcher the cows? The farmer will charge me with trespass or theft.

Why can the farmer milk, rob or butcher the cows but I can't? Because they're *his* cows.

Likewise, why can government kill Sam and Vickie Weaver? Perhaps because they were government "cows".

Citizenship is very similar to ownership. One of the citizenship articles in AntiShyster Volume 10 No. 1 provided a complex diagram for citizenship that essentially that essentially boiled down to the following "creator-creation hierarchy":

#1. God
#2. Man (State Citizens) (1776)
#3. Federal Government (1789)
#4. 14th Amendment citizens (1868)

A creator/creation relationship exists between each of those adjacent classifications that's somewhat like an Army "chain of command". The higher classification is always regarded as the creator of the immediately lower classification. The immediately lower classification is the creation, property and servant of the immediately higher classification.

Simplistically, #1 God created #2 Man (Citizens); #2 Man created the #3 government; which, in turn, created the #4 14th Amendment citizens. In

every case, the creation is not only bound to serve its creator, it is its creator's property. I.e, #2 Man is obligated to serve his Creator, #1 God; the #3 government is obligated to serve its creator #2 Man; #4 14th Amendment citizens are obligated to serve their creator, #3 Congress.

Similarly, #1 God owns his creations, including #2 Man. And #2 Man owns his creations, including #3 government. And #3 government (Congress) owns it's creations including #4 14th Amendment citizens.

If #1 God wants to strike one of his #2 creations with a bolt of lightning, God has every right to do so. If #2 man wants to eliminate elements of his #3 government in order to make that government better serve him, he has every right to do so. Similarly, if #3 government wants to strike its #4 14th Amendment citizens with fines, jail time – or bullets – it has every right to do so.

Just like the farmer can butcher his cows, but I can't, the government has the right to "butcher" it's 14th Amendment citizen-cows.

Of course, no lower creation owns (and can therefore kill) it's higher creator. #2 Man must simply accept and obey #1 God. #3 government must similarly accept and obey #2 Man (State Citizens). And #4 14th Amendment citizens must similarly accept and obey #3 government.

I suspect that we are confused and even angry over the government's apparent abuse of our "rights" because we don't understand that some men are State Citizens (government's *creators*) while others are 14th Amendment citizens (government's *creations*). Each class of citizenship carries different rights and duties. Some things that government is absolutely forbidden to do to one class, can be done with impunity to the other.

Americans are deceived into thinking we are still #2 (State) Citizens who created #3 government and that government is therefore obligated to serve (not kill) us. But #3 government regards us as #4 14th Amendment citizens which it created and who are therefore obligated to serve government and, if necessary, die without recourse or complaint.

Based on the public's belief that we are #2 Citizens and #3 government is our creation and servant, it is absolutely criminal for #3 government agents to kill members of the #2 creator-public. But based on government's understanding of the law and presumption that virtually all of us are 14th Amendment citizens, it is absolutely lawful for government agents to butcher 14th Amendment "cows" whenever it likes.

If farmers could talk to their cows, would they tell their cows that the nice barn and the fenced-in pasture were not designed to protect the cows but to enslave them? Would farmers tell the cows that they're being kept so the farmer can steal their calves and milk and ultimately butcher them? Of course not.

If the cows understood what was really going on, they'd riot and that's bad for bidness. The farmer knows that he gets the most milk and best steaks from fat, contented cows. The farmer also knows the cows are big enough to stomp him flat if they ever realized what was really going on. Therefore, the clever farmer deceives his cows with a little corn, a few lies, and a friendly pat on the rump. As a result, the cows love their farmer. He's here to help them.

Similarly, should farmers butcher their cows right out in the pasture where all the other cows can see? Probably not. That would only stress the dumb beasts and reduce milk production or, worse, precipitate a riot in which the farmer might get stomped. So sensible farmers have learned to separate the cows due for slaughter, move 'em up a ramp into a truck that hauls 'em off to the meant pack-

ing plant. It's called "due process".

The problem with the Weaver case is that the farmers butchered a couple of cows right out in public where the rest of the dumb critters could see. As a result, some of the cows are beginning to understand what "human agriculture" is all about.

As a result, the "friendly farmers" have Public Relations problem since some of the surviving cows are scared, some are kicking, some are threatening to jump the fence. The cows must be calmed, assured that it was quite legal to butcher Sam and Vickie, and the beloved farmer was not responsible (please don't stomp the farmer!).

Fortunately, the cows aren't very bright, they have a short memory, and if the farmer takes a little extra corn from the rest of the herd and gives it to the cows most traumatized by seeing Sam and Vickie killed, they'll stop mooing and milk production will be back to normal in no time.

As for farmer Horiuchi, the government will not indict him criminally since doing so would "chill" all human agriculture by making all farmers afraid to butcher cows too uppity to surrender their calves and milk. It's simply inconceivable that farmers be prohibited from butchering cows, and therefore no such prohibition will be enforced.

But farmer Horiuchi is not yet off the hook. Although there's nothing wrong with farmers killing their cows, it was bad business for farmer Horiuchi to butcher cow in public. He could therefore be penalized for a "due process" violation of failing to push the damn cow up the ramp and into the truck that hauls 'em off to the meat packing plant.

OK, I've pounded the cow analogy into hamburger, but here's the real point. The reason it's OK for Lon Horiuchi to kill Sam and Vickie Weaver is because the criminal indictment was based on the presumption that "SAMUEL" and "VICKIE WEAVER" were government-owned #4 14th Amendment citizen-cows while Lon Horiuchi was a #3 government agent. Based on their birth certificates, Social Security Numbers, voters registrations or some similar documents, Sam and Vickie were presumed to be SAM and VICKIE (government creations) and it's virtually impossible to charge government criminally for killing it's own cows.

However, if it had been made clear during their lives (or at least before trial) that Sam and Vickie Weaver were State or natural born Citizens of the class that created government, Lon Horiuchi (the agent of #3 government) would've been virtually defenseless to charges of first-degree murder and almost certainly would've been convicted, imprisoned and possibly executed. As an agent for the #3 government-creation, it is blasphemy to kill members of the #2 Citizen-creators. In such circumstances, Horiuchi's only defense might be a claim that he acted as a #2 Citizen rather than a #3 government agent. But, so long as Vickie and Sam Weaver were deemed to be #4 14th Amendment citizens, agent Horiuchi's superior #3 government status should be sufficient to beat the rap.

I suspect the determining factor in the Horiuchi criminal indictment was that FBI agent Horiuchi killed someone, but rather *who* he killed. Because a creation has virtually no rights against its creator, it's generally legal for #3 government agents to kill #4 14th Amendment citizens (government's creations). Of course, it's still illegal for government agents to kill #2 Citizens (government's creators) who were created by (and property of) God. But during their lives and especially after they died, Sam and Vickie Weaver were deemed to be 14th Amendment citizens. As a result, criminal charges against agent Horiuchi were almost as inconceivable as filing criminal charges against a farmer for butchering one of his cows.

Health Care for the Pee-Pul!

Here's an excerpt from another email from Demastus @aol.com entitled "Oh, Those Poor, Poor People":

"The Consumers Union is out to rewrite our Constitution. They seem upset over the amount of money paid by poor folks for medical care. They've released a study called 'The Health Care Divide' that shows families with annual incomes of less than $10,000 spend 17% of their income on health care (insurance premiums and out-of-pocket ex-

penses), those with $45,000 annual income spend 6% on health care and those with more than $100,000 spend 3% on health care. The study also found that one in six households headed by a person less than age 65 spends 10% or more of its income on health care.

"The Consumers Union wants Congress to 'establish, as a matter of law, that all people in this country have a right to comprehensive, affordable, quality health care coverage.'"

The article's author is critical of this claim to a health care "right". His fundamental argument is that, "you can't have a 'right' to health care without having a 'right' to a portion of some other person's life or property."

In other words, my "right" to health care necessarily imposes a duty on someone else to pay for my "free" pills and doctor services. At first glance, that means subjecting the pharmaceutical industry and doctors to involuntary servitude (prohibited by the 13th Amendment). Even if we argue that the pill manufacturers and doctors will be paid for their work, that payment will be taken forcefully from taxpayers. Thus, taxpayers will be compelled to pay for my health care. But doctors and pill manufacturers will still be subjected to "involuntary servitude" since they'll be forced to accept price controls on their work and products.

The author concludes,

"Sorry, I just don't think that's what our founding fathers had in mind."

The conflict between those who advocate freedom without health care "rights" and those who advocate health care "rights" (with an necessary reduction in individual freedom) is emotionally charged and confusing. But the issue might be clarified if we understood the citizenship of those who would receive and provide health care "rights".

The article's constitutionalist author is espousing a level of personal freedom (and thus no health care "right") that is characteristic of the classic natural born and State Citizens who created our government and are subject only to God. It's almost impossible to impose a legal duty to provide health care on such Citizens without their consent – and if that consent is granted, it can always be revoked.

But whether they know it or not, the Consumer's Union isn't advocating a duty on Citizen-sovereigns to provide and/or receive health care. Instead, they're trying to impose that duty and correlative "right" (actually, a "privilege") on 14th Amendment citizen-subjects.

Thus, both sides in this issue are correct. The constitutionalist is correct that a "right" to health care is incompatible with (#2) Citizenship. But the Consumers Union is also correct in arguing that it would be legal to create a health care "right" (and also mandatory taxes) for the (#4) 14th Amendment citizen-subjects.

Much of the controversy, confusion and frustration surrounding the health care issue flows from the fact that both sides are technically correct, but neither side seems to understand that they're talking about two different kinds of citizenship. As a result, neither side is able to understand the other's goals or lodge effective objections to those goals.

Because our courts recognize that we can have two (or more) citizenships, American citizenship is somewhat like a modern Tower of Babel. Unless we precisely define which citizenship (#2 Citizen or #4 citizen) we are talking about, it's almost impossible for us to understand each other on citizenship issues. And since citizenship is crucial to law, without understanding which citizenship we're being sued or tried under, it's almost impossible to mount an effective defense.

Parental rights?

Another email whose primary source was "The Pilot Online" reads:

"CPS VIOLATES FATHER'S RIGHTS: In Virginia Beach, Virginia, Sydney Walter got a notice in the mail that he had been "convicted" of child abuse for spanking his unruly son a month earlier. In the MAIL! No trial where he could "confront his accuser" and present evidence in his defense. Not even notification that he is being "tried." Just a "notification" that he had been "convicted," after the time limit for appeal had gone by! Time was, we were formally arrested and tried in a real court for such things. Today, they just "decide" we're guilty in a bureaucrat's office and we're guilty. No trial, no

"evidence," nothing. And by the time we're "notified," it's too late to do anything about it. . . . But since it is happening all over the country in just this manner, it scares the Hell out of me. There are no rights in child abuse cases and people are routinely being wrongly "convicted" of child abuse as "defined" by the "child protectors. This has got to stop."

The author's argument makes seeming sense to virtually every patriot, constitutionalist and parent who is terrified by government's power over our children and indifference to our claim of "rights". But the author's argument may be wrong simply because we don't understand the issue of citizenship.

I.e., can the #3 government-creation lawfully seize the children of the #2 Citizen-creators? Not in a million years.

But. Can the #3 government-creator seize the children of their #4 14th Amendment citizen-creations? Of course.

The problem with the aggrieved father in the previous email is that he thinks he's a #2 Citizen-creator who the #3 government-creation must serve. However, he – and his kids – are actually #4 14th Amendment citizen-creations who are literally owned like so many head of livestock (human resources) by their #3 government-creator-farmer. Thus, government can legally cull its calves (Mr. Walter's kids) from the cows (Mr. & Mrs. Walter) whenever it likes.

Further, citizen-cow Walter misunderstands his role as biological father, since he thinks that biological relationship gives him some special rights relative to his kids. Nothing could be further from the truth. He has no more right to "his" kids than a bull put out to stud can claim the resulting calfs.

What Mr. Walter doesn't understand is that through a combination of documents (like his own birth certificate and Social Security Number, and marriage license, plus the state-issued birth certificate and Social Security Number for his kids) he voluntarily assumed the mantle of 14th Amendment citizen and donated ownership of himself and his kids (or at least his "KIDS") to the state-farmer. As a result, because the state has owns the Walter kids, it has every right to separate that family however it pleases.

Mr. Walter (and his wife) mistakenly believe they are their children's parents. Not so. The state is the real "parent" (creator) for 14th Amendment citizen-kids, and the biological mother and father are simply baby-sitters. Like any other good parent, if the state finds out that one of the baby-sitters is spanking one of the state's kids, the state will instantly separate that baby-sitter from the child. Does the state-parent need evidence? No. Like any other parent-owner, the mere suspicion that a baby sitter is beating the state-parent's kid will be enough to terminate the baby sitter's relationship to the child. The state-parent got a report that the baby-sitter (Mr. Walter) was spanking the state's kids, and the state instantly terminated Mr. Walter's baby sitter contract. If it were my kid, I'd do the same thing.

Mr. Walter's mistake is that he doesn't understand who *he* is. Although he thinks he's a Citizen, he's really a citizen. Because he knows intuitively that government can't take kids from Citizens, he assumes that government can't take his kids, too. Not so.

A classic example of the relationship of citizenship to parental rights was seen in the Elian Gonzalez case where the National government used armed force to return the child Elian to his biological father. Father's Rights groups hailed the government's use of force to return Elian to his father, but didn't understand that the issue was not one of biology but citizenship.

The "calf" Elian Gonzalez was not "branded" as a 14th Amendment citizen and therefore was not property of our government. As soon as Elian's father showed up with proof of paternity and/or Elian's Cuban citizenship, our government had no choice but to seize the child and return him to his lawful owner (Mr. Gonzalez and/or the Cuban government). To do otherwise would constitute kidnapping or cattle rustling.

The calf Elian was in the wrong pasture (America) with the wrong (14th Amendment) cows. The fact that the 14th Amendment cows (the Gonzalez relatives in Miami) took a shine to the Elian calf made no difference since 14th Amendment cows have no rights worth mentioning anyway (except with regard to

other 14th Amendment cows). It was incumbent on government to return the calf to the proper pasture (Cuba) and cows (Mr. Gonzalez).

If the Miami relatives had been #2 Citizens rather than #4 citizens, they might've been able to give government a run for it's money regarding Elian, but as 14th Amendment citizen-cows, they had no real say.

Those of you who would like to maintain a "natural" relationship with your children would do well to investigate the nature of your own citizenship, the nature of your marriage (see "Divorcing the Corporate State" Vol. 10 No. 1), and the consequences of securing a state-issued birth certificates and SSN for your children. So long as you and/or your kids are 14th Amendment citizens, U.S. citizens, or beneficiaries of government programs, you and your kids are "human resources" owned like so much livestock on the government plantation. Your status as government property is almost identical to that of Negro slaves prior to the Civil War. The only difference is that, unlike Negroes (who were forced into slavery) you entered slavery *voluntarily* and thus did not violate the 13th Amendment's prohibition of "involuntary servitude".

Although government comes in several different shapes and sizes, in the creator-creation hierarchy, government's position is relatively fixed.

#1 God
#2 Man (Citizens)
#3 Government
#4 14th Amendment citizens

That is, God is #1; We the People/ Citizens are #2; government is #3; and 14th Amendment citizens are #4. The relative positions of God and government are fixed. The only variable is the people who can voluntarily choose to live as #2 Citizens (property and servants of #1 God, but superior to #3 government) or as #4 citizens (property of and servants to #3 government).

Most of us mistakenly believe we are still #2 Citizens (like our forefathers) and entitled to the "unalienable Rights" granted by God, declared in the Declaration of Independence, and guaranteed by the Constitution (1789) and Bill of Rights (1791).

Unfortunately, we are deemed by government to be 14th Amendment citizens with only a relatively few rights and privileges (and those only against other 14th Amendment citizens). Why? In large measure, because we never understood the consequences of accepting the various benefits offered to 14th Amendment citizens. Most of us unwittingly traded our birthrights as #2 Citizens (to freedom, property ownership and dominion over our children) for a bowl of government pottage (14th Amendment citizenship, Social Security, etc.).

The important point is that YOU and your choice of citizenship (#2 or #4) are the principle variable in the creator-creation hierarchy. Government will behave relative to you according to which citizenship *you choose* to embrace. If you choose to live as a #2 Citizen, the #3 government will serve you. But if you choose (no matter how unwittingly) to voluntarily join the class of 14th Amendment #4 citizens, the #3 government will not only own you but rule you, if necessary, with an iron hand.

In the final analysis, there is no total freedom in this world. Although it's possible to create the illusion of total freedom by moving to the mountains and living an isolated life, you are in fact not free, but merely a fugitive slave.

Ask Randy Weaver. He moved up onto the remote Ruby Ridge and thought he was free. No way. He was just another stray cow. The government-farmer came to claim its cows, they got uppity and government shot four and killed two.

In this life, there is not alternative: you must choose which master you will serve. You can choose to be a #2 Citizen created by and subject to #1 God (and therefore free from obedience to #3 government). Or, you can choose to be a #4 14th Amendment citizen who is created by and subject to #3 government (and free from obedience from #1 God). Would you rather serve (and be protected by) the seemingly invisible God? Or serve (and be protected by) the omnipresent government?

It's not an easy choice, but it's the only choice you have.

So it's up to you. No matter how you shuck and jive, you will be some kind of "citizen" and thus serve someone.

So who will you serve this day? God (#1 on the creator-creation hierarchy)? Or government (#3)? Your choice is expressed by your citizenship. If you make no knowing choice, government will presume you are a #4 14th Amendment citizen subject to #3 government.

If you would like to live as a Man, you'd better take a close look at #2 Citizenship and begin to devise a plan to redeem that status.

On the other hand, if the benefits of 14th Amendment citizenship seem irresistible – welcome to the farm where all animals are created equal: equally "milkable," equally "butcherable," and equally disposable. But note that on the 14th Amendment farm, the farmers are not equal to the animals. If you want to serve that farmer, I hope you "got milk," cuz if not, you're gonna be steak or dog food.

Serve God or serve government. Your citizenship is your choice.

[1]This email appears to a reprint of an article ("Petition asks appeals court to rehear Ruby Ridge case") by Betsy Z. Russell a "staff writer" an unspecified publication.

[2] Agents first confronted family friend Kevin Harris, Randy Weaver and Weaver's 14-year-old son Sam, who were all armed, at a crossroads near Weaver's cabin. The agents had Weaver under surveillance because he had failed to appear in court on a weapons charge. After an agent shot the boy's dog, a gun battle erupted in which Deputy U.S. Marshal William Degan and Weaver's son Sam both died. The next day, at the cabin, FBI sniper Lon Horiuchi shot and wounded Randy Weaver and then shot Vicki Weaver while she was clutching her 10-month old baby and holding open the cabin door, to let Harris, Randy Weaver and their daughter Sara back inside. Horiuchi's shot went through Vickie's head, killing her, and shrapnel from the bullet wounded Kevin Harris.

Weaver was later convicted of failure to appear in court, and served 16 months in prison. However, in 1995, Weaver and his three daughters sued the federal government, which settled his multimillion-dollar suit for $3.1 million.

Nevertheless, a furor has persisted since some elements of the public can't understand how FBI marksman Lon Horiuchi (reputed able to hit a target the size of a quarter at 100 yards) could be excused from personal liability from shooting Vickie Weaver in the head while she was holding a baby. If Horiuchi had shot a man, or a woman armed with a rifle, he would probably have escaped personal liability. But since Vickie was a mother holding a baby, an emotional element was added to the killing that, so far, the FBI has been unable to shake.

The issue is primarily a Public Relations dilemma : How can the FBI (and the courts) justify killing mothers while they hold babies without diminishing public confidence in our "system of administration of justice"? On the other hand, how can the courts expose Horiuchi to criminal liability for killing Mrs. Weaver without adversely effecting the morale of government hit-men who've come to depend on their "right" to shoot civilians with impunity. The government's dilemma may be further exacerbated if Agent Horiuchi knows where other FBI "bodies are buried" (figuratively speaking) and threatened to blow the whistle if he's prosecuted criminally.

The courts are figuratively damned regardless of their decision. If they rule for public (government *can't* murder civilians without criminal liability), they risk antagonizing their snipers. If they rule for the snipers (government *can* murder civilians without criminal liability) they risk inciting the serfs to write letters to their Congressmen. Tough choice, hmmm?

My bet is that, with typical courage and integrity, the honorable courts will simply duck the issue and allow the case to slowly die the death of a thousand appeals until most of us can't remember 1992 let alone Ruby Ridge and Vickie Weaver. Then, because the witnesses are all dead or their testimony no longer reliable, the criminal case will be "unfortunately" dismissed.

That way, the public can maintain their comforting belief that government can't safely shoot them, and government agents can maintain their comforting belief that they can safely shoot any uppity civilian without incurring criminal liability. That way everyone is "comfortable" (except Sam and Vickie Weaver who are dead).

In the meantime, the government will probably throw a couple of civil awards to the survivors. Randy Weaver and family already received a $3.1 million settlement. Kevin Harris is suing for $10 million and he'll probably be paid about $1.5 million to go away.

Of course, all of that money will be paid by the American taxpayers who did not kill Sam and Vickie Weaver, or wound Randy Weaver and Kevin Harris. Thus, the actual government killers and officers responsible for the various deaths and injuries won't do time or pay a dime. In other words, members of the public gets shot and members of the public pays the penalty but the actual government shooters pay nothing. Y' see why they call it "the best legal system in the world"? They just don't bother to tell us "best for *who*?"

A Warning From the United States Supreme Court!

"75 to 90 percent ofAmerican Trial Lawyers are incompetent, dishonest, or both."

Chief Justice Warren Burger, U.S. Supreme Court

If this statement is true, shouldn't you consider learning a little about law yourself, even if only to keep your lawyers in line?

When legal problems are in front of you, if you don't know your rights, you might as well not have any.

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Memorial and Remonstrance against Religious Assessments

by James Madison

This document was presented to the General Assembly of Virginia in the fall of 1785 (two years before the Constitutional Convention). In it, James Madison argued successfully against the passage of a bill that would make elements of the Christian Church dependent on Virginia's government and subject to that government's authority.

The time line is important since the Federal Constitution of 1787, and even the subsequent Bill of Rights (1791), didn't say much about the Freedom of Religion and government's relationship to religion. Some constitutional scholars argue that the reason the Constitution and Bill of Rights said so little about religion was because the issue had already been so soundly settled in the States (with arguments like the following by Mr. Madison) that no further comment seemed necessary.

If this time-line argument is correct, you'll find the truth about our "Freedom of Religion" in the State constitutions in effect when the Federal Constitution was proposed in 1787.

The following document's 200-year old language is little hard to follow. The text includes the original spelling mistakes as well as words that are no longer used or spelled as they were in 1785. Further, you are reading my copy of a copy of document that was first reproduced in the book, "In God We Trust: The Religious Beliefs and Ideas of the American Founding Fathers" edited by Norman Cousins. I did not provide the bracketed insertions in this text and I don't know who did. There are other spelling and grammatical "curiosities" which may or may not be in the original.

Therefore, if this document interests you, I recommend getting an original copy and confirming the text's accuracy. Nevertheless, Madison's "memorial and remonstrance" is absolutely worth reading and, more, worth studying. His document provides a clear and insightful explanation on the relationship of our government to religion as well as the meaning of "unalienable Rights". His text also offers faint support for previous conjecture in AntiShyster Volume 10 No. 1 that the primary "unalienable Right" is the right to worship God. And, of course, you'll find indirect insight into our current problems with incorporated (state) churches.

We, the subscribers, citizens of the said Commonwealth, having taken into serious consideration, a Bill printed by order of the last Session of General Assembly, entitled "A Bill establishing a provision for Teachers of the Christian Religion," and conceiving that the same, if finally armed with the sanctions of a law, will be a dangerous abuse of power, are bound as faithful members of a Free State, to remonstrate against it, and to declare the reasons by which we are determined. We remonstrate against the said Bill.

1. Because we hold it for a fundamental and undeniable truth, 'that Religion or the duty which we owe to *our* Creator and the Manner of discharging it, can be directed only by reason and conviction, not by force or violence.' The Religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right. It is unalienable, because the opinions of men, depending only on the evidence contemplated by their own minds, cannot follow the dictates of other men: It is unalienable

also; because what is here a right towards men, is a duty towards the Creator. It is the duty of every man to render to the Creator such homage, and such only, as he believes to be acceptable to him. This duty is precedent both in order of time and degree of obligation, to the claims of Civil Society. Before any man can be considered as a member of Civil Society, he must be considered as a subject of the Governor of the Universe: And if a member of Civil Society, who enters into any subordinate Association, must always do it with a reservation of his duty to the general authority; much more must every man who becomes a member of any particular Civil Society, do it with a saving of his allegiance to the Universal Sovereign. We maintain therefore that in matters of Religion, no manes right is abridged by the institution of Civil Society, and that Religion is wholly exempt from its cognizance. True it is, that no other rule exists, by which any question which may divide a Society, can be ultimately determined, but the will of the majority; but it is also true, that the majority may trespass on the rights of the minority.

2. Because if religion be exempt from the authority of the Society at large, still less can it be subject to that of the Legislative Body. The latter are but the creatures and vicegerents *[sic]* of the former. Their jurisdiction is both derived and limited: it is limited with regard to the coordinate departments, more necessarily is it limited with regard to the constituents. The preservation of a free government requires not merely, that the metes and bounds which separate each department of power may be invariably maintained; but more especially, that neither of them be suffered to over-leap the great Barrier which defends the rights of the people. The Rulers who are guilty of such an encroachment, exceed the commission from which they derive their authority, and are Tyrants. The People who submit to it are governed by laws made neither by themselves, nor by an authority derived from them, and are slaves.

3. Because, it is proper to take alarm at the first experiement on our liberties. We hold this prudent jealousy to be the first duty of citizens, and one of [the] noblest characteristics of the late Revolution. The freemen of America did not wait till usurped power had strengthened itself by exercise, and entangled the question in precedents. They saw all the consequences in the principle, and they avoided the consequences by denying the principle. We revere this lesson too much, soon to forget it. Who does not see that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sects of Christians, in exclusion of all other Sects? That the same authority which can force a citizen to contribute three pence only of his property for the support of any one establishment, may force him to conform to any other establishment in all cases whatsoever?

4. Because, the bill violates that equality which ought to be the basis of every law, and which is more indispensible, in proportion as the validity of expediency of any law is more liable to be impeached. If 'all men are by nature equally free and independent,' all men are to be considered as entering into Society on equal conditions; as relinquishing no more, and therefore retaining no less, one than another, of their natural rights. Above all are they to be considered as retaining an *'equal* title to the free exercise of Religion according to the dictates of conscience. Whilst we assert for ourselves a freedom to embrace, to

profess, and to observe the Religion which we believe to be of divine origin, we cannot deny an equal freedom to those whose minds have not yet yielded to the evidence which has convinced us. If this freedom be abused, it is an offence against God, not against man: To God, therefore, not to man, must an account of it be rendered. As the Bill violates equality by subjecting some to peculiar burdens; so it violates the same principle, by granting to others peculiar exemptions. Are the Quakers and Menonists t he only sects who think a compulsive support of their religions unnecessary and unwarrantable? Can their piety alone be intrusted with the care of public worship? Ought their Religions to be endowed above all others, with extraordinary privileges, by which proselytes may be enticed from all others? We think too favorable of justice and good sense of these denominations, to believe that they either covet pre-eminencies over their fellow citizens, or that they will be seduced by them, from the common opposition to the measure.

5. Because the bill implies either that the Civil Magistrate is a competent Judge of Religious truth; or that he may employ Religion as an engine of Civil policy. The first is an arrogant pretension falsified by the contradictory opinions of Rulers in all ages, and throughout the world:

The second an unhallowed perversion of the means of salvation.

6. Because the establishment proposed by the Bill is not requisite for the support of the Christian Religion. To say that it is, is a contradiction to the Christian Religion itself; for every page of it disavows a dependence on the powers of this world: it is a contradiction to fact; for it is known that this Religion both existed and flourished, not only without the support of human laws, but in spite of every opposition from them; and not only during the period of miraculous aid, but long after it had been left to its own evidence, and the ordinary care of Providence; Nay, it is a contradiction in terms; for a Religion not invented by human policy, must have pre-existed and been supported, before it was established by human policy. It is moreover to weaken in those who profess this Religion a pious confidence in its innate excellence, and the patronage of its Author; and to foster in those who still reject it, a suspicion that its friends are too conscious of its falacies, to trust it to its own merits.

7. Because experience witnesseth that ecclesiastical establishments, instead of maintaining the purity and efficacy of Religion, have had a contrary operation. During almost fifteen centuries, has the legal establishment of Christianity been on trial. What have been its fruits? More of less in all places, pride and indolence in the Clergy; ignorance and servility in the laity; in both, superstition, bigotry and persecution. Enquire of the Teachers of Christianity for the ages in which it appeared in its greatest lustre; those of every sect, point to the ages prior to its incorporation with Civil policy. Propose a restoration of this primitive state in which its Teachers depended on the voluntary rewards of their flocks; many of them predict its downfall. On which side ought their testimony to have greatest weight, when for or when against their interests?

8. Because the establishment in question is not necessary for the support of Civil Government. If it be urged as necessary for the support of Civil Government only as it is a means of supporting Religion, and it be not necessary for the latter purpose, it cannot be necessary for the former. If Religion be not

within [the] cognizance of Civil Government, how can its legal establishment be said to be necessary to civil Government? What influence in fact have ecclesiastical establishments had on Civil Society? In some instances they have been seen to erect a spiritual tyranny on the ruins of Civil authority; in many instances they have been seen upholding the thrones of political tyranny; in no instance have they been seen the guardians of the liberties of the people. Rulers who wished to subvert the public liberty, may have found an established clergy convenient auxiliaries. A just government, instituted to secure and perpetuate it, needs them not. Such a government will be best supported by protecting every citizen in the enjoyment of his Religion with the same equal hand which protects his person and his property; by neither invading the equal rights of any Sect, nor suffering any Sect to invade those of another.

9. Because the proposed establishment is a departure from the generous policy, which, offering an asylum to the persecuted and oppressed of every Nation and Religion, promised a lustre to our country, and an accession to the number of its citizens. What a melancholy mark is the Bill of sudden degeneracy? Instead of holding forth an asylum to the persecuted, it is itself a signal of persecution. It degrades from the equal rank of Citizens all those whose opinions in Religion do not bend to those of the Legislative authority. Distant as it may be, in its present form, from the Inquisition it differs from it only in degree. The one is the first step, the other the last in the career of intolerance. The magnanimous sufferer under this cruel scourge in Foreign Regions, must view the Bill as a Beacon on our Coast, warning him to seek some other haven, where liberty and philanthropy in their full extent may offer a more certain repose from his troubles.

10. Because, it will have a like tendency to banish our Citizens. The allurements presented by other situations are every day thinning their number. To superadd a fresh motive to emigration, by revoking the liberty which they now enjoy, would be the same species of folly which has dishonored and depopulated flourishing kingdoms.

11. Because, it will destroy that moderation and harmony which the forbearance of our laws to intermeddle with Religion, has produced amongst its several sects. Torrents of blood have been spilt in the old world, by vain attempts of the secular arm to extinguish Religious discord, by proscribing all difference in Religious opinions. Time has at length revealed the true remedy. Every relaxation of narrow and rigorous policy, wherever it has been tried, has been found to assuage the disease. The American Theatre has exhibited proofs, that equal and complete liberty, if it does not wholly eradicate it, sufficiently destroys its malignant influence on the health and prosperity of the State. If with the salutary effects of this system under our own eyes, we begin to contract the bonds of Religious freedom, we know no name that will too severely reproach our folly. At least let warning be taken at the first fruits of the threatened innovation. The very appearance of the Bill has transformed that 'Christian forbearance, love and charity,' which of late mutually prevailed, into animosities and jealousies, which may not soon be appeased. What mischiefs may not be dreaded should this enemy to the public quiet be armed with the force?

12. Because, the policy of the Bill is adverse to the diffusion of the light of Christianity. The first wish of those who enjoy this pre-

cious gift, ought to be that it may be imparted to the whole race of mankind. Compare the number of those who have as yet received it with the number still remaining under the dominion of false Religions; and how small is the former! Does the policy of the Bill tend to lessen the disproportion? No, it at once discourages those who are strangers to the light of [revelation] from coming into the Region of it; and countenances, by example the nations who continue in darkness, in shutting out those who might convey it to them. Instead of leveling as far as possible, every obstical to the victorious progress of truth, the Bill with an ignoble and unchristian timidity would circumscribe it, with a wall of defence, against the encroachments of error.

13. Because attempts to enforce by legal sanctions, acts obnoxious to so great a proportion of Citizens, tend to enervate the laws in general, and to slacken the bands of Society. If it be difficult to execute any law which is not generally deemed necessary or salutary, what must be the case where it is deemed invalid and dangerous? And what may be the effect of so striking an example of impotency in the Government, on its general authority.

14. Because a measure of such singular magnitude and delicacy ought not to be imposed, without the clearest evidence that it is called for by a majority of citizens: an no satisfactory method is yet proposed by which the voice of the majority in this case may be determined, or its influence secured. The people of the respective counties are indeed requested to signify their opinion respecting the adoption of the Bill to the next session of Assembly.' But the representation must be made equal, before the voice either of the Representatives or of the Counties, will be that of the people. Our hope is that neither of the former will, after due consideration, expose the dangerous principle of the Bill. Should the event disappoint us, it will still leave us in full confidence, that a fair appeal to the latter will, after due consideration, espouse the dangerous principle of the Bill. Should the event disappoint us, it will still leave us in full confidence, that a fair appeal to the latter will reverse the sentence against our liberties.

15. Because, finally, 'the equal right of every citizen to the free exercise of his Religion according to the dictates of concience' is held by the same tenure with all our other rights. If we recur to its origin, it is equally the gift of nature; if we weigh its importance, it cannot be less dear to us; if we consult the Declaration of those rights which pertain to the good people of Virginia, as the 'basis and foundation of Government,' it is enumerated with equal solemnity, or rather studied emphasis. Either then, we must say, that the will of the Legislature is the only means of their authority; and that in the plenitude of this authority, they may sweep away all our fundamental rights; or, that they are bound to leave this particular right untouched and sacred: Either we must say, that they may control the freedom of the press, may abolish the trial by jury, may swallow up the Executive and Judicial Powers of the State; nay that they may despoil us of our very right to suffrage, and erect themselves into an independent and heredity assembly: or we must say, that they have no authority to enact into law the Bill under consideration. We the subscribes say, that the General Assembly of this Commonwealth have no such authority: And that no effort may be omitted on our part against so dangerous and usurpation, we oppose to it, this remonstrance; earnestly praying, as we are in duty bound, that the Supreme Lawgiver of the Universe, by illuminating those to whom it is addressed, may on the one hand, turn their councils from every act which would affront his holy prerogative, or violate the trust committed to them: and on the other, guide them into every measure which may be worthy of his [blessing may re] bound to their own praise, and may establish more firmly the liberties, the prosperity, and the Happiness of the Commonwealth.'" — JAMES MADISON. ■

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Let's be Reasonable

by Alfred Adask

Over the past three years, the AntiShyster has explored the differences between courts of law and courts of equity. These differences are dramatic but virtually invisible. There are three reasons for our inability to distinguish the difference between courts of law and equity:

- The purpose of a court of law is to determine *legal* (not equitable) rights. Legal rights flow from *legal* title. If you lack (or fail to present) evidence that you have legal title to the property or claim you're making to the court, you necessarily have no legal rights in that case, and there is nothing for a court of law to decide. I.e., without legal title, you can't have legal rights. Since a court of law only determines questions of legal rights, if you don't have any, you have no standing in law, no issue that can be determined by a court of law, and therefore your case will be heard in equity.
- Trial court judges are empowered to hear your case in *either* law or equity. The judge will hear your case according to *your* status and legal capacity. I.e., do you have (or show evidence of) *legal* title to the property or claim at issue? If not, your case will be automatically heard in equity.
- For most of American history, suits tried at law or in equity were easily distinguished since each system operated with distinctly different forms and procedures. For example, the forms and procedures used in equity could not work in law. Thus, as soon as someone sent you paperwork on a lawsuit, you could tell instantly from the form whether the lawsuit would be tried in law or equity and adjust your legal strategy accordingly.

However, in 1938 the great white father in Washington decided to favor us by combining the forms and procedures of law and equity into a single "universal" form and procedure. The express purpose for this unification was to save us from the trouble of having to learn two forms and procedures.

Although this justification sounds nice, I suspect it was done intentionally to deceive the American people into mistaking courts of equity for courts of law.

This deception depends on the public (and most lawyers) assuming that since the forms and procedures of law and equity were combined, that law and equity were combined.

Not so. Law and equity still exist as two mutually exclusive jurisdictions. Because we don't understand the fundamental difference between law and equity (the forms and procedures no longer signal which kind of court we're in), we walk into court thinking it's a court of *law* if which we enjoy legal rights – when, in fact, we are being unwittingly tried in a court of *equity* where we enjoy trivial privileges rather than unalienable Rights.

Little things mean a lot

OK, so what difference does it make whether we're tried in law or equity?

The difference is enormous. In a court of law, not only the litigants but also the *judge* is bound by the relevant law.

However, if a court of equity, the judge is intentionally free to ignore the law. Instead, an equity court judge rules primarily according to his own "conscience" and thus becomes the "law" in a particular case. The potential for abuse of discretion by a equity judge is obvious in theory and reported regularly in fact.

Historically, courts of equity were created to deal with problems of justice where no law applied, where litigants lacked standing (legal title and thus le-

gal rights) necessary to reach a court of law, or even where the law in a particular case was unreasonably harsh.

For example, suppose a law reads that anyone driving his car in a school zone who hits and kills a child shall be imprisoned for the balance of his natural life. But suppose a small, unseen child darts out into the street from between two parked cars and is hit by a driver going 10 MPH. Anyone looking at the tragedy can see the driver wasn't negligent, and more, it would've been virtually impossible for the driver to see the child and stop. Should that driver spend the rest of his life in prison?

According to the law, Yes. If the man is tried in law, in a court of law, he will be convicted and imprisoned. The judge has no choice and is bound by law to convict, even if the defendant is the judge's only son.

But if the defendant's case is heard in a court of equity, the judge can rule the man is innocent and free him from the threat of imprisonment.

My point is that while courts of law are absolutely bound to follow the law, courts of equity are only bound to follow the judge's conscience. Although courts of equity generally "follow" the law, they are specifically exempted from absolute obedience to virtually all laws.

As a result, in a court of equity all of your legal arguments are just so much white noise. The judge will listen to your list of legal precedents, but he has no obligation to obey them. Equity has been generally characterized as rule by man, not law.

You can tell the equity judge all the relevant case law that supports your position, but if the judge doesn't like the color of your eyes, your legal arguments may be interesting, but they aren't binding on that judge. You'll lose and leave the court of equity in bitterness (if not handcuffs) swearing that the judge is a treasonous s.o.b..

But you'd be wrong. Even if the judge is deceptive, the primary cause of your trouble is that you do not understand the difference between law and equity and are therefore unable to ensure that your case is heard in law rather than equity.

Unbridled power?

At first, the enormous "discretion" enjoyed by equity court judges, sems to constitute almost unlimited judicial power. But that's not quite so. So far as I can tell, a judge sitting at equity can't reach a decision that is 1) shocking to the conscience; 2) tends to diminish public confidence in the system of administration of justice; and 3) is unreasonable.

I won't analyze the "shocking" and "public confidence" restrictions in this article. Instead, I will speculate on the prohibition against reaching a decision that is "unreasonable".

Anyone who's followed our courts' antics for long has noticed the repeated reliance on the terms "reasonable" and "unreasonable". Anything that can be shown to be "unreasonable" (even if technically consistent with the law) can be modified or rejected. On the other hand, that which is "reasonable" is worthy of serious consideration and likely to prevail.

Although the equity court's power is not bridled by law, it appears to be bridled by *reason*.

But what is "reason"?

Answer: Logic. Facts, syllogisms (If A, then B), evidence, maxims of law. Rational thought.

If you can present a compelling rational/ reasonable argument, the court of equity just might be bound to agree with you.

Implication: Courts of equity just might be a very hospitable forum for those who are able to think, write and speak with an exceptional command of logic.

Reason can overcome law

I suspect the following court order illustrates the power of reason (logic) in courts of equity. This order involves a California association that wants to grow and use its own marijuana. Some of its members have medical disabilities (like glaucoma or cancer) which can be treated or alleviated by using marijuana.

The law (statutes enacted by Congress) is pretty clear. The marijuana association can't grow their own, even for medical purposes unless an allowance is made through some administrative procedure.

Nevertheless, the marijuana association was able to present a logical, well-reasoned case backed by evidence and facts that at least those member with medical disabilities should be able to smoke some grass.

Remarkably, a U.S. District Court agreed.

The lesson seems to be that a court of equity, while not bound by law, is bound by reason, logic and evidence. I.e., if you can present a logical, well-documented argument to a judge sitting in equity – and if no *evidence* is offered by your adversary to refute your "reason" – the judge may even be forced to agree with your presentation.

If you can read between the lines of the following court order, I think you'll see the logical foundation that defeated the government's law.

I've added some bracketed text into the court orders to make them a little easier to understand, and highlighted and/ or footnoted those terms in the orders that I suspect signal logical elements that were necessary to create a case so "reasonable" the court had to agree.

THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,
v.
OAKLAND CANNABIS BUYERS' COOPERATIVE, et al.,
Defendants.

No. C 00088 CRB

ORDER

Now before the Court is defendants' motion to modify the injunction issued on May 19, 1998, or in the alternative, to dissolve the injunction. After carefully considering the papers filed by the parties, and having had the benefit of oral argument, the motion to modify the injunction is GRANTED.

In Unites States v Oakland Buyers' Cooperate, 190 F.3 d 1109(9th Cir. 1999), the Ninth Circuit reversed the Court's order denying defendants' motion to modify the injunction and instructed the Court "to reconsider the [defendants'] request for a modification that would exempt from the injunction distribution to seriously ill individuals who need cannabis for medical purposes." Id. at 1115. In doing so, the [appellate] court held that this [trial] Court **must** consider the **public interest**,[1] and that the **evidence in the record**[2] "show[s] that the proposed amendment to the injunction clearly **related**[3] to a matter affecting the public interest." at 1114. **Significantly**, the Ninth Circuit also held that the government had not "identif[ied] any **interest** it may have in blocking the distribution of cannabis to those with medical **needs**, relying exclusively on its **general interest** in enforcing its statutes."[4] Id. The court noted that the government "has **offered no evidence to rebut OCBC's evidence** that cannabis is the **only** effective treatment for a large group of seriously ill individuals."[5] Id.

On remand the **government has still not offered any evidence** to rebut defendants' evidence that cannabis is medically **necessary**[6] for a group of seriously ill individuals. Instead, the government continues to press **arguments**[7] which the Ninth Circuit rejected, including the argument that the Court must find that enjoining the distribution of cannabis to seriously ill individuals is in the public interest because **Congress** has **prohibited** such **conduct** in favor of the **administrative** process regulating the approval and distribution of drugs. As a result of the government's **failure to offer any new evidence in opposition**[7] to defendants' motion, and in light of the Ninth Circuit's opinion, the Court **must** conclude that modifying the injunction as requested is in the **public interest**[1] and exercise its **equitable**[8] discretion to do so.

Accordingly, the injunction issued on May 19, 1998 will be modified as follows:

The foregoing injunction does not apply to the distribution of cannabis by the Oakland Cannabis Buyers' Cooperative and Jeffrey Jones to patient-members who (1) **suffer** from a

[1] This tells us that the trial court must regard the "public interest" as a fundamental goal which cannot be ignored or overruled. Thus, all "reasonable" arguments might do well to identify the "public interest" in a particular case and prove that your argument serves that public interest.

[2] It's not enough to chat with the judge. The evidence supporting your reasonable arguments must be in writing and in the record.

[3] Again, it's important to structure the argument and evidence to reach the goal of public interest.

[4] This sentence indicates that government has a "general interest" in enforcing its statutes, but that the "needs" (in this case "medical needs") of individuals can take precedence over the government's general interests. However, government can apparently counter an individual's claim of "need" by presenting evidence of a (specific) government interest in denying the "need".

[5] This may be the key to the defendant's success: The government offered no evidence to refute the defendant's evidence (not mere argument or even law) that cannabis was the "only effective treatment".

[6] Apparently, government must allow that which is shown by evidence to be "necessary".

[7] As in footnote #5, it appears that government relied exclusively on arguments (which probably work in most cases where the defendant has not presented a "reasonable" defense) rather than actual evidence entered into the record to rebut the defendant's evidence. How many times have we seen "patriots" go to court to advance great constitutional arguments backed up with no evidence or facts? How many times have the arguments (without facts) lost? Here, the government has seemingly made the same mistake.

[8] The case is being heard in a court of equity.

serious **medical** condition,[9] (2) will suffer **imminent harm if** the patient-member does not have access to cannabis,[10] (3) **need** cannabis for the treatment of the patient-member's medical condition, or need cannabis to alleviate the medical condition symptoms associated with the medical condition,[11] and (4) have **no reasonable legal alternative**[12] to cannabis for the effective treatment or alleviation of the patient-member's legal medical condition or symptoms associated with the medical condition because the patient-member has **tried all other legal alternatives** to cannabis and the alternatives have been **ineffective** in treating or alleviating the patient-member's medical condition or symptoms associated with the medical condition, or the alternatives result in side effects which the patient-member cannot **reasonably** tolerate.

The Court DENIES defendants' motion to dissolve the injunction. Nothing in the Ninth Circuit's decision suggests that the Court should dissolve the injunction, especially in light of the above modification.

IT IS SO ORDERED.
Dated: July 17, 2000
CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

A subsequent court order enjoined the Oakland Cannabis Buyer's Cooperative from various acts associated with the "manufacture or distribution" of

[9] The terms "suffer" and "serious medical condition" indicates that part of the evidence is testimony by a licsensed physician that verifies there is a medical condion and the patient is suffering.

[10] Item #2 is a syllogism – a logical relationship generally expressed as "if A, then B". In this case, the unrefuted syllogism indicates that "Suffering imminent harm is contrary to public policy," (major premise) and "If the patient-members don't receive cannibis, THEN they will suffer immiment harm." That deduction seems obvious. But there's also an implied deduction: If the judge won't allow patient-members to use cannibis, THEN the judge will be personally responsible for violating public policy (which seemingly precludes causing suffering).

[11] This seems to be another premise: The patient-members NEED cannibis to treat or alleviate the "medical condition" referenced in Item #1.

[12] "no reasonable alternative" closes the door on the argument that while illegal cannibis might helpful, it's not necessary since there are other reasonable alternatives. Thus, it's cannibis or nothing to prevent "suffering imminent harm" and violating public policy.

marijuana. However, that order also declared, "The foregoing injunction does not apply to the distribution of cannabis by the Oakland Cannabis Buyers' Cooperative and Jeffrey Jones to patient-members who" satisfy the four logical criteria listed in the previous order.

Point: Under particular circumstances, when sufficient evidence and reasoning is presented to a court, the court will order that seemingly illegal behavior be condoned.

That's a pretty remarkable tribute to the power of "reason" in courts of equity.

Judges must be moral

The concept of reason is intimately tied to that of morality.

In the last two editions of the AntiShyster (Vol 9 No. 3 and Vol 10 No. 1), we explored the concept of morality and concluded that an "amoral" person was one who did not know the difference between right and wrong (or good and evil) while a "moral" person was someone who did understand that difference. We observed further that an "immoral" person was one who understood the difference between right and wrong, but intentionally chose to do wrong while a "righteous" (or rightful) person also understood the difference, but chose to do right.

We speculated that our court system presumes that virtually all Americans are "amoral" (don't know the difference between right and wrong) and are therefore legally insane and incompetent to handle their own legal affairs. Only a handful of Americans (politicians, lawyers, judges and perhaps others with advanced professional degrees like doctors, etc.) are deemed to be moral. The relationship between being "moral" and being a judge is apparent since a person can't be expected to "judge" unless he understands the difference between right and wrong. Morality (knowing the difference between right and wrong) is the essential requirement for all judicial determinations and thus only a moral person can sit as a judge.

The 4th Edition of Black's Law Dictionary offers a clue to the relationship between "moral" and "reasonable":

"REASON. A faculty of mind by which it distinguishes truth from falsehood, good from evil, and which enables the possessor to deduce inferences from facts or from propositions. . . . Also an inducement, motive, or ground for action . . . ."

Point: Reason is a means by which we distinguish (judge) between right and wrong. Thus, reason is at least an essential capacity for a "moral" person (one capable of *judging*). Arguably, "reasonable" and "moral" might even be synonymous.

Implication: A "judge" who is "unreasonable" (who does not respond to reasonable arguments) is unfit to sit on the bench.

Implication: Evidence that a judge behaves unreasonably may be sufficient to impeach the judge from office. Moreover, evidence that the judge is persistently unreasonable (as evidenced by his decisions being repeatedly reversed by appellate courts) might even create a personal liability for the judge's employers.

For example, a municipality employed a judge who was known for his eccentric behavior and frequently reversed decisions. That municipality might be liable to litigants damaged by "unreasonable" decisions of that judge if it could be shown that the municipality knew or should have known from the judge's behavior and reversal record that he was unreasonable, amoral and incapable of distinguishing (judging) between right and wrong.

Implication: Perhaps the judge in a court of equity MUST respond to reason. Thus, if you are capable of constructing a precisely reasoned argument – unless your adversary refutes your logic – the judge in equity may be forced to rule in your favor.

Other applications?

I wouldn't bet that this "reasonable" strategy would absolutely work in any case in the casinos we call courts of equity, but who knows?

For example, suppose your state or community prohibited the possession of fire arms in certain locations or occupations. Could a precisely reasoned case backed by unrefuted evidence induce an equity court judge to grant you permission to "carry" despite the law?

How 'bout custody issues? Based on various presumptions, the equity courts routinely rule that the "best interests of the child" are served by virtually severing the child's relationship to the father. But what if a father were to provide extensive evidence that refuted the "best interest" presumptions by showing the high probability that the child will "suffer imminent harm" **if** the child is denied generous access to the father?

Syllogistic warfare

I suspect the key to an effective *reasonable* argument may use of a syllogism of the sort seen in Criteria # 2 of the court's order: The patient member "will suffer imminent harm **if** the patient-member does not have access to cannabis".

As a simplistic illustration, suppose you motion a court to grant a continuance. You reference the local rule of court that allows you to make the motion, and the court might say Yes and it might say No.

But note that merely citing the law concerning continuances is not precisely a "reasonable" argument. There is no express syllogism (If A, then B) – only a statement of facts.

But suppose you made the same motion and instead of merely listing the relevant rule on continuances, you back it up with a couple of facts (premises) entered into evidence and a syllogism that shows that IF the motion for continuance is not granted, THEN you will suffer some harm which is contrary to public policy.

The logic of your motion might run something like this:

1. Public policy requires that the costs of litigation be kept to a minimum (premise backed by evidence into court record).

2. Lost employment is a cost of litigation. (backed by evidence)

3. The defendant has an important employment opportunity on Tuesday, the day of the scheduled court hearing, which cannot be postponed. (backed by evidence)

4. Syllogism: **If** the case is heard on Tuesday, **then** the defendant will suffer the loss of a valuable job or employment opportunity.

5. The defendant would suffer no employment loss if the case were heard on Wednesday of following week with no inconvenience to the court or adversary (backed by evidence).

6. Therefore, defendant moves that the court grant a continuance the case scheduled for Tuesday until Wednesday of the following week.

That's a pretty clumsy chain of reasoning, but it's still a "reasonable" (logical) argument. Unless your premises (facts) and logic (syllogism) are refuted by your adversary, the court may be compelled to respond positively.

Because the equity judge is obligated to behave in a reasonable/ moral manner, I suspect that if you present a "reasonable" (logical) argument to him, you should at least increase the probability that he will rule in your favor. On the other hand, if your motions (or perhaps administrative notices) are presented without reason, logic and syllogism, the judge (or administrator) may see nothing "reasonable" (syllogistic) to consider and thus be empowered to rule strictly according to his own conscience.

I conclude that in courts of equity, the law itself can be overcome and defeated by a deft application of reason.

Etc.

Recent reports indicate the Japanese banking crisis is getting worse. Following last week's news that Origami Bank had folded, it was learned that Sumo Bank has gone belly up. Bonsai Bank plans to cut back some of its branches and the Karaoke Bank is being sold for a song. Meanwhile, shares in Kamikaze Bank have nose-dived and 500 jobs at Karate Bank will be chopped. Analysts report that there's something fishy going on at Sushi Bank and staff fear they may get a raw deal.

A lot of folks can't understand how we ran out of oil in the USA. Well, the answer's simple: nobody bothered to check the oil so we didn't know we were getting low.

Why didn't we check? Because all the oil is in Texas and Alaska — and all the dipsticks are in Washington, D.C.

"Old" is when:

- A sexy babe catches your fancy and your pacemaker opens the garage door.
- You are cautioned to slow down by the doctor instead of by the police.
- "Getting lucky" means you found your car in the parking lot.
- Going bra-less pulls all the wrinkles out of your face.

Two sisters, one blonde and one brunette, inherit the family ranch and need a bull to breed. The brunette takes their last $600 to go look at a bull and tells her sister, "If I buy the bull, I'll telegraph you to drive out and haul it home."

The brunette likes the bull but the owner refuses to sell for less than $599. After paying him, she wants to telegraph her sister, but the operator explains "It's 99 cents a word."

Since she's only got $1 left, she can only send one word. After thinking, she says, "Send the word, 'comfortable'."

The operator shakes his head. "How will she know to hitch a trailer to your pickup and drive out here to haul that bull back if all you telegraph is 'comfortable'?"

The brunette explaines, "My sister's blonde. She'll read it slow!"

A Minneapolis couple decided to vacation in Florida. They couldn't coordinate their schedules, so they decided the husband would fly to Florida on Friday and the wife would follow on Saturday.

The husband arrived at the Florida hotel, opened his laptop and sent a quick email to his wife. However, in his haste, he left one letter off in his wife's email address.

In Alabama, a widow returned from her husband's funeral. She was expecting e-mail from relatives and friends so she turned on the computer, read the first e-mail, screamed, fainted and fell to the floor.

Her son ran in and found his unconscious mother, glanced up at the monitor and read the following email:

"To my loving wife:

"I've just checked in. Everything has been prepared for your arrival here tomorrow. Looking forward to seeing you then.

"Your devoted husband.

"P.S. Sure is hot down here."

BUBBA BATH by Politipickle

Eight years of the Clintons in power
Leave a taste in the mouth that is sour
And an overall sense
That we need a good rinse
And should spend extra time in the shower.

A young man tried every excuse he could think of to avoid jury duty, but none of 'em worked. On the day of the trial he approached the judge.

"Your Honor, I must be excused from this trial because I'm prejudiced against the defendant. I took one look at the man in the blue suit with those beady eyes and that dishonest face and I said, 'He's a crook! He's guilty, guilty, guilty!' So judge, I couldn't possibly serve on this jury!"

The mildly amused judge replied, "Get back in the jury box, sonny. That man is the lawyer."