

## US LAW AND INTERNATIONAL LAW: PART I – RESIDENT ©

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### RESIDENT EXAMINED

While reading this, keep in mind that we are all FREE under the Law of God. And, in law, *i.e.* man's law, there are: Free Men (freemen) and Things.<sup>1</sup>

Now it is asked: Who owns government? It is in control of the nation (people that make up the nation), is it not? One would think, anyway. Now, is a government a thing or a human being? Of course the answer is: A government is a thing. Now, how can a THING tell a man or woman what to do? It cannot. Therefore, does not a man or woman have to be brought down or to the same level to be dealt with by the *thing*, government?

Through my years of research I have determined that man has constructed a bridge between the Law of God and the law of man thorough terminology. In our natural state, we are men and women; the next bridge—which is somewhat in unison with the Law of God, *i.e.* God's nations—is to bring us under the law of our nation. The term *nationality* is linked to the term nation. Under the Law of Nations, if we are not a member of a nation we are considered *stateless*. The term *state* is simply defined as: the government of a nation, *or* may be the government of a sum of nations, such as the United States' league or confederation, *i.e.* The United States of America, the incorporation (a *thing*).<sup>1</sup>

In regard: The term RESIDENT means a man or woman who is given the identity of a THING so he or she may be controlled in interrelations of *different* governments and/or countries, *i.e.* to be controlled by their respective governments under man's law.

I will now explain this quandary. While reading this, please keep in mind that *terms* in law somewhat depart from the general usage of *words*; thus, I will be implementing some thought in regard herein which departs from the derivative of the word *resident*.<sup>2</sup>

Thus far through my research I have found that the actual meaning of the term *resident* has never been disclosed to anyone; it appears to have been kept a secret to most, even the ones in the legal profession. In example, here is the definition of *resident* found in a rather current edition of Black's Law Dictionary, Sixth Edition:

- **Resident.** Any person [*i.e.* a resident *person* [*resident*, adj.] who occupies a dwelling *within the State*, has a present intent to remain *within the State* for a period of time, and manifests the genuineness of the intent by establishing an ongoing physical presence *within the State* together with indicia that his presence *within the State* is something other than merely transitory in nature.

The word “resident” when used as a noun, means a dweller, habitant or occupant; one who resides or dwells in a place for a period of more, or less, duration; it signifies one having a residence, or one who reside or abides.

Oh... Okay. What did that really say?

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1 Thing, *Law*. That which can be possessed or owned. *American Heritage Dictionary*

2 dwell. 1. To live as a resident; reside. 2. To exist in a given place or state. In general usage of word resides: Middle English *residen*, from Old French *resider*, from Latin *residēre*, to remain behind, reside: *re-*, *re-* + *sedēre*, to sit. *re* (*rē*) *preposition*. In reference to; in the case of; concerning. [Latin *rē*, ablative of *rēs* or thing]. *American Heritage Dictionary*

The two different definitions actually act in unison as one. The first part is the adjective, the second the noun, like stated. In an example of the adjective use in modifying the noun, we can say *resident person* or *resident alien*. After the particular *persona* with the adjective modifier is established on that person, we can then apply that *persona* to the subject (*i.e.* man or woman) in question: *resident*, n. he or she is a *resident*.<sup>3</sup>

Moreover, please note that “within the State” was used several times in the above definition of *resident*. This is a legal term that puts a *person* under the jurisdiction of a government. I will be going over that term more in subsequent parts of the series, which will go over the 14th Amendment operations. For the purpose of this instant tutorial, please note the *transitory description* of the *person* in question used in Black’s definition. That is to say: the subject in question is someone that is from a different location of his normal presence, *i.e.* not necessarily permanent, but possibly permanent to a degree.

This leads me to go over the next issue, which is the term *inhabitant*. In example, I will give you the current definition of that term from Wisconsin statutes:

- Wisconsin Stats. 990.01(15) Inhabitant. "Inhabitant" means a resident.

It is clear that an “inhabitant” is a “resident” in that authority. The only place that I could find the term *inhabitant* defined is in the original French translation of Law of Nations by Vattel. Below is the definition of the term from the legal reference.

- **Inhabitants**, as distinguished from citizens, are aliens who are permitted to take up a permanent abode in the [a] country. *The Law of Nations, Vattel-circa 1750*

If you review the Articles of Confederation you will find that definition *implemented* therein. The Articles use both “inhabitant” and “citizen”, and in *its* apparent vagueness, set forth the principles of which were established by Vattel. Expanding, however, in the edition of Vattel the Carnegie Foundation<sup>4</sup> had established for use of the general law profession after the so-called Civil War, I have noted that this term was changed to the term “resident”. As you will see there is some evil behind this, in a sense. An *inhabitant* had little *legal* attachment to it.<sup>5</sup> In the advent of the *Brave New World*, which brought about people being more *migratory* in nature, the world elite had to create a legal term that turned people into THINGS so they could be more readily regulated and taxed.

Before I further explain the term *resident*, please review the term *person*:

- **PERSON.** This word is applied to men, women and children, who are called natural persons. In law, man and person are not exactly synonymous terms. Any human being is a man, whether he be a member of society or not, whatever may be the rank he holds, or whatever may be his age, sex, &c. A person is a man considered according to the rank he holds in society, with all the rights to which the place he holds entitles him, and the duties which it imposes. It is also used to denote a corporation which is an artificial person. But when the word “persons” is

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3 In Latin, *sedēre* means: to sit; *re* means: in regard; and *res* means: thing, *see* footnote 2. As *re* is regarded as a derivative (ablative/departure) of *res*, think of *re* as conducive to the act of or in regard to sitting, and *res* being conducive to the thing or in reference to the noun, or the *thing* sitting.

4 Carnegie, Andrew. 1835-1919. Scottish-born American industrialist and philanthropist who amassed a fortune in the steel industry. *American Heritage Dictionary*

5 *i.e.*, “inhabitant” simply means *living in by habit*; “resident” encompasses *deeper* Latin derivatives.

spoken of in legislative acts, *natural persons* will be intended, unless something appears in the context to show that it applies to artificial persons.

They (*persons*) are also sometimes divided into free persons and slaves. Freeman are those who have preserved their natural liberty, that is to say, who have the right of doing what is not forbidden by the law. A slave is one who is in the power of a master to whom he belongs. Slaves are sometimes ranked not with persons but things. Persons are also divided into *citizens*, (q.v.) and *aliens*, (q.v.) when viewed with regard to their political rights. *Bouvier's Law Dictionary, 1856*

Note that unless you are a *person*, you do not belong to any society. A society can or may be deemed to be a country (nation), or a political subdivision thereof. Also, note that an *alien* does not have political rights. This will be covered in more detail below.

Now, to continue on the subject of this tutorial: the legal term *resident*.

We have established that an *inhabitant* is a *person* in a country not his own. It has been further set forth that current state governments in the Union see the term *inhabitant* and *resident* in an identical manner, taking note that the Carnegie Foundation and *its* lawyers had changed the meaning or modified *inhabitant* to mean *resident*. Again, in law it appears that *these people* conjure up things to fit their own purposes which depart from general usage of a *word*. In example, the term "citizen" means a *corporation*.<sup>6</sup> As *citizen* is generally tied to political rights,<sup>8</sup> such usage is a major perversion from the roots and meaning of the word. Keeping such fabrications in mind, now see *thing* defined below along with its partner that describes the rest of what *resident* encompasses:

- **RES**, property. Things. *Bouvier's Law Dictionary, 1856*
- **i-den-tic**, [identic] adj. 1. Being or constituting a diplomatic action or diplomatic language in which two or more governments agree to use the same forms in their relations with other governments. 2. Identical. *American Heritage Dictionary*

I cannot find the second definition (*identic*) in any general law books. I find it interesting that the controllers who run everything hide things in different places so you cannot figure things out in their manipulation of us in different jurisdictions. This can be construed to be uniform law, *i.e.* identical law in regard to the *res*.

Now, to note that *res* does not *always* mean property, I will provide a more extensive explanation of the term *RES*. The following is taken from Black's Law Dictionary:

- **RES**, Lat. In the civil law. A thing; an object. As a term of the law, this word has a very wide and extensive significance, including not only things which are objects of property, but also such as are not capable of individual ownership. In modern usage, the term is particularly applied to an object, subject-matter, or *status*, considered as the defendant in an action, or as the object which, directly, proceedings are taken. *Black's Law Dictionary, 4th edition*

One would think that a man or woman is not considered a *thing* as a subject that is owned by government, but in Part II it will be set forth how this is done under a legal principle

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<sup>6</sup> In example, *see* Title 28 USC § 1332(c)(1). Diversity of citizenship. For the purposes of this section and section 1441 of this title - a corporation shall be deemed to be a citizen of any State by which it has been incorporated and of the State where it has its principal place of business...

called a presumption or legal fiction. Keep in mind that many issues of law can be applied to any certain situation; further in regard, one might say that law is invisible to the naked eye until it is shown, *i.e.* it depends what issue of law is engaged by any certain *person* or *party* which will determine what is brought *into the light*; however, in reference to legal fictions, the *government opponent* may keep something in the dark and use it against you; such principle that most people fall *victim of* in their legal actions.

Now back in reference to the term *identic*...

Note that the definition of “identic” included the general language of “...*same forms in their relations with other governments.*” See this term or word:

- **Diplomacy**, *n.* The art or practice of conducting international relations, as in negotiating alliances, treaties, and agreements. *American Heritage Dictionary*

One form of these matters is to be considered treaties or agreements between different *states* or *countries*. This is an agreement (or contract, if you will) between two or more governments which dictates certain particulars encompassed therein:

- **TREATY**, international law. A treaty is a compact made between two or more independent nations with a view to the public welfare treaties are for a perpetuity, or for a considerable time. Those matters which are accomplished by a single act, and are at once perfected in their execution, are called agreements, conventions and pactions. *Bouvier’s Law Dictionary, 1856*
- **COMPACT**, contracts. In its more general sense, it signifies an agreement. In its strict sense, it imports a contract between parties, which creates obligations and rights capable of being enforced, and contemplated as such between the parties, in their distinct and independent characters.<sup>7</sup> *Bouvier’s Law Dictionary, 1856*

Note that *compact* is also used to define *agreements* between states or governments.<sup>7</sup>

Now, before I go into more detail, one should note that it has been a long standing rule of international law that *things* (articles) in trade coming *into* a nation were subject to duties (taxes) and other controlling measures. However, people, when in another country that was not their own, were generally not controlled or regulated as free people. Hence, another layer of law had to be established to bring them under the control of treaty or compact law; hence to encompass this, the term *resident* was implemented.

Remember I stated above that the two different definitions of *resident*, the adjective and noun actually act in unison as one. If you noted in the definition of “inhabitant” by Vattel, a man in a country not his own was referred to as an “alien”. Again, an *alien* is a *person* in a different country, and hence is not a subject or citizen<sup>8</sup> of that country. The adjective *resident* brings an *alien* (n) or *inhabitant* (n) into being a *resident* (n), *i.e.* the THING to be controlled or regulated by compact agreements and/or treaties.

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<sup>7</sup> *Story, Const. B. 3, c. 3; Rutherford. Inst. B. 2, c. 6, Sec. 1. 2.* The constitution of the United States declares that "no state shall, without the consent of congress, enter into agreement or compact with another state, or with a foreign power." See *11 Pet: 1; 8 Wheat. 1 Bald. R. 60; 11 Pet. 185.*

<sup>8</sup> subject. A citizen. *Ballentine’s Law, 3rd*; citizenship. The *privilege* of membership in a political society, implying a duty of allegiance on the part of the member and a duty of protection on the part of the society; the status of a citizen with its respective rights and duties. *3 Am J2d Aliens § 115.*

Now, to evidence this in practical application as to general definitions found in the United States Code. It should be noted the US Code fully encompasses international law, because the US Constitution is an agreement between the several nations of the American union. Accordingly, you will find the term “non-resident alien” and “resident alien” in the Internal Revenue Code. Here are the terms that cover the two *aliens* below:

- Title 26 USC § 7701(b)(1). Definition of *resident alien* and *nonresident alien*.

In general. For purposes of this title:

(A) Resident alien. An alien individual shall be treated as a *resident of the United States* with respect to any calendar year if (and only if) such individual meets the requirements of clause (i), (ii), or (iii): [subsection (ii) and (iii) omitted]

(i) Lawfully admitted for permanent residence. Such individual is a lawful *permanent resident* of the United States at any time during such calendar year.<sup>9</sup>

(B) Nonresident alien. An individual is a *nonresident alien* if such individual is neither a *citizen of the United States* nor a *resident of the United States*.

After reviewing that authority, note that both a *resident alien* and *nonresident alien* are both considered “residents of the United States”. Remember, a *resident* is considered a person of a *migratory nature* who is not in his country of origin. Also note the transition of the alien from *adjective form* into the *noun* through *title definition*. Now look at such term as applied to the following which defines “United States persons” in the Title:

- Title 26 USC § 7701(30) Definition of *United States person*.

The term “United States person” means:

(A) a citizen *or* resident of the United States [subsections, B, C & D omitted]

The term “United States person” means: 1) a *citizen* of the United States; 2) a *resident* of the United States. Both of these people are controlled by the law of congress. A citizen of the United States is *subject to* the legislative power of congress due to being a *person* that has accepted *federal citizenship*. See this authority which is tied to this US person:

- Title 8 USC § 1101(a). As used in this chapter [chapter 12 of Title 8]

(22) The term “national of the United States” means:

(A) A citizen of the United States [subsection B omitted, see footnote 4] <sup>10</sup>

And also this authority states who a US citizen is, as directed by the 14th Amendment:

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9 Title 8 USC § 1101(a)(20). As used in this chapter: The term “lawfully admitted for permanent residence” means the status of having been lawfully accorded the privilege of residing permanently in the US as an immigrant in accordance with the immigration laws, such status not having changed.

10 Title 8 USC § 1101(a)(22)(B) As used in this chapter: The term “national of the United States” means a person who, though not a citizen of the US, owes permanent allegiance to the United States.

Such section traces to the following 2 authorities, the *only* “nationals of the United States”:

Title 8 USC § 1408(1). Nationals but *not* citizens of the United States at birth. Unless otherwise provided in section 1401 of this title, the following shall be nationals, but not citizens, of the United States at birth: A person born in an outlying possession of the United States on or after the date of formal acquisition of such possession.

Title 8 USC § 1101(a)(29). Definitions. As used in this chapter: The term “outlying possessions of the United States” means *American Samoa* and *Swains Island*.

- Title 8 USC § 1401(a). Nationals and citizens of United States at birth.

The following shall be nationals and citizens of the United States at birth: a person born in the United States, and subject to the jurisdiction thereof.<sup>11</sup>

That “US person” is controlled by congress, *i.e.* this man or woman is *INTERNAL* to the jurisdiction, or *subject to* [or of], the United States. Such person is considered “within the United States” due to the *de facto* citizenship and nationality that is carried under the 14th Amendment. The *other* “US person” is covered under treaty law *via the agreements* of his country under the authority that is evidenced above, see Title 26 USC § 7701(b)(1).

## IN CLOSING

There are some *Americans* that believe that they are *non-resident aliens* and believe that they are not citizens who are *subject to* the United States, *i.e.* they believe that the 14th Amendment does not effect them for some misguided reason or another. This is a misconception. The authorities that are established by the United States in regard to the term “nonresident aliens” only encompasses people that *are not* US (or American) citizens, as defined by Title 26 USC § 7701(b). Any *American* that fills out any Internal Revenue forms that applies to “nonresident aliens” will be an act of mistake or fraud.<sup>12</sup>

If one has the proper *status* he or she would appear to be invisible—so to speak—to the acts of congress which apply “within the State”<sup>13</sup> (created by the 14th Amendment). The question is: most people in the United States of America are in their countries (states) of birth. So why are they calling such persons *residents*? Could it be that such people are not in their countries at all and have moved *into* a different country?

In the Parts to come I will go over the legal actions that make the people found in the several states of the Union act in *violation of law*, hence rendering themselves as *things* of which then are controlled—and *owned*—by the United States.

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11 GN 00303.100 U.S. Citizenship. SUBJECT TO THE JURISDICTION OF THE U.S. Individuals under the purview of the Fourteenth Amendment (which states that all individuals born in the U.S. and to whom U.S. laws apply are U.S. citizens). Acquisition of citizenship is not affected by the fact that the alien parents are only temporarily in the U.S. at the time of the child’s birth. Under international law, children born in the U.S. to foreign sovereigns or foreign diplomatic officers listed on the State Department Diplomatic List are not subject to the jurisdiction of the U.S. (*see also* the landmark case of UNITED STATES v. WONG KIM ARK, 169 U.S. 649 (March 25, 1898))

12 Title 26 USC § 7701(b). (B) Nonresident alien. An individual is a nonresident alien if such individual is neither a citizen of the United States nor a resident of the United States (WITHIN THE MEANING OF subparagraph (A))...In other words: (A)(i) states: “Such individual is a *lawful permanent resident* of the United States at any time during such calendar year.” *i.e.* a *foreign* non-citizen, *see* footnote 9

13 Title 4 USC § 110(e). Same; definitions. As used in sections 105-109 of this title: the term “Federal area” means any lands or premises held or acquired by or for the use of the United States or any department, establishment, or agency, of the United States; and any Federal area, or any part thereof, which is located within the exterior boundaries of any State, shall be deemed to be a Federal area located within such State. *See also* the Buck Act; [www.pacinlaw.org/inside/at\\_861.htm](http://www.pacinlaw.org/inside/at_861.htm)