

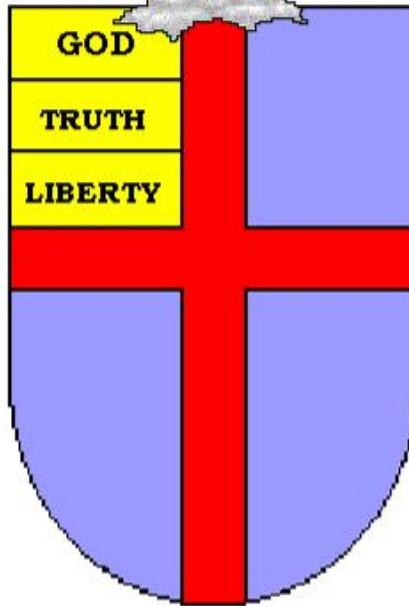
***Separation
Between
Public & Private
Form #12.025***

by:
**Sovereignty Education and
Defense Ministry (SEDM)**

<http://sedm.org>

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S E D M



Course Materials

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COURSE OUTLINE

- 1. Introduction**
- 2. Review of Public v. Private**
- 3. Where does separation come from and why do we need it?**
- 4. What happens when there is no separation?**
- 5. Property**
- 6. Ownership**
- 7. Theology and Property**
- 8. Definition of Private**
- 9. U.S. Supreme Court view of Public v. Private**
- 10. First duty of all public officers and agents: Protect PRIVATE rights**
- 11. What's the BEST way to protect PRIVATE rights?**
- 12. How to STEAL the private**
- 13. How to prevent Conversion of PRIVATE to PUBLIC**

COURSE OUTLINE

- 14. What do rights attach to?**
- 15. Diagram**
- 16. Rules for Lawfully Converting Private to Public**
- 17. The Government War on Private Rights**
- 18. How Corrupted Governments Unlawfully Convert PRIVATE rights into PUBLIC rights**
- 19. What happens when churches become PUBLIC**
- 20. How to keep churches PRIVATE**
- 21. How PEOPLE stay private**
- 22. Remedies for the protection of Private Rights**
- 23. Summary and conclusions**

Dedication

"The ideal tyranny is that which is ignorantly self-administered by its victims. The most perfect slaves are, therefore, those which blissfully and unawaredly enslave themselves [because of their own legal ignorance]."

[Dresden James]

Why this subject is VERY important

- **Socialism** is state ownership or control of all property.
- By “state” we mean “PUBLIC”.
- “Control” and “ownership” are synonymous under the laws of property.
- If you want to prevent and oppose **socialism**, you **MUST** learn:
 - The laws of property.
 - The legal distinctions between PRIVATE and PUBLIC property.
 - The rules for lawfully converting PRIVATE property to PUBLIC property.
 - The two main mechanisms for converting PRIVATE to PUBLIC:
 1. Franchises. See **Form #05.030**.
 2. Legal deception, propaganda, and fraud. See **Form #05.014**.
 - How to prevent PRIVATE property from being converted to PUBLIC property both administratively and in court.
- For a background on socialism, see:
 1. **Socialism: The New American Civil Religion**, Form #05.016
<http://sedm.org/Forms/FormIndex.htm>
 2. **America's Socialist Origins**, Prager University
<https://youtu.be/7dAmroKyzGY>

Introduction

- **In order to have rights, we must know what they are.**
- **There are TWO types of rights: PUBLIC and PRIVATE.**
- **You don't have any rights if:**
 - **You don't know your rights.**
 - **You don't know why we NEED PUBLIC and PRIVATE and separation between them.**
 - **You don't know the difference between public and private rights.**
 - **You don't know what they attach to: land or your status.**
 - **You don't know the rules for converting Private to Public.**
 - **You don't know how to prosecute those who unlawfully convert Private to Public.**
- **This course will give you an overview of the above.**

Review

- This course will not discuss private and public in detail.
- You may wish to review our [Foundations of Freedom video curricula](#) to review this subject.
- If you wish to review the meaning of private and public, please see:
 1. *Enumeration of Inalienable Rights*, Form #10.002
<http://sedm.org/Forms/10-Emancipation/EnumRights.pdf>
 2. *Foundations of Freedom, Video 3: Status, Rights and Privileges*, Form #12.021
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <https://www.youtube.com/watch?v=k6A1vIOQrsM>

Where does separation come from?

- The need for separation begins with the definition of “[justice](#)” itself:

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

[\[Readings on the History and System of Common Law, Second Edition, 1925, Roscoe Pound, p. 2\]](#)

- This is why judges are called “justices”.

Where does separation come from?

- The main purpose of establishing government itself is “justice”

"Justice is the end of government. It is the end of civil society. It ever has been, and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit."

[The Federalist No. 51 (1788), James Madison]

- “Justice” therefore **BEGINS** with the government protecting your right to be left alone, and especially **BY THEM**.
- You begin as **PRIVATE**. You or your **PRIVATE** property can only become **PUBLIC** with your **EXPRESS consent**.

"Quod meum est sine me auferri non potest.

What is mine cannot be taken away without my consent. Jenk. Cent. 251. Sed vide Eminent Domain.

Id quod nostrum est, sine facto nostro ad alium transferi non potest.

What belongs to us cannot be transferred to another without our consent. Dig. 50, 17, 11. But this must be understood with this qualification, that the government may take property for public use, paying the owner its value. The title to property may also be acquired, with the consent of the owner, by a judgment of a competent tribunal."

[Bouvier's Maxims of Law, 1856; SOURCE:

<http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviereMaxims.htm>]

Where does separation come from?

- **Being disturbed rather than left alone means:**
 - Being treated as PUBLIC or a [PUBLIC OFFICER](#) without your consent. See [Form #05.037](#).
 - Duties being imposed upon “citizens” or “residents” NOT related to voting or jury service.
 - Being treated as a “citizen” or “resident” even though you never expressly consented or not being allowed to surrender the “benefits” of these civil statuses WITHOUT becoming a privileged statutory “alien”.
 - Having legal obligations imposed upon you through the [PUBLIC statutory civil law](#) that you [didn't consent to or can't lawfully consent to](#). See [Form #05.003](#).
 - Becoming the target of government enforcement even though you haven't demonstrably hurt anyone. Law is force, and it only acquires the “force of law” upon an DEMONSTRATED INJURY to another. See [Form #05.032](#).
- [Freedom](#) is impossible without PRIVATE property and the [equality](#) (in relation to government), sovereignty, and autonomy it provides. See [Form #05.033](#).
- Control over PRIVATE property and [equality in relation to the government](#) is the only method of controlling government and keeping them as accountable servants rather than masters. That control is what ENSURES your right to be LEFT ALONE.

Why do we want to separate Public and Private and avoid the Public?

- **Those exercising Public rights cannot claim the protections of the Constitution or the common law.**

*“The words "privileges" and "immunities," like the greater part of the legal phraseology of this country, have been carried over from the law of Great Britain, and recur constantly either as such or in equivalent expressions from the time of Magna Charta. For all practical purposes they are synonymous in meaning, and originally signified a peculiar right or private law conceded to particular persons or places whereby a certain individual or class of individuals was exempted from the rigor of the common law. Privilege or immunity is conferred upon any person when he is invested with a legal claim to the exercise of special or peculiar rights, authorizing him to enjoy some particular advantage or exemption. See *Magill v. Browne*, Fed.Cas. No. 8952, 16 Fed.Cas. 408; 6 *Words and Phrases*, 5583, 5584; A J. Lien, “Privileges and Immunities of Citizens of the United States,” in *Columbia University Studies in History, Economics, and Public Law*, vol. 54, p. 31.”*

[The Privileges and Immunities of State Citizenship, Roger Howell, PhD, 1918, pp. 9-10; SOURCE:

http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_immunities_of_state_c.pdf

- **Therefore, Public rights DESTROY Private rights.**
- **That is why we call “Public rights” ANTI-RIGHTS.**
- **For further details, see:**

Government Instituted Slavery Using Franchises, Form #05.030, Sections 2.7.3 and 13.2.

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

Why do we want to separate Public and Private and avoid the Public?

- What is a “privilege and immunity”?
 - A [franchise](#).
 - A public right.
 - A congressionally created statutory civil privilege. See [Form #05.037](#).
- None of the above are available to those physically in a Constitutional state because the Declaration of Independence says your PRIVATE rights are inalienable, and therefore incapable of being alienated, sold, or transferred, even WITH [your consent](#):

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

[Declaration of Independence]

“Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred.”

[Black’s Law Dictionary, Fourth Edition, p. 1693]

- Privileges and immunities can only be offered on federal territory to those [domiciled](#) on federal territory and PHYSICALLY PRESENT there.

What happens when there is NO SEPARATION?

- **When there is no separation between PUBLIC and PRIVATE:**
 - All “citizens” and “residents” become government public officers and/or employees 24 hours a day, 7 days a week.
 - The statutory civil “code” is your employment agreement.
 - The “benefits” of the civil status of “citizen” and “resident” is the equivalent of your employment compensation.
 - Everything you think you own is government property LOANED to you with conditions. You have EQUITABLE title rather than ABSOLUTE ownership.
 - Everything is a “privilege”. You need legislative permission from government to do ANYTHING and EVERYTHING.
 - You don’t have the ability to even quit your job as a public officer and need permission from the government to even do THAT, even though they aren’t paying you ANYTHING.
 - You will be so dumbed down in the public school that you won’t even realize the above.
- **On this subject, we like to say the following:**

“The most pernicious form of tyranny is that which is justified with the defense that it is ‘good’ for you or ‘benefits’ you.”
[Bob Schulz, We the People Foundation for Constitutional Education; <http://givemeliberty.org>]

“The ideal tyranny is that which is ignorantly self-administered by its victims. The most perfect slaves are, therefore, those which blissfully and unawaredly enslave themselves [[because of their own legal ignorance](#)].”
[Dresden James]

Property

Property. That which is peculiar or proper to any person; that which belongs exclusively to one. In the strict legal sense, an aggregate of rights which are guaranteed and protected by the government. Fulton Light, Heat & Power Co. v. State, 65 Misc.Rep. 263, 121 N.Y.S. 536. The term is said to extend to every species of valuable right and interest. More specifically, ownership; the unrestricted and exclusive right to a thing; the right to dispose of a thing in every legal way, to possess it, to use it, and to exclude everyone else from interfering with it. That dominion or indefinite right of use or disposition which one may lawfully exercise over particular things or subjects. The exclusive right of possessing, enjoying, and disposing of a thing. The highest right a man can have to anything; being used to refer to that right which one has to lands or tenements, goods or chattels, which no way depends on another man's courtesy.

The word is also commonly used to denote everything which is the subject of ownership, corporeal or incorporeal, tangible or intangible, visible or invisible, real or personal, everything that has an exchangeable value or which goes to make up wealth or estate. It extends to every species of valuable right and interest, and includes real and personal property, easements, franchises, and incorporeal hereditaments, and includes every invasion of one's property rights by actionable wrong. Labberton v. General Cas. Co. of America, 53 Wash.2d. 180, 332 P.2d. 250, 252, 254.

Property embraces everything which is or may be the subject of ownership, whether a legal ownership. or whether beneficial, or a private ownership. Davis v. Davis. TexCiv-App., 495 S.W.2d. 607. 611. Term includes not only ownership and possession but also the right of use and enjoyment for lawful purposes. Hoffmann v. Kinealy, Mo., 389 S.W.2d. 745, 752.

Property, within constitutional protection, denotes group of rights inhering in citizen's relation to physical thing, as right to possess, use and dispose of it. Cereghino v. State By and Through State Highway Commission, 230 Or. 439, 370 P.2d. 694, 697.

[Black's Law Dictionary, Fifth Edition, p. 1095]

“Property” = “pursuit of Happiness”

- In the [Declaration of Independence](#) the word “Happiness” in the phrase “Life, Liberty, and [pursuit of Happiness](#)” has been equated by the U.S. Supreme Court as the RIGHT TO OWN PROPERTY.

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

- Any government that interferes or intends to interfere with the protection of PRIVATE rights and PRIVATE property therefore has the EXPRESS and/or IMPLIED goal of MALICIOUSLY making you:

—UNHAPPY!

“Property” = “pursuit of Happiness”

- **[Fourteenth Amendment, Section 1](#):**

*“nor shall any State deprive any person of life, liberty, **or property**, without due process of law;”*

- **Meaning of “life, liberty, or property” in the above:**

*“The provision [[Fourteenth Amendment, Section 1](#)], it is to be observed, places property under the same protection as life and liberty. Except by due process of law, no State can deprive any person of either. **The provision has been supposed to secure to every individual the essential conditions for the pursuit of happiness**; and for that reason has not been heretofore, and should never be, construed in any narrow or restricted sense.”*

[\[Munn v. Illinois, 94 U.S. 113 \(1877\)\]](#)

Chief Characteristics of “Property”

- That which belongs exclusively to one
- Term “property” extends to every species of valuable right and interest
- Property includes everything which is or could be the subject of ownership
- Even RIGHTS protected by the Constitution are property
- Includes:
 - RIGHT to control use of it by others
 - RIGHT to exclude everyone else from benefitting from its use in any way
 - RIGHT to penalize others for unauthorized use
- Use and control over your property in no way depends on another’s discretion or courtesy
- **You can give your property rights away WITHOUT EVEN REALIZING IT. . .**

Ownership

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

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

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

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

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

See also Equitable ownership; Exclusive ownership; Hold; Incident of ownership; Interest; Interval ownership; Ostensible ownership; Owner; Possession; Title.

[Black's Law Dictionary, Sixth Edition, p. 1106]

The essence of ownership is the “right to exclude”

“We have repeatedly held that, as to property reserved by its owner for private use, **“the right to exclude [others is] `one of the most essential sticks in the bundle of rights that are commonly characterized as property.’”** **Loretto v. Teleprompter Manhattan CATV Corp., 458 U.S. 419, 433 (1982),** quoting **Kaiser Aetna v. United States, 444 U.S. 164, 176 (1979).** “

[Nollan v. California Coastal Comm'n, 483 U.S. 825 (1987)]

“In this case, we hold that **the “right to exclude,” so universally held to be a fundamental element of the property right,^[11] falls within this category of interests that the Government cannot take without compensation.**”

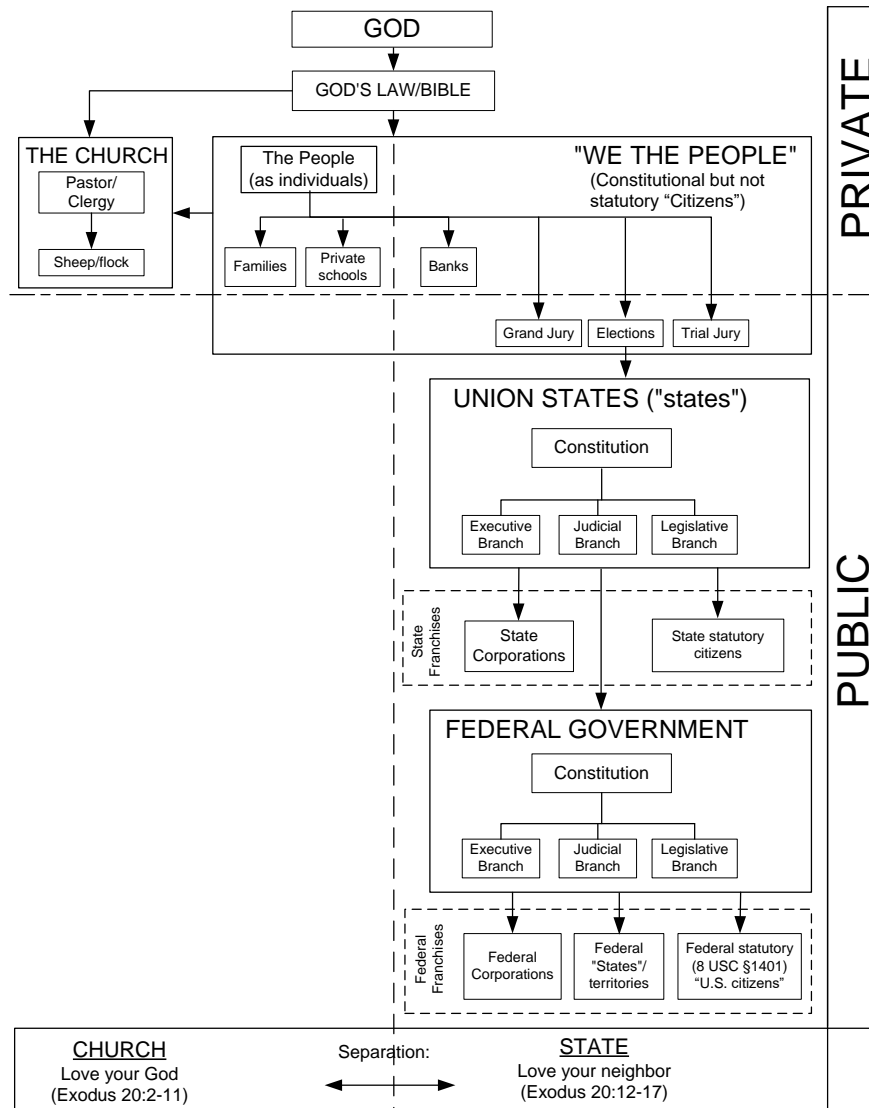
[Kaiser Aetna v. United States, 444 U.S. 164 (1979)]

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

Implications of “Ownership”

- **Those who claim to be “owner” of a thing have the right to exclude ANY and ALL others, including GOVERNMENTS, from using or benefitting from the use of a thing.**
- **If you can’t exclude the GOVERNMENT from using or benefitting from the use of a thing then you are NOT the REAL owner.**
- **The only reasonable or common law basis for taking away that which is owned is if you use it to hurt someone else.**
- **If the government can take something you claim to “own” away from you that you didn’t hurt anyone with, then:**
 - **You have been deceived into believing that YOU are the owner, even though you are not.**
 - **The government is the REAL owner.**
 - **They own either YOU or the thing you claim to own.**
 - **They and not YOU are legally responsible for the damages caused by the use of the thing owned. OWNERSHIP and RESPONSIBILITY always go together.**

Theology and Property



Theology and Property

- The arrows in the preceding diagram are an act of creation.
- In law, the CREATOR of a thing is always the OWNER. See:
Hierarchy of Sovereignty: The Power to Create is the Power to Tax, Family Guardian Fellowship
<http://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm>
- It is an maxim of law that the CREATION cannot be greater than the CREATOR.

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

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

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

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

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

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

What a man cannot transfer, he cannot bind by articles.”

[\[Bouvier's Maxims of Law, 1856\]](#)

Theology and Property

- God is called “The Creator” in the Declaration of Independence:

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

[\[Declaration of Independence\]](#)

- The right to own PRIVATE property, according to the Declaration of Independence above, was CREATED by God and NOT any man or civil ruler.
- The Bible says:
 - God created man. Gen. 1:27, Ge. 6:7.
 - Men are God’s workmanship. Eph. 2:10.
 - God created the entire universe. Isaiah 42:5.
 - The ENTIRE UNIVERSE is God’s property because He CREATED it. Psalm 89:11.

Theology and Property

- **Psalms 89:11:**

“The heavens *are* Yours, the earth also *is* Yours; The world and all its fullness, You have founded them.”

- **Therefore:**

- Civil rulers cannot own men.
- Civil rulers do not own Earth or anything PHYSICAL ON Earth.
- The physical things on the Earth are LOANED temporarily to civil rulers to manage as a stewardship to God.
- The terms of the loan of God’s property are documented in the Bible.
- The Bible is a trust that makes civil rulers into His Trustees. The entire Earth is the “corpus” of the trust.
- The Bible in effect behaves as a delegation of authority order to civil rulers. See:

Delegation of Authority Order from God to Christians, Form #13.008

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

- The only thing civil rulers can own are that which they create.
- The only thing civil rulers can rationally create are legal fictions called “persons” because God owns all PHYSICAL property.
- The legal fictions that civil rulers create are implemented using franchises. See:

Government Instituted Slavery Using Franchises, Form #05.030

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

Theology and Property

- Civil rulers **CEASE** to have legitimate or **de jure authority** to rule when or if they do any one or more of the following:
 1. Refuse to recognize the existence of God.
 2. Refuse to recognize God as The Creator of the right of private property.
 3. Claim **THEY** are the creator of the right of **PRIVATE** property instead of God.
 4. Violate **God's delegation order in the Bible** in regards to the right of **PRIVATE** property.
 5. Try to separate **OWNERSHIP** of property from **RESPONSIBILITY** for the consequences of the use of the property. For instance, claiming they own **EVERYONE** and **EVERYTHING** and yet are not **LEGALLY RESPONSIBLE** in court for the consequences of that ownership or damages inflicted by that property.

Theology and Property

- Legal implications of the Declaration of Independence:
 1. To refuse to recognize the existence of PRIVATE property is to deny the existence of God.
 2. The result of denying the existence of God is to make all men PROPERTY of and creations of the state molded in the IMAGE of the state in PUBLIC SCHOOL.
 3. Once men become creations of and property of the STATE, the origin of the authority FOR the state has to come from a “supernatural source” OTHER than God because the CREATION (humans) cannot be GREATER than or EQUAL to the CREATOR (the state).
 4. Any organization that claims its authority to be superior to mere humans therefore has elevated itself to the status of a pagan deity.

Theology and Property

- **As proof, here is what Satan sought, which is what the STATE seeks if it claims rights or authority above any single human:**

*“I will ascend into heaven,
I will exalt my throne above the stars of God;
I will also sit on the mount of the congregation
On the farthest sides of the north;
I will ascend above the heights of the clouds,*

I will be like the Most High.”

[Isaiah 14:13-14, Bible, NKJV]

- **Important points about the above:**
 - “Most High” means ABOVE every physical creation in authority and rights.
 - “Heaven” is a symbol for that which is above ALL humans.
 - “mount” is symbolic of the head of a political organization. See: <https://www.youtube.com/watch?v=RQ8C-qe3qSM>

Definition of “private”

DISCLAIMER

4. Meaning of Words

The word "private" when it appears in front of other entity names such as "person", "individual", "business", "employee", "employer", etc. shall imply that the entity is:

1. In possession of absolute, exclusive ownership and control over their own labor, body, and all their property. In Roman Law this was called "[dominium](#)".
2. On an [EQUAL rather than inferior relationship to government in court](#). This means that they have no obligations to any government OTHER than possibly the duty to serve on jury and vote upon voluntary acceptance of the obligations of that civil status of "citizen". Otherwise, they are entirely free and unregulated.
3. A "[nonresident](#)" in relation to the state and federal government.
4. Not a PUBLIC entity defined within any state or federal statutory law. This includes but is not limited to statutory "person", "individual", "taxpayer", "driver", "spouse" under any under any civil statute or franchise.
5. Not engaged in [a public office or "trade or business" \(per 26 U.S.C. §7701\(a\)\(26\)\)](#). Such offices include but are not limited to statutory "person", "individual", "taxpayer", "driver", "spouse" under any civil statute or franchise.
6. [Not consenting](#) to contract with or acquire any public status, public privilege, or public right under any state or federal franchise. For instance, the phrase "private employee" means a common law worker that is NOT the statutory "employee" defined within 26 U.S.C. §3401(c) or 26 C.F.R. §301.3401(c)-1 or any other federal or state law or statute.
7. Not sharing ownership or control of their body or property with anyone, and especially a government. In other words:
 - 7.1 Ownership is not "qualified" but "absolute".
 - 7.2 There are no moieties between them and the government.
 - 7.3 The government has no usufructs over any of their property.
8. Not subject to [civil enforcement or regulation of any kind](#), except AFTER an injury to the equal rights of others has occurred. Preventive rather than corrective regulation is an unlawful taking of property according to the Fifth Amendment takings clause.

Every attempt by anyone in government to alienate rights that the Declaration of Independence says are UNALIENABLE shall also be treated as "PRIVATE BUSINESS ACTIVITY" that cannot be protected by sovereign, official, or judicial immunity. So called "government" cannot make a [profitable business or franchise](#) out of alienating inalienable rights without ceasing to be a classical/de jure government and instead becoming in effect an [economic terrorist and de facto government in violation of Article 4, Section 4](#).

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

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Public v. Private: U.S. Supreme Court

“The distinction between public rights and private rights has not been definitively explained in our precedents. Nor is it necessary to do so in the present cases, for it suffices to observe that a matter of public rights must at a minimum arise “between the government and others.” Ex parte Bakelite Corp., supra, at 451, 49 S.Ct., at 413. In contrast, “the liability of one individual to another under the law as defined,” Crowell v. Benson, supra, at 51, 52 S.Ct., at 292, is a matter of private rights. Our precedents clearly establish that only controversies in the former category may be removed from Art. III courts and delegated to legislative courts or administrative agencies for their determination. See Atlas Roofing Co. v. Occupational Safety and Health Review Comm’n, 430 U.S. 442, 450, n. 7, 97 S.Ct. 1261, 1266, n. 7, 51 L.Ed.2d. 464 (1977); Crowell v. Benson, supra, 285 U.S., at 50-51, 52 S.Ct., at 292. See also Katz, Federal Legislative Courts, 43 Harv.L.Rev. 894, 917-918 (1930).FN24 Private-rights disputes, on the other hand, lie at the core of the historically recognized judicial power.”

[. . .]

Although Crowell and Raddatz do not explicitly distinguish between rights created by Congress [PUBLIC RIGHTS] and other [PRIVATE] rights, such a distinction underlies in part Crowell's and Raddatz' recognition of a critical difference between rights created by federal statute and rights recognized by the Constitution. Moreover, such a distinction seems to us to be necessary in light of the delicate accommodations required by the principle of separation of powers reflected in Art. III. The constitutional system of checks and balances is designed to guard against “encroachment or aggrandizement” by Congress at the expense of the other branches of government. Buckley v. Valeo, 424 U.S., at 122, 96 S.Ct., at 683. But when Congress creates a statutory right [a “privilege” or “public right” in this case, such as a “trade or business”], it clearly has the discretion, in defining that right, to create presumptions, or assign burdens of proof, or prescribe remedies; it may also provide that persons seeking to vindicate that right must do so before particularized tribunals created to perform the specialized adjudicative tasks related to that right.FN35 Such provisions do, in a sense, affect the exercise of judicial power, but they are also incidental to Congress' power to define the right that it has created. No comparable justification exists, however, when the right being adjudicated is not of congressional creation. In such a situation, substantial inroads into functions that have traditionally been performed by the Judiciary cannot be characterized merely as incidental extensions of Congress' power to define rights that it has created. Rather, such inroads suggest unwarranted encroachments upon the judicial power of the United States, which our Constitution reserves for Art. III courts.

[Northern Pipeline Const. Co. v. Marathon Pipe Line Co., 458 U.S. 50, 102 S.Ct. 2858 (1983)]

Clarification of Northern Pipeline

- They state that:

“public rights must at a minimum arise ‘between the government and others.’” Ex parte Bakelite Corp., supra, at 451, 49 S.Ct., at 413”

- The above is deceptive because:

- Governments are created to PROTECT PRIVATE rights according to the Declaration of Independence.
- A government that REFUSES to protect PRIVATE rights or forbids them to be enforced against itself is NO GOVERNMENT AT ALL, but a PRIVATE, for-profit corporation.

- In effect, they are telling you that:

- The Bill of Rights does not apply to actions by or against government as a legal “person”. That is completely ridiculous, because that is its ONLY purpose.
- The Bill of Rights only applies to individual actors WITHIN government when they personally or individually damage your rights and are sued personally.
- The government has sovereign immunity and cannot be sued in its “collective capacity” as a legal person (federal corporation per 28 U.S.C. §3002(15)(A)) for injuries to you or your PRIVATE rights, even if those injuries involve multiple people in government collectively engaged in a conspiracy against you.

Another way to look at Northern Pipeline

- When the government wants to tax you, it essentially “assimilates” you into the mother corporation as a public officer franchisee and thereby “kidnaps” your legal identity.
See:
Government Identity Theft, Form #05.046
<http://sedm.org/Forms/FormIndex.htm>
- The above identity theft is done using:
 - False information returns. See Form #04.001.
 - Rigged forms. See Form #12.023.
 - Legal propaganda with “words of art” and equivocation. See Form #05.014.
- If in fact they can lawfully KIDNAP your civil legal identity against your will and:
 - We are all equal. See Form #05.033.
 - All their powers were delegated by us (“we the people”) TO them, according to the U.S. Supreme Court
- Then it then stands to reason that we are allowed to essentially do the SAME thing to the government and thereby DESTROY their sovereignty and sovereign immunity by the same mechanisms.

Another way to look at Northern Pipeline

- What would that defensive kidnapping of **THE GOVERNMENT** look like?:

- They would be treated as a PRIVATE party on an **equal footing** with you.
- They would be subject personally and collectively to the **Bill of Rights**.
- They would have no sovereign, official, or judicial immunity.
- They would be a BUYER of your services and You would be the SELLER under the Uniform Commercial Code.
- They would be subject, as a BUYER, to YOUR Anti-Franchise Franchise agreement. See:

Injury Defense Franchise and Agreement, Form #06.027

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

- If you can't do the same thing to legally kidnap their civil legal identity that they are doing to you, then:
 - You are inferior, unequal, and A SLAVE.
 - They are hypocrites and elitists.
 - An unconstitutional “Title of Nobility” has been created. That “Title” is **“U.S. Inc.”**
- ALL your freedom derives from **equality (Form #05.033)** in relation to the government. We prove this in:

Foundations of Freedom, Form #12.021, Video 1: Introduction

<https://www.youtube.com/watch?v=ikf7CcT2l8I>

Another way to look at Northern Pipeline

- Therefore, the Supreme Court was playing word games in Northern Pipeline AGAIN so they could unconstitutionally enhance their authority and revenues:
 - “Public rights” they are talking about are between GOVERNMENT and its CONSENSUALLY serving officers, agents, and employees and NOT between GOVERNMENT and EVERYONE.
 - They do NOT have sovereign immunity against non-resident non-persons in states of the Union who are protected by the Constitution.
 - Sovereign immunity only applies to government officers SUING the government under the authority of ONLY statutory remedies provided to statutory “persons” and/or public officers and agents.
 - Sovereign immunity doesn’t and can’t apply to PRIVATE people who are not officers or agents of the government suing the government. They are governed ONLY by the common law and protected by the Constitution. It is a usurpation to subject non-residents to the statute law of a legislatively foreign jurisdiction.
- Here is why:

Another way to look at Northern Pipeline

*“ . . .the distinction between the government of a State and the State itself is important, and should be observed. In common speech and common apprehension they are usually regarded as identical; and as ordinarily the acts of the government are the acts of the State, because within the limits of its delegation of power, the government of the State is generally confounded with the State itself, and often the former is meant when the latter is mentioned. The State itself is an ideal person, intangible, invisible, immutable. The government is an agent, and, within the sphere of the agency, a perfect representative; but outside of that, it is a lawless usurpation. The Constitution of the State is the limit of the authority of its government, and both government and State are subject to the supremacy of the Constitution of the United States, and of the laws made in pursuance thereof. So that, while it is true in respect to the government of a State, as was said in [Langford v. United States, 101 U.S. 341](#), that **the maxim, that the king can do no wrong, has no place in our system of government; yet, it is also true, in respect to the State itself, that whatever wrong is attempted in its name is imputable to its government, and not to the State**, for, as it can speak and act only by law, whatever it does say and do must be lawful. **That which, therefore, is unlawful because made so by the supreme law, the Constitution of the United States, is not the word or deed of the State, but is the mere wrong and trespass of those individual persons who falsely speak and act in its name.** It was upon the ground of this important distinction that this court proceeded in the case of [Texas v. White, 7 Wall. 700](#), when it adjudged that the acts of secession, which constituted the civil war of 1861, were the unlawful acts of usurping State governments, and not the acts of the States themselves, inasmuch as "the Constitution, in all its provisions, looks to an indestructible Union, composed of indestructible States;" and that, consequently, the war itself was not a war between the States, nor a war of the United States against States, but a war of the United States against [291*291](#) unlawful and usurping governments, representing not the States, but a rebellion against the United States. This is, in substance, what was said by Chief Justice Chase, delivering the opinion of the court in [Thorington v. Smith, 8 Wall. 1, 9](#), when he declared, speaking of the Confederate government, that "it was regarded as simply the military representative of the insurrection against the authority of the United States." The same distinction was declared and enforced in [Williams v. Bruffy, 96 U.S. 176, 192](#), and in [Horn v. Lockhart, 17 Wall. 570](#), both of which were referred to and approved in [Keith v. Clark, 97 U.S. 454, 465](#).*

"This distinction is essential to the idea of constitutional government. To deny it or blot it out obliterates the line of demarcation that separates constitutional government from absolutism, free self-government based on the sovereignty of the people from that despotism, whether of the one or the many, which enables the agent of the State to declare and decree that he is the State; to say "L'État c'est moi." Of what avail are written constitutions whose bills of right for the security of individual liberty have been written, too often, with the blood of martyrs shed upon the battle-field and the scaffold, if their limitations and restraints upon power may be overpassed with impunity by the very agencies created and appointed to guard, defend, and enforce them; and that, too, with the sacred authority of law, not only compelling obedience, but entitled to respect? And how else can these principles of individual liberty and right be maintained, if, when violated, the judicial tribunals are forbidden to visit penalties upon individual offenders, who are the instruments of wrong, whenever they interpose the shield of the State? The doctrine is not to be tolerated. The whole frame and scheme of the political institutions of this country, State and Federal, protest against it. Their continued existence is not compatible with it. It is the doctrine of absolutism, pure, simple, and naked; and of communism, which is its twin; the double progeny of the same evil birth."

[[Poindexter v. Greenhow, 114 U.S. 270 \(1885\)](#)]

Main Job of All Public Servants is to Protect the PRIVATE

“As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. 1 Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts.² That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves.³ and owes a fiduciary duty to the public.⁴ It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual. 5 Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual [PRIVATE] rights is against public policy.“⁶

[63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)]

1. State ex rel. Nagle v. Sullivan, 98 Mont. 425, 40 P.2d. 995, 99 A.L.R. 321; Jersey City v. Hague, 18 N.J. 584, 115 A.2d. 8.
2. Georgia Dep’t of Human Resources v. Sistrunk, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. Madlener v. Finley (1st Dist), 161 Ill.App.3d. 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.
3. Chicago Park Dist. v. Kenroy, Inc., 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill.App.3d. 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.
4. United States v. Holzer (CA7 Ill), 816 F.2d. 304 and vacated, remanded on other grounds 484 U.S. 807, 98 L.Ed. 2d 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 U.S. 1035, 100 L.Ed. 2d 608, 108 S.Ct. 2022 and (criticized on other grounds by United States v. Osser (CA3 Pa) 864 F.2d. 1056) and (superseded by statute on other grounds as stated in United States v. Little (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass), 898 F.2d. 230, 29 Fed.Rules.Evid.Serv. 1223).
5. Chicago ex rel. Cohen v. Keane, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill.App.3d. 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.
6. Indiana State Ethics Comm’n v. Nelson (Ind App), 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

What's The BEST Way to Protect PRIVATE Property?

- 1. The essence of “ownership” as legally defined is the right to exclude ANY and ALL others from using or “benefitting” from your PRIVATE property.**
- 2. If you can't exclude THE GOVERNMENT, then THEY, and not YOU are the REAL owner. If they can take it away and you didn't hurt anyone with it, THEY are the REAL owner and you are just a custodian over government property.**
- 3. The rules for converting PRIVATE property to PUBLIC property ought to be consistently, completely, clearly, and unambiguously defined by every government officer you come in contact with, and ESPECIALLY in court. These rules ought to be DEMANDED to be declared EVEN BEFORE you enter a plea in a criminal case.**
- 4. If the government asserts any right over your PRIVATE property, they are PRESUMING (usually ILLEGALLY) that they are the LEGAL owner and relegating you to EQUITABLE ownership. This presumption should be forcefully challenged.**

What's The BEST Way to Protect PRIVATE Property?

5. If they won't expressly define the rules, or try to cloud the rules for converting PRIVATE property to PUBLIC property, then they are:

5.1. Defeating the very purpose for which they were established as a "government". Hence, they are not a true "government" but a de facto private corporation PRETENDING to be a "government", which is a CRIME under [18 U.S.C. §912](#). That government is described in: [De Facto Government Scam, Form #05.043](#)

5.2. Exercising unconstitutional taking over private property (THEFT) [without the consent of the owner](#) and without compensation.

5.3. Trying to STEAL from you.

5.4. Violating their fiduciary duty to the public, as we discussed earlier.

Supreme Court on Protection of Private

"The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no duty to the State or to his neighbor to divulge his business, or to open his doors to an investigation, so far as it may tend to criminate him. He owes no such duty to the State, since he receives nothing therefrom, beyond the protection of his life and property. His rights are such as existed by the law of the land long antecedent to the organization of the State, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public [including so-called "taxes" under Subtitle A of the I.R.C.] so long as he does not trespass upon their rights."

[Hale v. Henkel, [201 U.S. 43](#), 74 (1906)]

"The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts. One's right to life, liberty and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections." [Emphasis added]

[West Virginia State Board of Education v. Barnette, 319 U.S. 623]

"No right is held more sacred, or is more carefully guarded by the common law, than the right of every individual to the possession and control of his own person, free from all restraint or interference of others, unless by clear and unquestionable authority of law. As well said by Judge Cooley: 'The right to one's person may be said to be a right of complete immunity; to be let alone.' Cooley, Torts, 29."

[Union Pac Ry Co v. Botsford, 141 U.S. 250, 11 S.Ct. 1000, 35 L.Ed. 734 (1891)]

"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness... They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. They conferred, as against the Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized men." [Emphasis added]

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

How “Private” Gets Stolen

- PRIVATE gets STOLEN by:
 - Dumbing down the average American on legal subjects.
 - Manipulating your legal ignorance to institute a “usufruct” or “moiety” to change YOUR [civil status](#).
 - Using “equivocation” (word games) to create the “usufruct” or “moiety”. The result is “dissimulation” on the part of the target, in which you are treated like that which you are NOT. Namely: [A public officer](#).
 - Use of silence and omission in an administrative setting, which ensures “plausible deniability” if the wrongdoer gets caught doing any of the above.
 - Slandering and maliciously prosecuting all those who figure out the above mechanisms and prosecute them.
- The above tactics are called “identity theft”, and they are a **SERIOUS CRIME**.
- For details on how to recognize GOVERNMENT identity theft, see:
 - [Government Identity Theft](#), Form #05.046
 - <http://sedm.org/Forms/FormIndex.htm>
- Definition of “usufruct” is on the next page.

Definition of “usufruct”

USUFRUCT. In the civil law. The right of enjoying a thing, the property of which is vested in another, and to draw from the same all the profit, utility, and advantage which it may produce, provided it be without altering the substance of the thing. Civ.Code La. art. 533. *Mulford v. Le Franc*, 26 Cal. 102; *Modern Music Shop v. Concordia Fire Ins. Co. of Milwaukee*, 131 Misc. 305, 226 N.Y.S. 630, 635.

Under Greek Law. A right attached to the person which may not be inherited. *New England Trust Co. v. Wood*, Mass., 93 N.E.2d. 547, 549.

Imperfect Usufruct

An imperfect or quasi usufruct is that which is if things which would be useless to the usufructuary if he did not consume or expend them or change the substance of them; as, money, grain, liquors. Civ.Code La. art. 534.

See *Quasi Usufruct infra*.

Legal Usufruct

See that title.

Perfect Usufruct

An usufruct in those things which the usufructuary can enjoy without changing their substance, though their substance may be diminished or deteriorate naturally by time or by the use to which they are applied, as, a house, a piece of land, furniture, and other movable effects. Civ.Code La. art. 534.

Quasi Usufruct

In the civil law. Originally the usufruct gave no right to the substance of the thing, and consequently none to its consumption; hence only an inconsumable thing could be the object of it, whether movable or immovable. But in later times the right of usufruct was, by analogy, extended to consumable things, and therewith arose the distinction between true and quasi usufructs. See *Mackeld. Rom. Law*, §307; Civ.Code La. art. 534. See *Imperfect Usufruct, supra*.

[*Black’s Law Dictionary, Fourth Edition, p. 1713*]

Moieties

- A “moiety” occurs when a portion of a right or property which is equal to or less than half is acquired by someone else.
- **Moieties are different from “usufructs” because they only convey HALF or less of a thing. Usufructs assume FULL control and ownership of THE WHOLE THING.**

- **The definition of “moiety” is as follows:**

“Moiety (moy-ə-tee). 1. A half of something (such as an estate). 2. A portion less than half; a small segment. 3. In customs law, a payment made to an informant who assists the seizure of contraband.”

[Blacks Law Dictionary, Seventh Edition, p. 1021]

- **An example of a moiety is when you get married:**
 - The two become “one flesh” from a legal perspective.
 - Each owns an equal half of the estate.
 - If the marriage dissolves, the property must be equally divided.
 - The civil status of “spouse” is legal evidence of the existence of the “moiety”.
 - The marriage license is a public record of the existence of the moiety.

Moities

- **Application to Citizenship:**
 - Calling yourself a “citizen” is like “marrying” the government.
 - The Bible, however, says its FORNICATION and makes you a HARLOT. See book of Revelation.
 - Separation of church and state requires no moities between the church and the government.
 - The bible says YOU are the church. The church is NOT a building or a group. [1 Cor. 6:19](#).
- **What the Bible says about moities between YOU and the GOVERNMENT:**

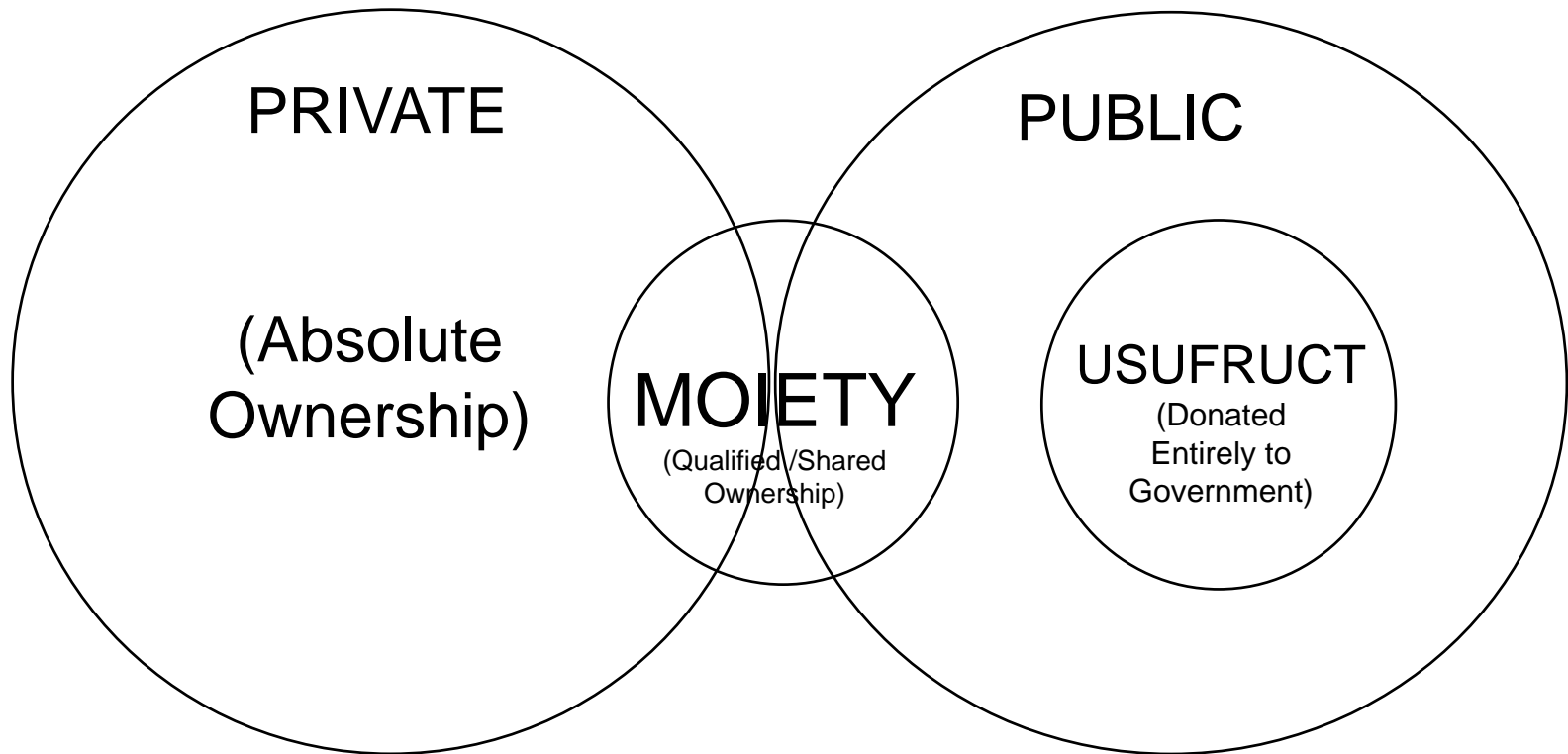
"I [God] brought you up from Egypt [slavery] and brought you to the land of which I swore to your fathers; and I said, 'I will never break My covenant with you. And you shall make no covenant [contract or [franchise or agreement](#) of ANY kind] with the inhabitants of this [corrupt pagan] land; you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

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

So it was, when the Angel of the LORD spoke these words to all the children of Israel, that the people lifted up their voices and wept.

[[Judges 2:1-4](#), Bible, NKJV]

Relationship Between Public and Private Property Conversion



How “Private” Gets Stolen

- NOTICE the key use of the following phrase in the definition of “usufruct”:
 “In the civil law”
- We would argue the ENTIRE civil “code” is itself a “usufruct” designed to convert ALL PRIVATE to PUBLIC:
 - It is what we call a “civil protection franchise”.
 - It implements an unconstitutional “title of nobility” to the government, because they are the only ones who:
 - » Can write the rules.
 - » Choose which rules they want to be subject to under the concept of sovereign immunity.
 - » Receive the benefit of fines or penalties without your consent. Why can’t you penalize them under your own franchise? Aren’t we all equal?
 - Anyone who consents to be subject to it is a fool. Being a “subject” under it is voluntary. See:
 Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002
 <http://sedm.org/Forms/FormIndex.htm>
 - It only protects PUBLIC rights of PUBLIC officers. If you are not an agent or officer of the government, you cannot receive its “benefits”. See:
 Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037
 <http://sedm.org/Forms/FormIndex.htm>

How “Private” Gets Stolen

- **Usufructs and moieties are implemented in the following ways:**
 1. They must be based on [consent](#). The entire civil statutory “codes” are consensual because domicile is consensual and they don’t acquire the “force of law” WITHOUT consent. See [Federal Rule of Civil Procedure 17](#).
 2. Using “[words of art](#)” to confuse public and private status of property ownership.
 3. Changing the [domicile](#) of the party using “words of art” to move it to what Mark Twain called “The District of Criminals”. This is done by:
 - Confusing geographical terms “United States” and “State” with [corporations and legal “persons” called “United States” and “State”](#).
 - Confuse [DOMICILE](#) with [NATIONALITY](#) to make them appear equivalent when they are not.
 4. Connecting the [civil status](#) of the party to a PUBLIC status or [government franchise](#) using the above three mechanisms.
- **Items 2 and 3 above are done through “equivocation”.**
- **“Equivocation” is legally defined on the next page.**

Definition of “equivocation”

[equivocation](#)

EQUIVOCA'TION, n. Ambiguity of speech; the use of words or expressions that are susceptible of a double signification. Hypocrites are often guilty of equivocation, and by this means lose the confidence of their fellow men. Equivocation is incompatible with the christian character and profession.

[SOURCE: <http://1828.mshaffer.com/d/search/word,equivocation>]

Equivocation ("to call by the same name") is an informal logical fallacy. It is the misleading use of a term with more than one meaning or sense (by glossing over which meaning is intended at a particular time). It generally occurs with polysemic words (words with multiple meanings).

Albeit in common parlance it is used in a variety of contexts, when discussed as a fallacy, equivocation only occurs when the arguer makes a word or phrase employed in two (or more) different senses in an argument appear to have the same meaning throughout.

It is therefore distinct from (semantic) ambiguity, which means that the context doesn't make the meaning of the word or phrase clear, and amphiboly (or syntactical ambiguity), which refers to ambiguous sentence structure due to punctuation or syntax.

[Wikipedia topic: Equivocation, Downloaded 9/15/2015; SOURCE: <https://en.wikipedia.org/wiki/Equivocation>]

How “Private” Gets **STOLEN**

- A word “equivocation” is closely related to the word “idem sonans”:

“IDEM SONANS. Sounding the same or alike; having the same sound. A term applied to names which are substantially the same, though slightly varied in the spelling, as "Lawrence" and "Lawrance," and the like. 1 Crompt. & M. 806; 3 Chit. Gen. Pr. 171; Golson v. State, 15 Ala.App. 420, 73 So. 753.

Two names are said to be "idem sonantes" if the attentive ear finds difficulty in distinguishing them when pronounced, or if common and long-continued usage has by corruption or abbreviation made them identical in pronunciation. State v. Griffie, 118 Mo. 188, 23 S.W. 878. The rule of "idem sonans" is that absolute accuracy in spelling names is not required in a legal document or proceedings either civil or criminal: that if the name, as spelled in the document, though different from the correct spelling thereof, conveys to the ear, when pronounced according to the commonly accepted methods, a sound practically identical with the correct name as commonly pronounced, the name thus given is a sufficient identification of the individual referred to, and no advantage can be taken of the clerical error. State v. Hattaway, 180 La. 12, 156 So. 159. But the doctrine of "idem sonans" has been much enlarged by modern decisions, to conform to the growing rule that a variance, to be material, must be such as has misled the opposite party to his prejudice

[Blacks Law Dictionary, Fourth Edition, p. 880]

- The result of the equivocation is “dissimulation”.
- The dissimulation accomplishes treating you as **PUBLIC** when in fact:
 - You are **PRIVATE**.
 - It is unlawful for you to act in the **PUBLIC** because you do not lawfully occupy the statutory franchise office of “person”, “citizen”, or “resident”.
- “dissimulation” is legally defined on the next page.

Definition of “dissimulation”

dissimulation

noun

Synonyms and Antonyms of DISSIMULATION

1. *the inclination or practice of misleading others through lies or trickery <got whatever she wanted through shameless dissimulation>*

Synonyms [artifice](#), [cheating](#), [cozenage](#), [craft](#), [craftiness](#), [crookedness](#), [crookery](#), [cunning](#), [cunningness](#), [deceitfulness](#), [deception](#), [deceptiveness](#), [dishonesty](#), [dissembling](#), [dissimulation](#), [double-dealing](#), [dupery](#), [duplicity](#), [fakery](#), [foxiness](#), [fraud](#), [guile](#), [guilefulness](#), [wiliness](#)

Related Words [equivocation](#), [lying](#), [mendacity](#), [prevarication](#); [chicane](#), [chicanery](#), [fraudulence](#), [hanky-panky](#), [jugglery](#), [legerdemain](#), [mountebankery](#), [obliquity](#), [skulduggery](#) (or [skullduggery](#)), [subterfuge](#), [swindling](#), [trickery](#), [wile](#); [falsehood](#), [falsity](#), [fib](#), [untruth](#); [hypocrisy](#), [insincerity](#), [sanctimoniousness](#), [two-facedness](#); [artfulness](#), [caginess](#) (also [cageyness](#)), [deviousness](#), [shrewdness](#); [treacherousness](#), [underhandedness](#), [unscrupulousness](#); [covertness](#), [furtiveness](#), [secrecy](#), [shadiness](#), [sneakiness](#), [stealthiness](#); [oiliness](#), [shiftiness](#), [slickness](#), [slipperiness](#), [slyness](#), [smoothness](#)

Near Antonyms [candidness](#), [candor](#), [directness](#), [frankness](#), [openness](#), [plainness](#), [plainspokenness](#); [honesty](#), [probity](#); [dependability](#), [reliability](#), [reliableness](#), [solidity](#), [trustability](#), [trustiness](#), [trustworthiness](#); [decency](#), [goodness](#), [incorruptibility](#), [integrity](#), [righteousness](#), [truthfulness](#), [uprightness](#), [virtuousness](#)

Antonyms [artlessness](#), [forthrightness](#), [good faith](#), [guilelessness](#), [ingenuousness](#), [sincerity](#)

2. *the pretending of having virtues, principles, or beliefs that one in fact does not have <teenagers indulging in dissimulation simply in order to be one of the in crowd>*

Synonyms [cant](#), [dissembling](#), [dissimulation](#), [insincerity](#), [piousness](#)

Related Words [deceit](#), [deceitfulness](#), [deception](#), [deceptiveness](#), [dishonesty](#), [double-dealing](#), [falsity](#), [perfidy](#), [two-facedness](#); [affectation](#), [affectedness](#), [pretense](#) (or [pretence](#)), [pretension](#), [pretentiousness](#), [sanctimoniousness](#), [self-righteousness](#), [self-satisfaction](#); [duplicity](#), [fakery](#), [falseness](#), [fraudulentness](#), [shamming](#); [artificiality](#), [glibness](#), [oiliness](#), [smoothness](#), [unctuousness](#)

Near Antonyms [candor](#), [directness](#), [forthrightness](#), [frankness](#), [honesty](#), [openheartedness](#), [openness](#), [probity](#), [straightforwardness](#), [truthfulness](#); [artlessness](#), [guilelessness](#), [naturalness](#), [unaffectedness](#)

Antonyms [genuineness](#), [sincereness](#), [sincerity](#)

[Merriam Webster Online Dictionary: Dissimulation, Downloaded 10/13/2015;

SOURCE: <http://www.merriam-webster.com/thesaurus/dissimulation>]

Funny Examples of “Dissimulation”

- **Don't Judge Too Quickly:**
 - #1: Hospital
http://sedm.org/LibertyU/Don_tjudgetooquickly1.mp4
 - #2: Airplane
http://sedm.org/LibertyU/Don_tjudgetooquickly2.mp4
 - #3: Home
http://sedm.org/LibertyU/Don_tjudgetooquickly3.mp4
 - #4: Dad in Car
http://sedm.org/LibertyU/Don_tjudgetooquickly4.mp4
 - #5: Park
http://sedm.org/LibertyU/Don_tjudgetooquickly5.mp4

How to PREVENT conversion of PRIVATE to PUBLIC

SEDM Disclaimer, Section 4: Meaning of Words

[SOURCE: <http://sedm.org/disclaimer.htm>]

The protection of PRIVATE rights mandated by the Bill of Rights BEGINS with and requires:

- 1. ALWAYS keeping PRIVATE and PUBLIC rights separated and never mixing them together.**
- 2. Using unambiguous language about the TYPE of "right" that is being protected: PUBLIC or PRIVATE in every use of the word "right". The way to avoid confusing PUBLIC and PRIVATE RIGHTS is to simply refer to PRIVATE rights as "privileges" and NEVER refer to them as "rights".**
- 3. Only converting PRIVATE rights to PUBLIC rights with the express written consent of the HUMAN owner.**
- 4. Keeping the rules for converting PRIVATE to PUBLIC so simple, unambiguous, and clear that a child could understanding them and always referring to these rules in every interaction between the government and those they are charged with protecting.**

How to PREVENT conversion of PRIVATE to PUBLIC

- 5. Ensuring that in every interaction (and ESPECIALLY ENFORCEMENT ACTION) between the government both administratively and in court, that any right the government claims to civilly enforce against, regulate, tax, or burden otherwise PRIVATE property is proven ON THE RECORD IN WRITING to originate from the rules documented in the previous step. This BURDEN OF PROOF must be met both ADMINISTRATIVELY and IN COURT BEFORE any enforcement action may be lawfully attempted by any government. It must be met by an IMPARTIAL decision maker with NO FINANCIAL interest in the outcome and not employed by the government or else a criminal financial conflict of interest will result. In other words, the government has to prove that it is NOT stealing before it can take property, that it is the lawful owner, and expressly HOW it became the lawful owner.**
- 6. Enforcing the following CONCLUSIVE PRESUMPTION against government jurisdiction to enforce unless and until the above requirements are met:**

How to PREVENT conversion of PRIVATE to PUBLIC

“All rights and property are PRESUMED to be EXCLUSIVELY PRIVATE and beyond the control of government or the CIVIL law unless and until the government meets the burden of proving, WITH EVIDENCE, on the record of the proceeding that:

- 1. A SPECIFIC formerly PRIVATE owner consented IN WRITING to convert said property to PUBLIC property.*
- 2. The owner was either abroad, domiciled on, or at least PRESENT on federal territory NOT protected by the Constitution and therefore had the legal capacity to ALIENATE a Constitutional right or relieve a public servant of the fiduciary obligation to respect and protect the right. Those domiciled in a constitutional but not statutory state and who are “citizens” or “residents” protected by the constitution cannot alienate rights to a real, de jure government.*
- 3. If the government refuses to meet the above burden of proof, it shall be CONCLUSIVELY PRESUMED to be operating in a PRIVATE, corporate capacity on an EQUAL footing with every other private corporation and which is therefore NOT protected by official, judicial, or sovereign immunity.”*

What Do “Rights” ATTACH To?

- **PUBLIC rights**

- Attach to civil statuses of people, regardless of where they are physically located.
- Attach to domicile on federal territory as a prerequisite.
- Attach to the PUBLIC OFFICE domiciled on federal territory, and not the PRIVATE human filling said office.

- **PRIVATE rights**

- Inherent in every human as natural rights and recognized as such in common law
- Include the rights protected by the constitution via the Bill of Rights and the Fourteenth Amendment (equal protection)

- **PROOF:**

- *“It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the [civil] status of the people who live in it.”*
[Balzac v. Porto Rico, 258 U.S. 298 (1922)]
- *“Debitum et contractus non sunt nullius loci. Debt and contract are of no particular place.”*
[Bouvier’s Maxims of Law, 1856]

- **For further details:**

***Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008**

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

Definition of “privilege” (PUBLIC right)

privilege \ 'priv-lij, 'pri-və-\ noun

[Middle English, from Anglo-French, from Latin *privilegium* law for or against a private person, from *privus* private + *leg-*, *lex* law] 12th century: a right or immunity granted as a peculiar benefit, advantage, or favor: prerogative especially: such a **right or immunity attached specifically to a position or an office**

[Mish, F. C. (2003). Preface. Merriam-Websters collegiate dictionary. (Eleventh ed.). Springfield, MA: Merriam-Webster, Inc.]

privilege verb transitive

-leged; -leging 14th century

1: to grant a privilege to

2: to accord a higher value or **superior position to** ‹*privilege one mode of discourse over another*›

[Mish, F. C. (2003). Preface. Merriam-Websters collegiate dictionary. (Eleventh ed.). Springfield, MA: Merriam-Webster, Inc.]

Notes on “privileges”/”Public rights”

- **Based on the definition of “privilege” earlier:**
 - They attach to OFFICES in the government if the privilege is GRANTED by government. An OFFICE in the government is called a **“PUBLIC OFFICE”**.
 - They create a SUPERIOR position in relation to others. In religious terminology, this is called a “supernatural power”, where YOU are the “natural”.
- **By using “privileges” to elevate those who receive them above others, the result is:**
 - Substituting PRIVATE rights in exchange for PUBLIC rights.
 - The complete destruction of EQUALITY of all under the law. See: *Requirement for Equal Protection and Equal Treatment*, Form #05.033 <http://sedm.org/Forms/FormIndex.htm>
 - The violation of the constitutional prohibition against “Titles of Nobility”, where the name of the PUBLIC OFFICE is the “Title of Nobility”
 - They establish of a state sponsored religion, where YOU as the “natural” have to “worship” and serve those with the state-granted “SUPERIOR” or “SUPER-NATURAL” powers.

Definition of Religion

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

[Black's Law Dictionary, Sixth Edition, p. 1292]

Why Franchises Establish Religion

- “**SUPERNATURAL OR SUPERIOR BEINGS**” are those granted “privileges” of a franchise. See:
Government Instituted Slavery Using Franchises, Form #05.030
<http://sedm.org/Forms/FormIndex.htm>
- “WORSHIP” = Obedience to the dictates of the franchise “codes”
- Those DOING the worship are called PUBLIC OFFICERS, meaning AGENTS of the “SUPERIOR BEING”.
- The “**SUPERIOR BEING**” being rendered “WORSHIP” is the “United States” government as a legal person AND a corporation.
- That “**SUPERIOR BEING**” has an unconstitutional “Title of Nobility” because it has “**SUPERNATURAL OR SUPERIOR**” powers above YOU as the “natural”.
- The RESULT is what they call “all government of things”.
- The purpose of all franchises and privileges they create is to CREATE inequality (and thereby DESTROY THE SOURCE OF ALL YOUR FREEDOM, which is EQUALITY), use that inequality to impose SERVITUDE, and establish a state sponsored religion that worships government or civil rulers instead of God.

Why Franchises Establish Religion

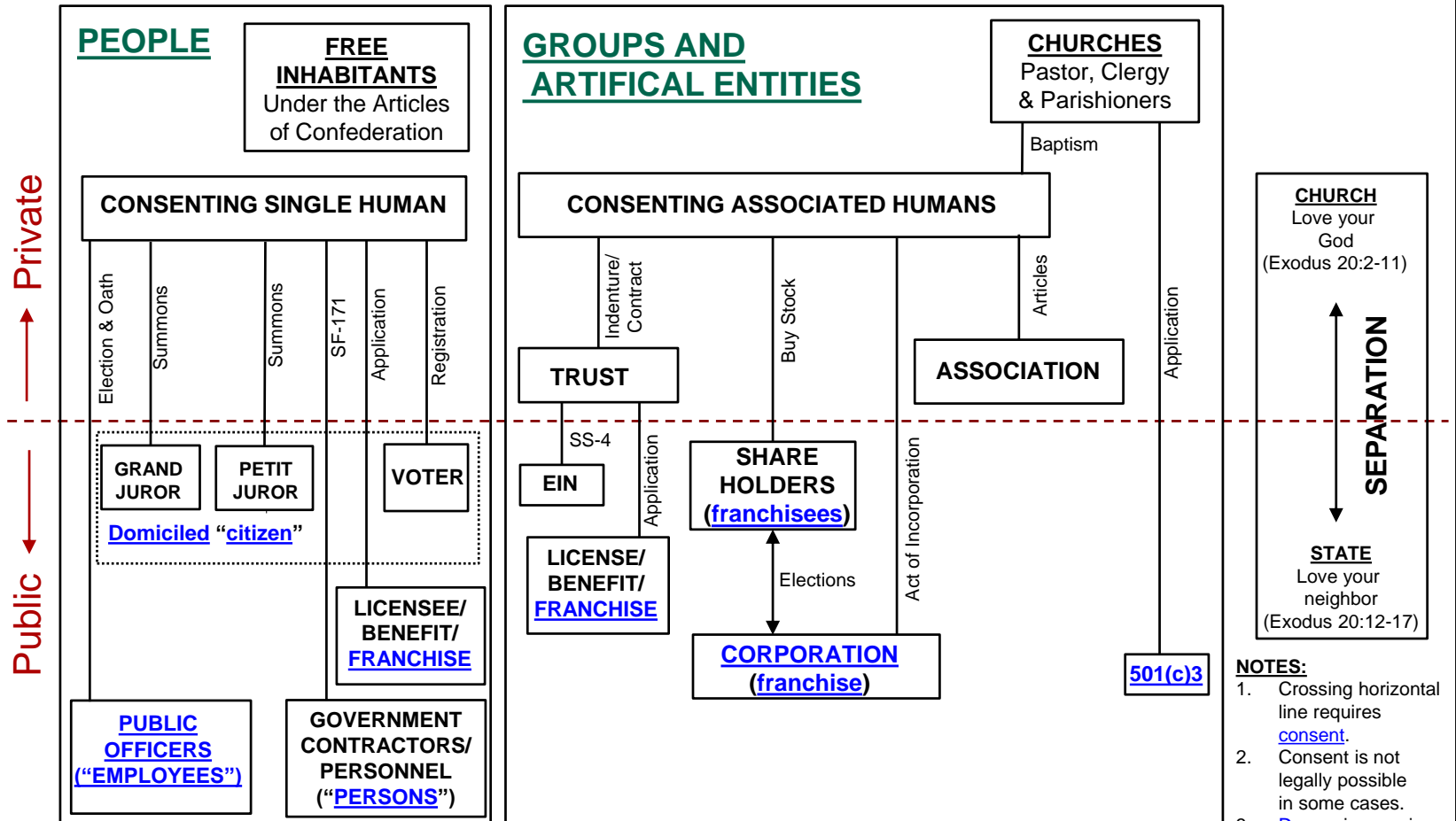
- **Don't believe us that franchises establish a state-sponsored religion? Look at legally admissible evidence proving our assertion:**
 - **Government Has Become Idolatry and a False Religion-** also included in our **Path to Freedom, Form #09.015:**
<http://famguardian.org/Subjects/Taxes/Articles/Christian/GovReligion.htm>
 - **Socialism: The New American Civil Religion,** Form #05.016
<http://sedm.org/Forms/FormIndex.htm>
 - **Government Establishment of Religion,** Form #05.038
<http://sedm.org/Forms/FormIndex.htm>

De Jure Organization Diagram

- **It is a very helpful didactic device to provide a pictorial diagram to describe the separation of Public and Private rights.**
- **We will refer to the following diagram throughout the entire course.**

De Jure Organization

PRIVATE (people)



PUBLIC (government agents or officers)

De Jure Organization Diagram Notes

- The straight lines between boxes are an act of consent.
- Public and private can only be connected through consent.
- The top and bottom can only be connected through consent on government property or federal territory.
 - Never in places that are not government property or are private.
 - Never in places protected by the Constitution or Bill of Rights.

The reason: Constitutional rights are INALIENABLE per the Declaration of Independence, which is ORGANIC LAW enacted into law in the FIRST ACT of Congress, 1 Stat. 1.

“Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred.”

[Black’s Law Dictionary, Fourth Edition, p. 1693]

De Jure Organization Notes

- **Government's job is to keep top and bottom separate.**
 - It has a monopoly on “protection”.
 - The purpose of its creation is “justice”.

"Justice is the end of government. It is the end of civil society. It ever has been, and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit."

[The Federalist No. 51 (1788), James Madison]
 - “Justice” is legally defined as “the right to be left alone”. See: <http://famguardian.org/TaxFreedom/CitesByTopic/justice.htm>
 - A government founded with the purpose of protecting your right to be left alone has as its first job LEAVING YOU ALONE, which means leaving you PRIVATE rather than PUBLIC. To impose duties of a public office against you that you didn't consent to is not only an INJUSTICE, but a THEFT of property and unconstitutional involuntary servitude in violation of the Thirteenth Amendment.
 - If they won't “leave you alone”, take or demand your private rights or property, or demand bribes for the “privilege” of being left alone, they are a criminal RICO or “mafia protection racket”.
 - When “justice” becomes a privilege/franchise, then we cease to have a real de jure government.
- The way to keep them separate is to prosecute all instances of duress under the common law and constitution and not statute law.

Definition of “Duress”

DURESS, *n.* Unlawful constraint exercised upon a man whereby he is forced to do some act that he otherwise would not have done. It may be either "duress of imprisonment," where the person is deprived of his liberty in order to force him to compliance, or by violence, beating, or other actual injury, or duress per minus, consisting in threats of imprisonment or great physical injury or death. Duress may also include the same injuries, threats, or restraint exercised upon the man's wife, child, or parent. *Coughlin v. City of Milwaukee*, 227 Wis. 357, 279 N.W. 62, 67, 119 A. L.R. 990; *Radich v. Hutchins*, 95 U.S. 213, 24 L. Ed. 409.

Duress consists in any illegal imprisonment, or legal imprisonment used for an illegal purpose, or threats of bodily or other harm, or other means amounting to or tending to coerce the will of another, and actually inducing him to do an act contrary to his free will. *Heider v. Unicume*, 142 Or. 410, 20 P.2d 384, 385; *Shlensky v. Shlensky*, 369 Ill. 179, 15 N.E.2d 694, 698. And it is never "duress" to threaten to do that which a party has a legal right to do. *Doernbecher v. Mutual Life Ins. Co. of New York*, 16 Wash.2d 64, 132 P.2d 751, 755, 756; *Miller v. Walden*, 53 Cal.App.2d 353, 127 P.2d 952, 956, 957. Such as, instituting or threatening to institute civil actions. *Standard Radio Corporation v. Triangle Radio Tubes*, 125 N.J.L. 131, 14 A.2d 763, 765; *Shipman v. Moseley*, 319 111.App. 443, 49 N.E.2d 662, 666.

[*Black's Law Dictionary, Fourth Edition, p. 594*]

Duress in the Context of Identity Theft

- The main method of converting PRIVATE to PUBLIC without the consent of the owner is to confuse associate a PUBLIC statutory civil status with a PRIVATE person against their consent.
- In the context of [identity theft](#), duress as we just defined exists:
 1. Its goal is unconstitutional and criminal peonage, by making you surety for public debts against your consent. [18 U.S.C. §1581](#) and the [13th Amendment](#).
 2. The enforcement authorized by the [franchise](#) is illegal and unlawful if directed at those who are not [CONSENSUALLY](#), lawfully, and absent duress party to the [franchise](#).
 3. If they refuse to allow you to administratively correct or rebut [your civil status](#) in their FRAUDULENT records, they in effect are criminally obstructing justice ([18 U.S.C. §1505](#)) by interfering with restoring your right to simply be left alone and to have a PRIVATE status. They are also making their records FRAUDULENT. [18 U.S.C. §1030](#).
 4. In the absence of the ability to correct your FALSE and FRAUDULENT [civil status](#) in their records, the only other remedy available is mainly to ILLEGALLY BRIBE ([18 U.S.C. §201](#)) them illegally to get them to go leave you alone. This “tax”/extortion money is a criminal violation of [18 U.S.C. §210-211](#))

Duress in the Context of Identity Theft

- In effect, they commit extortion and organized crime, and the judges with a criminal financial conflict of interest (28 U.S.C. [144](#), [455](#), and [18 U.S.C. §208](#)) are the “organizers” of their [criminal RICO “protection racket”](#).

Affidavit of Duress

- It is important to be able to provide legal evidence that you are under duress.
- Below is our attempt to address the task of documenting the duress that causes the identity theft which can be used in court:
 - *Affidavit of Duress: Member Deposition*, Form #02.003
<http://sedm.org/Forms/FormIndex.htm>
 - *Affidavit of Duress: Illegal Tax Enforcement by De Facto Officers*, Form #02.005
<http://sedm.org/Forms/FormIndex.htm>

How Separation Between Public and Private is Broken Down in the Diagram

- **Government becomes de facto and a MAFIA when:**
 1. **Requirement for consent crossing transitional center line is not recognized or is said to not exist. .or . .**
 2. **Consent was procured from someone legally ineligible. . .OR. .**
 3. **Duress in crossing center line is not prosecuted . .OR . .**
 4. **Franchises are offered or enforced outside of federal territory (judges make a profitable business out of alienating unalienable rights and thus have criminal conflict of interest) . .OR. .**
 5. **Consenting to one franchise causes you to have to consent to ALL franchises (adhesion/unconscionable contract which violates Unconstitutional Conditions Doctrine) . .OR. .**
 6. **Government forms do not recognize right to:**
 - » Place conditions on joining.
 - » Quit or not have “participant” status.
 - » Not sign up.
 - » Indicate duress when signing up.
 7. **Common law in court is either not recognized or sanctioned. Interferes with remedies for any or all of the above.**
 8. **Disputes involving above are heard in franchise court instead of constitutional court.**

Maxims of Law ALLOWING Conversion

Bouvier's Maxims of Law, 1856

1. Cujus est commodum ejus debet esse incommodum.
He who receives the benefit should also bear the disadvantage.
2. Que sentit commodum, sentire debet et onus.
He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433.
3. Hominum caus jus constitutum est.
Law is established for the benefit of man.
4. Injuria propria non cadet in beneficium facientis.
One's own wrong shall not benefit the person doing it.
5. Privatum incommodum publico bono peusatur.
Private inconvenience is made up for by public benefit.

Maxims of Law *PREVENTING Conversion*

- Bouvier's Maxims of Law, 1856

1. *Invito beneficium non datur.*
No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent he will be considered as assenting. Vide Assent.
2. *Privilegium est beneficium personale et extinguitur cum person.*
A privilege is a personal benefit and dies with the person. 3 Buls. 8.
3. *Quae inter alios acta sunt nemini nocere debent, sed prodesse possunt.*
Transactions between strangers may benefit, but cannot injure, persons who are parties to them. 6 Co. 1.
4. *Quilibet potest renunciare juri pro se inducto.*
Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83.
5. When the common law and statute law concur, the common law is to be preferred. 4 Co. 71
6. *Verba dicta de persona, intelligi debent de conditione personae.*
Words spoken of the person are to be understood of the condition of the person. 2 Roll. R. 72.

Rules for Lawfully Converting Private Property into Public Property

- **All property starts out as EXCLUSIVELY PRIVATE and beyond the civil control of government.**
- **It is VERY important to understand the simple rules the government must abide by in converting YOUR PRIVATE property to PUBLIC property.**
- **Any attempt by government to do any of the following in respect to one's PRIVATE rights and/or PRIVATE property is THEFT and a taking of property in violation of the Fifth Amendment if the rules we will show you have been violated:**
 - **Asserts a right to TAKE the property without compensation**
 - **Asserts a right to regulate or control the use of private property.**
 - **Asserts a right to convert the character of property from PRIVATE to PUBLIC.**
 - **Asserts a right to TAX said property.**

Supreme Court Rules for Lawfully Converting Private Property into Public Property

“Men are endowed by their Creator with certain unalienable rights,-'life, liberty, and the pursuit of happiness;’ and to 'secure,' not grant or create, these rights, governments are instituted. That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations:

[1] First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit [e.g. SOCIAL SECURITY, Medicare, and every other public “benefit”];

[2] second, that if he devotes it to a public use, he gives to the public a right to control that use; and

[3] third, that whenever the public needs require, the public may take it upon payment of due compensation.”

[Budd v. People of State of New York, 143 U.S. 517 (1892)]

Summary of Rules for Converting PRIVATE property into PUBLIC property

#	Description	Requires consent of owner to be taken from owner?
1	The owner of property justly acquired enjoys full and exclusive use and control over the property. This right includes <u>the right to exclude government uses</u> or ownership of said property.	Yes
2	He may not use the property to injure the equal rights of his neighbor. For instance, when you murder someone, the government can take your liberty and labor from you by putting you in jail or your life from you by instituting the death penalty against you. Both your life and your labor are “property”. Therefore, the basis for the “taking” was violation of the equal rights of a fellow sovereign “neighbor”.	No
3	He cannot be compelled or required to use it to “benefit” his neighbor. That means he cannot be compelled to donate the property to any franchise that would “benefit” his neighbor such as Social Security , Medicare, etc.	Yes
4	If he donates it to a public use, he gives the public the right to control that use.	Yes
5	Whenever the public needs require, the public may take it without his consent upon payment of due compensation (within the constitutional limits of their territorial exclusive jurisdiction). E.g. “eminent domain”.	No

NOTE: There is only ONE condition, Which is #2, in which the conversion of private property to public property does NOT require compensation or consent, which is when the owner injures someone with it, and the taking happens AFTER the demonstrated injury.

Questions

- The only way you can lose your PRIVATE property without consent and without compensation is:
 - To DONATE it to a “public use” OR
 - INJURE the equal rights of others in the use of it
- QUESTIONS:
 - 1. How did your PRIVATE property PRIVATE labor become a lawful subject of taxation? Taxation, after all, is the process of CONVERTING PRIVATE property into PUBLIC property.
 - 2. By what specific authority does the government regulate or control any aspect of the use of your EXCLUSIVELY PRIVATE property that you have hurt NO ONE with?

Answers

1. Most people become a statutory “Taxpayer” through their own legal ignorance.
 - 1.1. The method of volunteering is to misrepresent your civil status on a government form. See:
Avoiding Traps in Government Forms, Form #12.023
<http://sedm.org/Forms/FormIndex.htm>
 - 1.2. Since everyone is presumed by the courts to know the law, there is no excuse for ignorant volunteering.
 - 1.3. No government worker can assert a right nor has a duty to know or second guess their master or correct ignorant volunteers.
 - 1.4. Therefore, you have an obligation to give them reasonable notice of the above errors.
 - 1.5. Beyond that point, they are noticed of a violation of their fiduciary duty and any further enforcement action is a tort they are personally responsible for.

"My [God's] people are destroyed [and enslaved] for lack of knowledge [and the lack of education that produces it]."

[\[Hosea 4:6, Bible, NKJV\]](#)

Answers

2. Only by VOLUNTEERING to assume the civil statutory status of a franchisee (e.g. “taxpayer”, “citizen”, “spouse”, “driver”), ABSENT DURESS OR COERCION of any kind, can the government regulate the use of EXCLUSIVELY PRIVATE property.
 - 2.1. This consent can only lawfully be given on land NOT protected by the constitution BECAUSE constitutionally protected rights are unalienable, according to the Declaration of Independence.
 - 2.2. In this way, you DONATE your private property to a PUBLIC use, public purpose, and public office.
 - 2.3. If there was any duress applied or tricks (equivocation or dissimulation) on government forms that would force or mislead you to volunteer, then the regulation becomes a form of THEFT.

Violation of the Rules for Converting PRIVATE property to PUBLIC property

- **A THEFT of property has occurred on behalf of the government if it attempts to do any of the following:**
 - **Circumvents any of the above rules for converting PRIVATE to PUBLIC.**
 - **Tries to blur, confuse, or obfuscate the distinction between PRIVATE property and PUBLIC property.**
 - **Refuses to identify EXACTLY which of the FIVE mechanisms identified in the preceding table was employed in EACH specific case where it:**
 - » **Asserts a right to regulate the use of PRIVATE property.**
 - » **Asserts a right to CONVERT the character of property from PRIVATE to PUBLIC.**
 - » **Asserts a right to TAX what you THOUGHT was PRIVATE property.**

Violation of the Rules for Converting PRIVATE property to PUBLIC property

- **Is your ignorance of law and the rules for converting property causing you to:**
 - **Unknowingly donate property to the government?**
 - **Condone and further government theft or identity theft? The only difference between THEFT and a DONATION is CONSENT.**
 - **Aid and abet conspiracies by public servants to:**
 - » **Deceive you about what the law permits and requires?**
 - » **Deprive you of Constitutional rights?**

PUBLIC v. PRIVATE Franchises

Characteristic	PUBLIC/GOVERNMENT Franchise	PRIVATE Franchise
Franchise agreement is	Civil law associated with the <u>domicile</u> of those who are <u>statutory but not constitutional “citizens” and “residents”</u> within the venue of the GRANTOR	Private law among all those who expressly consented in writing
<u>Consent</u> to the franchise procured by	IMPLIED by ACTION of participants: 1. Using the government’s license number; 2. Declaring a STATUS under the franchise such as “taxpayer”	EXPRESS by signing a WRITTEN contract absent duress
Franchise rights are property of	Government (<u>de facto government</u> if property outside of federal territory)	Human being or private company
Choice of law governing disputes under the franchise agreement	Franchise agreement itself and <u>Federal Rule of Civil Procedure 17(b)</u> .	Franchise agreement only
Disputes legally resolved in	<u>Article 4, Section 3, Clause 2</u> statutory FRANCHISE court with INEQUITY	Constitutional court in EQUITY
Courts officiating disputes operate in	POLITICAL context and issue [political] OPINIONS	LEGAL context and issue ORDERS
Parties to the contract	Are “public officers” within the government grantor of the franchise	Maintain their status as private parties
Domicile of franchise participants	<u>Federal territory</u> . See <u>26 U.S.C. §7701(a)(39)</u> and <u>§7408(d)</u>	Wherever the parties declare it or express it in the franchise

The Government War on Private Rights

Since the founding of this country, a concerted effort has been underway by corrupted politicians to:

1. Undermine the protection of private rights.
2. Unlawfully convert PRIVATE rights into PUBLIC rights.
3. Turn a DE JURE government into a DE FACTO government and thus, a private, for profit federal corporation in which all “citizens” and “States” are really just statutory “employees” or “officers” of the corporation.

The following pages will break down each of the above three elements into their component parts.

For more information on the above and a step by step analysis of how the above has been accomplished so far, see:

How Scoundrels Corrupted Our Republican Form Of Government, Family Guardian Fellowship

<http://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>

1. *How Corrupted Governments Unlawfully Undermine the Protection of PRIVATE RIGHTS*

- Judges refusing to hear litigation that would address the dividing line between PUBLIC and PRIVATE rights.
- Judges omitting to address or [making unpublished issues raised in litigation](#) that would address the dividing line between PUBLIC and PRIVATE rights.
- Administrators refusing to issue government ID to those who refuse to associate themselves with [PUBLIC franchise statuses](#), [domicile](#) on federal territory, or government identifying numbers. See:
Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002, Section 14.4
<http://sedm.org/Forms/FormIndex.htm>
- Refusing to recognize or protect PRIVATE rights, thus compelling people to pursue a [franchise status](#) to have any remedy at all.
- [Refusing to provide administrative forms or procedures](#) for use by those OTHER than [franchisees](#). See:
Avoiding Traps in Government Forms Course, Form #12.023
<http://sedm.org/Forms/FormIndex.htm>

1. *How Corrupted Governments Unlawfully Undermine the Protection of PRIVATE RIGHTS (cont)*

- Refusing to provide remedies or assistance to persons **OTHER** than **franchisees**. This is a violation of the requirement for equal protection of the laws. See:
Requirement for Equal Protection and Equal Treatment, Form #05.033
<http://sedm.org/Forms/FormIndex.htm>
- Ignoring administrative responsive correspondence to all tax collection notices, thus forcing the target of **illegal tax enforcement** to become the target for criminal levies and liens and the violation of rights they represent.

1. How Corrupted Governments Unlawfully Undermine the Protection of PRIVATE RIGHTS (cont)

- **Causing those who insist that they are PRIVATE parties not acting as public officers or franchisees:**
 - To be called “frivolous”. See:
Meaning of the Word “Frivolous”, Form #05.027
<http://sedm.org/Forms/FormIndex.htm>
 - To be subject to an unconstitutional bill of attainder through administrative penalties. See:
Why Penalties are Illegal for Anything But Government Franchisees, Employees, Contractors, and Agents, Form #05.010
<http://sedm.org/Forms/FormIndex.htm>
 - To be identified as “domestic terrorists”. See:
Policy Document: Rebutted False Arguments About Sovereignty, Form #08.018, Sections 5.6, 6.2, and 6.6
<http://sedm.org/Forms/FormIndex.htm>
 - To be subjected to psychological evaluation as being CRAZY.

1. How Corrupted Governments Unlawfully Undermine the Protection of PRIVATE RIGHTS (cont)

- Corrupting Constitutional courts by:
 - Replacing Article III Constitutional Courts with Article IV Legislative Franchise courts. See:
What Happened to Justice?, Form #06.012
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/SeparationOfPowers.pdf>
 - Forcing those who administer Constitutional Courts to have a criminal financial conflict of interest by making them into statutory “taxpayers”. This started in 1938 with *O’Malley v. Woodrough, 307 U.S. 277.* See also *United States v. Hatter, 532 U.S. 557 (1978), Lucas v. Earl, 281 U.S. 111 (1930).*
 - Forcing lawyers to obtain a license to practice, which confers a conflict of interest that undermines the rights of their clients. See:
Unlicensed Practice of Law, Form #05.029
<http://sedm.org/Forms/FormIndex.htm>

1. How Corrupted Governments Unlawfully Undermine the Protection of PRIVATE RIGHTS (cont)

- Unlawfully enforcing [national franchises](#) within states of the Union. See:
Government Instituted Slavery Using Franchises, Form #05.030
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Franchises.pdf>
- Allowing people receiving government “benefits” and who therefore have a criminal financial conflict of interest to vote or serve on jury duty. This causes [jurists on public assistance](#) to rule in favor of the government in any litigation affecting their “benefits”, thus making them into government unwitting public officer recruiters.
*"The king establishes the land by [justice](#); but he who receives bribes [government “benefits”] overthrows it."
[\[Prov. 29:4, Bible, NKJV\]](#)*
- Deliberately omitting to prosecute those engaging in any of the above, even upon receipt of a valid criminal complaint.

2. How Corrupted Governments Unlawfully Convert PRIVATE RIGHTS into PUBLIC RIGHTS

- **Deliberately confusing the contexts for geographic words of art between the CONSTITUTIONAL and STATUTORY contexts. See:**

Legal Deception, Propaganda, and Fraud, Form #05.014, Section 7.2

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

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf>

- **Abuse of “words of art”. See:**

Legal Deception, Propaganda, and Fraud, Form #05.014

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

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf>

- **Abuse of presumption. See:**

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

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

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Presumption.pdf>

2. How Corrupted Governments Unlawfully Convert PRIVATE RIGHTS into PUBLIC RIGHTS

- Encouraging private companies to illegally compel the use of government identifying numbers for commercial transactions of PRIVATE people. This is a CONSPIRACY against rights. See:

Why It is Illegal for Me to Request or Use a Taxpayer Identification Number,
Form #04.206

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

DIRECT LINK: <http://sedm.org/Forms/04-Tax/2-Withholding/WhyTINIllegal.pdf>

- Encouraging the filing of knowingly false and fraudulent information returns (e.g. W-2, 1042-S, 1098, 1099, etc) against those engaging in PRIVATE activity. See:

Correcting Erroneous Information Returns, Form #04.001

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

DIRECT LINK: <http://sedm.org/Forms/04-Tax/0-CorrErrInfoRtns/CorrErrInfoRtns.pdf>

- Unlawfully enforcing the Internal Revenue Code to STEAL from people, and force them to become “taxpayers” in order to have any chance of getting their STOLEN money back.
- Abusing the Federal Reserve Counterfeiting Franchise to bribe states to give up their sovereignty and become federal corporations and franchisees. See:

The Money Scam, Form #05.041

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

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/MoneyScam.pdf>

3. How DE JURE governments are transformed into DE FACTO governments

- Making statutory citizenship into a franchise status.

See:

Why You are a “national”, “state national”, and Constitutional but not Statutory Citizen, Form #05.006, Section 4

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

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/WhyANational.pdf>

- Deliberately confusing the FEDERAL government with the NATIONAL government or making them synonymous. See:

Two Political Jurisdictions: National government v. Federal government, Family Guardian Fellowship

<http://famguardian.org/Subjects/Taxes/Remedies/USvUSA.htm>

- Deliberately confusing CONSTITUTIONAL citizens with STATUTORY citizens or making them synonymous, even though they are NOT. See:

Why the Fourteenth Amendment is Not a Threat to Your Freedom, Form #08.015

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

3. How DE JURE governments are transformed into DE FACTO governments (cont)

- Confusing **DOMICILE** with NATIONALITY or making them synonymous, even though they are NOT. See:
Why Domicile and Becoming a “Taxpayer” Require Your Consent,
Form #05.002
<http://sedm.org/Forms/FormIndex.htm>
- Making **statutory citizenship** mandatory for those serving on jury duty or registering to vote.
- Breaking down the **Separation of Powers** between the States and the National government. See:
Government Conspiracy to Destroy the Separation of Powers,
Form #05.023
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/SeparationOfPowers.pdf>
- For details on the above, see:
De Facto Government Scam, Form #05.043
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/DeFactoGov.pdf>

Lawful “Incentives” to Convert Private Rights to Public Rights

- 1. Bribe you to sign up for [franchises](#) with ADDITIONAL “benefits”, but ONLY if you are [domiciled](#) on federal territory AND already work for the government as a public officer.**
 - They can’t offer franchises in states of the Union, and ESPECIALLY with the purpose of “taxing them”. See License Tax Cases, 72 U.S. 462.
 - They can’t use government forms to unilaterally “elect” new public officers.
- 2. Claim “plausible deniability” as a defense, but ONLY if you don’t point out their [identity theft scam](#) in every interaction with them. This is why it is mandatory in becoming a member to NOTICE them officially in our [Path to Freedom, Form #09.015, Section 2](#) process.**
- 3. Deceive you with “words of art” and “equivocation” in their official forms and publications.**
 - The courts have held that you cannot trust anything a government worker says or publishes.
 - Even the IRS admits that you shouldn’t rely on any of their publications or forms.

See:

***Reasonable Belief About Income Tax Liability*, Form #05.007**

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

Lawful “incentives” to Convert Private Rights to Public Rights

4. Refuse to provide forms or ADMINISTRATIVE remedies for those who are exclusively PRIVATE. However, they:

- Cannot refuse to accept YOUR SUBSTITUTE/MODIFIED forms that DO provide remedies or DO represent ALL available options for your civil status.
- Cannot refuse to allow you to acquire rights administratively over them the same way they do with you. Fight fire with fire. See [*Injury Defense Franchise and Agreement, Form #06.027*](#)
- Cannot interfere with common law or constitutional or court remedies for injuries caused by those who enforce [government franchises](#) against non-consenting non-participants. These people we call “non-resident non-persons”. See:
[*Non-Resident Non-Person Position, Form #05.020*](#)
<http://sedm.org/Forms/FormIndex.htm>

Limitations on Public Servants

1. Have no authority to provide a [common law remedy](#) to begin with
2. Common law remedy can only be provided in [common law courts](#).
3. YOU must invoke the courts to the Constitutional or [common law side](#). Stay away from the [STATUTORY side](#).
4. If you DO NOT know how to invoke the CONSTITUTIONAL remedies or [common law remedies](#), public servants cannot help you from their “administrative box”. ALL of their delegated authority comes from [the franchise statutes that DEFINE that box](#).
5. They have no duty to address that which is beyond their delegated authority to remedy. If they do, in fact, they are often censured and even fired.
6. All tax enforcements are legal... maybe not lawful... but legal for certain.
7. Who’s fault is it though? Its mostly OUR fault for not bothering to [study the law](#).

What Happens When Churches Become PUBLIC

- ***The Crisis of Church Incorporation***, Form #13.017
<http://sedm.org/Forms/FormIndex.htm>
- ***Policy Document: Corruption of Modern Christianity***, Form #08.012
<http://sedm.org/Forms/FormIndex.htm>

How to Keep Churches PRIVATE

- ***Should Christians Always Obey the State?***, Form #13.014
<http://sedm.org/Forms/FormIndex.htm>
- ***What Pastors and Clergy Need to Know About Government and Taxation***, Form #12.006
<http://sedm.org/Forms/FormIndex.htm>
- ***Declaration of the Establishment of a Free Church***, Form #13.004
<http://sedm.org/Forms/FormIndex.htm>
- ***Biblical Standards for Civil Rulers***, Form #13.013
<http://sedm.org/Forms/FormIndex.htm>

HOW PEOPLE STAY PRIVATE

1. Do not apply for or use government issued numbers. These are “franchise license numbers” that make you privileged.
See:

- About SSNs and TINs on Government Forms and Correspondence, Form #05.012
<http://sedm.org/Forms/FormIndex.htm>
- Why It is Illegal for Me to Request or Use a “Taxpayer identification Number”, Form #04.205
<http://sedm.org/Forms/FormIndex.htm>
- Why You Aren’t Eligible for Social Security, Form #06.001
<http://sedm.org/Forms/FormIndex.htm>

2. Attach to every government form you fill out a mandatory attachment that defines terms on the form such that you indicate duress and withdraw consent to any and all government franchises.

HOW PEOPLE STAY PRIVATE

3. Do not apply for or accept any kind of license, such as marriage licenses or driver licenses. See:

- **Sovereign Christian Marriage, Form #13.009
<http://sedm.org/Forms/FormIndex.htm>**
- **Sovereign Marriage Course, Form #12.016
<http://sedm.org/Forms/FormIndex.htm>**
- **Defending Your Right to Travel, Form #06.010
<http://sedm.org/Forms/FormIndex.htm>**
- **Unlicensed Practice of Law, Form #05.029
<http://sedm.org/Forms/FormIndex.htm>**
- **Government Instituted Slavery Using Franchises, Form #05.030
<http://sedm.org/Forms/FormIndex.htm>**

Remedies for the Protection Of Private Rights

- ***Enumeration of Unalienable Rights*, Form #10.002**

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

DIRECT LINK: <http://sedm.org/Forms/10-Emancipation/EnumRights.pdf>

- ***Know Your Rights and Citizenship Status*, Form #10.009**

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

- ***Legal Remedies that Protect Private Rights Course*, Form #12.019**

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

- ***Common Law Practice Guide*, Litigation Tool #10.013**

LITIGATION TOOLS PAGE: <http://sedm.org/Litigation/LitIndex.htm>

Identity Theft Resources

1. **Government Identity Theft**, Form #05.046-SEDM
<http://sedm.org/Forms/FormIndex.htm>
2. **Government Identity Theft Playlist -SEDM**
<https://www.youtube.com/playlist?list=PLin1scINPTUp5IPJW1u0exug2GtgPRwF>
3. **Liberty University, Section 4: Avoiding Government Franchises, Licenses, and Identity Theft**
<http://sedm.org/LibertyU/LibertyU.htm>
4. **Property and Privacy Protection, Section 11: Identity Theft-Family Guardian Fellowship**
<http://famguardian.org/Subjects/PropertyPrivacy/PropertyPrivacy.htm>
5. **Money, Banking, and Credit Topic, Section 6: Privacy and Identity Theft-Family Guardian Fellowship**
<http://famguardian.org/Subjects/MoneyBanking/MoneyBanking.htm>
6. **Identity Theft Sermons-Newbreak church**
 - [Part 1: Dreamer](#)
 - [Part 2: Foreigner](#)
 - [Part 3: Overcomer](#)
 - [Part 4: Reconciler](#)
7. **The Identity Trap-Freedom Taker**
<https://www.youtube.com/watch?v=IQI4IET97o4>

Summary and Conclusions

- If you want to be free and protect your sovereignty then you:
 1. Must understand the laws of property.
 2. Must fight attempts by government to convert PRIVATE to PUBLIC. This is done by challenging jurisdiction.
 3. Must retain a PRIVATE status and PRIVATE property.
 4. Must keep the burden of proof upon the government that they have followed the rules for lawfully converting PRIVATE to PUBLIC.
 5. Cannot pursue any privilege, public status, public benefit, or public right in the context of your interactions with any government.
 6. Cannot associate public property such as government identifying numbers with PRIVATE property without converting private property to public property and committing a FRAUD.

Summary and Conclusions

- Private property and private rights are, in respect to the PUBLIC rights and civil statutory law:
 - Foreign. See:
“Sovereign”=“Foreign”, Family Guardian Fellowship
<http://famguardian.org/Subjects/Freedom/Sovereignty/Sovereign=Foreign.htm>
 - Nonresident. See:
Non-Resident Non-Person Position, Form #05.020
<http://sedm.org/Forms/FormIndex.htm>
 - Defensible with ONLY the common law and equity and not the statutory law. See:
Common Law Practice Guide, Litigation Tool #10.013
<http://sedm.org/Litigation/LitIndex.htm>

Further references

- **Enumeration of Inalienable Rights**, Form #10.002
<http://sedm.org/Forms/FormIndex.htm>
- **Government Franchises Course**, Form #12.012
<http://sedm.org/Forms/FormIndex.htm>
- **Government “Benefits” Scam**, Form #05.040
<http://sedm.org/Forms/FormIndex.htm>
- **Government Instituted Slavery Using Franchises**, Form #05.030
<http://sedm.org/Forms/FormIndex.htm>