



CITIZEN AS A LEGAL FICTION © Authored by LB Bork lb@pacinlaw.us

"The wise know their weakness too well to assume infallibility; and he who knows most, knows best how little he knows." —Thomas Jefferson

INTRODUCTION

Herein is material that may be hard for many to comprehend and accept. That being the case, after studying law for over twenty years this jurist finds that people believe what they want to believe¹... even though it's to their detriment.² Such wanton delusion is most unfortunate...

"Billions of people just living out their lives... oblivious." —Agent Smith, The Matrix

SYLLABUS

Herein a brief explanation is laid on how the *Fourteenth Amendment* operates in reference to a *citizen* in regard to *legal fictions* (*i.e.*, or *presumptions*).³ While studying this material, please keep in mind a master can give any "right" to his slaves that he deems appropriate.

FORWARD

Recently, a national of Florida who is a student of PAC sent the information below to us. It is a definition from the U.S. Immigration & Naturalization Service (INS) website:

- **Citizenship.** *Overview*

A citizen of the United States is a native-born, foreign-born, or naturalized person who owes allegiance to the United States and who is entitled to its protection. In addition to the naturalization process, the United States recognizes the U.S. citizenship of individuals according to two fundamental principles: *jus soli*, or right of birthplace, and *jus sanguinis*, or right of blood.

Note what the above sets forth in its short, simple statement: 1) A citizen of the United States owes allegiance to the United States and is entitled to *ITS* protection; 2) The United States recognizes the citizenship rule of birthplace, *i.e.*, *jus soli*.⁴ Moreover, you should note that the INS does not list the *nationalities of the several states* of the American union on its website; although such classifications may be found enumerated in the United States Style Manual per

1 **BRAINWASHING**, *n.* The application of a concentrated means of persuasion, such as an advertising campaign or repeated suggestion, in order to develop a specific belief or motivation. —*American Heritage Dictionary, 1998*

2 In addition: Most people in America are comfortable being socialists. One will find that generally people that protest taxes want the *socialism* but just do not want to pay for it through excessive taxation.

3 NOTE: A "Legal Fiction" is also referred to as a "presumption". See this authority: "A presumption is a deduction which the law expressly directs to be made from particular facts." (Code Civ. Proc., sec. 1959 [Note: now Evidence Code, § 600]) And "a presumption (unless declared by law to be conclusive) may be controverted by other evidence, direct or indirect: but unless controverted, the jury is bound to find according to the presumption." (Code Civ. Proc., sec. 1961 [Note: now Evid. Cd, § 602 et seq.]) (bracketed information added) *In re Bauer* (1889), 79 Cal. 304, 307.

4 **JUS SOLI**. —*Black's Law Dictionary, Sixth Edition Deluxe*

chapter 5.23 (1984). In the *original* or *lawful* form of the constitutional system, a man owes his fidelity to his *state* government: the United States is deemed a FOREIGN STATE. The people of the states generally had no direct dealings with the United States, except in a limited sense.

Note that “nationality” is relative to *nation*. Each state in the American union is a nation. There is absolutely NOTHING in the “Federal Constitution” that negates that fact. The Fourteenth Amendment is the only “device” that negates that fact, under the color of law, *i.e.*, scheme, if you will. As a further reference, if you look at all statehood acts which “admit new states to the Union”, you will find that all such states are on *equal ground* with the original thirteen states at the signing of the Declaration of Independence. In essence, this is setting forth that the *several states* are independent *nations* and maintain all rights under international law. The United States Constitution is where a *portion* of their sovereignty is contracted away to the federal government. Although the *several states* are *national governments*, and the United States is a *federal government*, the *several states* operate as *national governments*... which each maintain a *clipped sovereignty*; however are still deemed *national governments*. And depending on what issue of international law is in question — as specified in the Constitution for the United States of America — will determine if the “United States” acts in the capacity of a *national* or *federal* government. An example of the *United States* acting as a *national* government is the right of treaty. It has been contracted away by the *several States* to the *United States* that makeup the Union. In this sense, the United States is a [quasi]national government in regard to treaties.

By and large, you will not find any case law on *nationality* that is internal to the Union, as there is none. Why you ask? It is ventured that everyone has been flimflammed by the political propaganda of the *Elite* and the *Black Robes* the past 200 plus years. Actually, the first time the *nationalities* of the *states* of the Union were statutorily recognized by the United States is by the “Rump Congress” in the *Nationality Act of 1940*. However by that time in the game there were enough other *legal operations* — aside operations of the Fourteenth Amendment — that pinned the status of “*citizen and national of the United States*” on all Americans.⁵

Now this jurist interjects this plain and simple fact that is easy to understand: rights are from the Creator (God); privileges are from government. When *so-called* “rights” are enumerated by government, one should understand that his God-given rights are hanging in the balance. That being the case, as a basic rule —if you have *so-called constitutional rights* from government this creates the *legal fiction* that *IT* is your god (or *ruler*), and not your Creator.

With those matters set forth, we will now go back into the INS authority...

UNDERSTANDING THE INS AUTHORITY

First, in American law — *and international law* — there is a principle of law termed a citizen.⁶ The antithesis of a citizen (*subject*) is a *free man* (*national*). A “free man” is not to be confused with a “freeman”, which was (*is*) a *civil law* distinction to separate *citizens* from *slaves*. Also, note that the term *jus soli* is of feudal origin, which fits the nature of the current system.

In American law, the status sequence is as follows: man = fidelity to his *nation* or *people*, and a: republic = nation, then: citizen = allegiance to his *de jure* (*lawful*) government. A man born in a *country*⁷ establishes a *legal fiction* that he owes allegiance to the government as a *citizen*.

5 e.g., Voting, Social Security, are just a few *facts* that make one a United States citizen.

6 The *citizen principle* was setup by Vattel in his *Law of Nations* (*circa* 1750). This material is believed to be some of the preemptory measures of the New World Order.

7 **COUNTRY.** By country is meant the state of which one is a member. —*Bouvier's Law Dictionary, 1856*

To expand — *in the American system* — the term “citizen” is a reference to *political rights*. In this sense, calling oneself a *citizen* establishes a tacit agreement that a man *agrees to all laws* of his government, *i.e.*, he is subject to laws executed by his “state” of which he is a “citizen”.

The Fourteenth Amendment actually disfranchised all LAWFUL *citizens* of the states.⁸ This in turn created a ‘political limbo’ situation for such people.⁹ Of course, if one wants to participate in sedition¹⁰ against the rightful political law (*de jure*) of his state by allowing the Fourteenth Amendment to label them as a *United States citizen*, that should be his prerogative. This *jurist* chooses not to be such an entity/person: I am not *property* or under *guardianship* of Congress. Moreover, you are cautioned that referring to yourself as a *citizen* or *state citizen*¹¹ under the current *de facto legal system*; a *legal fiction* is created that you are a *United States citizen*. In other words, technically there are currently *no state citizens* (*see* previous comments). Further, referring to yourself as a *citizen* is simply saying: you have had nothing stolen from you. In sense you are saying, Yes. I have *all* my lawful political rights (*even though you do not*).

To continue, the INS authority *sets-up* the standard for what the United States deems you are; that is to say, the *legal fiction* or fact is that everyone is a United States *citizen* and *national*.¹² This makes such people “subject to” ITS jurisdiction under ITS *private law*.¹³

Further, this jurist has noted that the authority of the United States Style Manual (1984), under Chapter 5.23, sets forth that men and women born in one of the *several states* in the Union are referred to as *natives*. This is the same as being ‘native’ of a country. This should tell one that they grant the *Declaration of Independence* status, so to speak; however, they are presuming that you *ARE NOT* a *national of the state*, but are rather a *citizen de facto* of both the state and federal governments (*see dual citizenship*¹⁴ under the Fourteenth Amendment system).

8 **REPUBLIC.** It [this] signifies the state independent of its form of government. —*Black’s Law Dictionary, Sixth Edition Deluxe* [this is stating that *state* is not actually the same as republic]

9 *Dyett v Turner*, 266 Utah 439 PACIFIC REPORTER, 2d SERIES.

10 **SEDITION, crimes.** The raising commotions or disturbances in the state; it is a revolt against legitimate authority. The distinction between sedition and treason consists in this, that though its ultimate object is a violation of the public peace, or at least such a course of measures as evidently engenders it, yet it does not aim at direct and open violence against the laws, or the subversion of the constitution. —*Bouvier’s Law Dictionary, 1856*
IMPORTANT NOTE: The legitimate authority are *nationals of a state*, not United States nationals, *e.g.*, see the case *Breedlove v. Suttle*, 302 U.S. 277 (1937). In this case the court stated that the states have supreme authority in who elects its officials, not the United States (*see* 14th Amendment).

11 **CITIZEN OF A STATE.** A citizen of United States, residing in any state of the Union; Fourteenth Amendment of the United States Constitution. *See* citizens *resident* in the state. —*Ballentine’s Law Dictionary, Third Edition*

12 Title 8 USC § 1401. Nationals and citizens of United States at birth. The following shall be nationals and citizens of the United States at birth: (a) A person born in the United States, and subject to the jurisdiction thereof. [note the 14th Amendment language]

13 CONTROL FACTOR: See the language of ITS nationals in the NEUTRALITY ACT OF 1939. PREAMBLE.

“Whereas the United States, desiring to preserve its neutrality in wars between foreign states and desiring also to avoid involvement therein, voluntarily imposes upon ITS nationals by domestic legislation the restrictions set out in this joint; and Whereas by so doing the United States waives none of its own rights or privileges, or those of any of ITS nationals, under international law, and expressly reserves all the rights and privileges to which it and ITS nationals are entitled under the law of nations; and Whereas the United States hereby expressly reserves the right to repeal, change or modify this joint resolution or any other domestic legislation in the interests of the peace, security or welfare of the United States and ITS people.”

If the language were correct it would read **THEIR** nationals, see the Thirteenth Amendment for the proper language: *Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to THEIR jurisdiction.*

14 **DUAL CITIZENSHIP.** Citizenship in two different countries. Status of citizens of United States who reside “within a state”; *i.e.*, persons who are born or naturalized in the United States are citizens of the United States and the state wherein they reside. —*Black’s Law Dictionary, Sixth Edition Deluxe*

Accordingly, this jurist has determined that the “United States” is using the rule of *jus soli* in the Style Manual for a reason. The reason why this is done is believed to be two pronged:

- 1) The “State” (that is: *a 14th Amendment State*) in which one is born claims him as a vassal/subject¹⁵ under the Fourteenth Amendment;
- 2) To hide the fact that each *state* (republic) in the Union has a *nationality* status.

Moreover, if someone moves to a different state in the Union, and he then votes (*e.g.*), further establishes another *fact* that he is a *United States citizen*, and not a *national of a state*. If the United States was recognizing *men and women* in the states as being *nationals of the states*, it would have listed them as such instead of being “*natives*” (see the United States Style Manual, chapter 5.23 (1984)).¹⁶ You are requested to understand that the *national of a state* premise (per *international law*) was not all that easy to maintain prior to the installment of the infamous Fourteenth Amendment... because even then governments referred to *citizens* as *subjects*.¹⁷

Maybe you have heard of the aforementioned concept before as related to American history?

With that stated, there is the remedy to this situation... What is it? Do you venture a guess?

Well, a positive factor about the Fourteenth Amendment governmental system is that *nationals of the republics* in the Union can claim *Legislation without Representation*.¹⁸

THE PROVERBIAL NOOSE

In regard to Part 1 of the INS dissection above, in the past this jurist has expressed to readers that using Title 42 Suits is a bad thing. The advent of such law was grounded in providing a thing called “Civil Rights” to the ex-slaves. Moreover, this jurist notes that most patriot types think that such ex-slaves are the only *U.S. citizens* or *citizens of the United States*; however this is totally wrong: the fact is all other Americans are brought down to the same level as the ex slaves. Using Title 42 remedies is just one way to *look like* a United States citizen.¹⁹ Please understand that there are many *legal fictions* that will make an American appear to be United States citizen. Another example is being a member of a “national organization” rather than one that is *state based* creates a *presumption* that you are a United States citizen, *e.g.*, NRA.

The above noted principles deem the *average* American to be under the dependency²⁰ — or being that of a subject of the United States (or *Congress*) — and the “Fourteenth Amendment State” in which he lives. This gives *license* to the government to intrude into your life.

15 **VASSAL**, *n.* 1. A person who held land from a feudal lord and received protection in return for homage and allegiance. 2. A bondman; a slave. 3. A subordinate or dependent. —*American Heritage Dictionary, 1998*

16 Note the name of this section is referred to as: Nationalities, etc. More U.S. deceptive practice; however, note this serves as evidence that one has to terminate federal citizenship.

17 In example: See Section 39 of the Vermont constitution. Every person, of good character, who comes to settle in this State, having first taken an oath or affirmation of allegiance to the same, may purchase, or by other just means acquire, hold and transfer land, or other real estate; and after one year's residence, shall be deemed a free denizen thereof, and entitled to all rights of a natural born subject of this State, except that he shall not be capable of being elected Governor, Lieutenant Governor, Treasurer, Councillor or Representative in Assembly, until after two years residence.

18 See the *Nationalist Party* : www.pacinlaw.us/nationalist

19 The Fourteenth Amendment applies to the STATES in regard to due process. Claiming any other general rights under (and not protected by) the Federal Constitution will create the legal fiction that you are a United States citizen given rights under the Fourteenth Amendment.

20 **FEUDALISM**. 1. A political and economic system of Europe from the 9th to 15th century, based on the holding of all land in fief or fee and the resulting relation of lord to vassal and characterized by

It is now asked: Can decoding your Individual Master File (IMF) that comes from the Internal Revenue Service protect your children from the clutches of the Child Protective Services? Can getting such Individual Master File decoded get the *federal* land back in your state — which is really your *true* country — that has been pledged to the United Nations by Congress?

The answer: NO!

This is why this jurist states: *People who center on income tax issues are selfish.*

THE CONCLUSION

Simply put: The United States of America is not *internally* a nation. Referring to oneself as a *state citizen* or *citizen of the United States of America* is a dangerous thing with the Fourteenth Amendment political system in place.²¹ Fundamentally you cannot be a *de jure* (*original*) state citizen because there is no “state (*government*)” in existence that you can be a citizen of.²² And with a *de facto government* in place (that has to uphold *de jure principles*), all *de jure citizens* can do during the “Communist Occupation” is be politically disenfranchised and live *de jure*...

“The chief enemies of republican freedom are mental sloth, conformity, bigotry, superstition, credulity, monopoly in the market of ideas, and utter benighted ignorance.”

—Justice Black in *Adderley v. State of Florida* (1967)

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IMP Site : www.islandmakers.us

PAC Alliance: www.pacalliance.us/alliance

homage, legal and military service of tenants, and forfeiture. 2. A political, economic, or social order resembling this medieval system. —*American Heritage Dictionary*

Any of the above things sound familiar? Where you drafted? Do you really own your land when you have to pay tax on it? Does **IT** take your land for not paying your taxes? Do you get any benefits from the government? Well, see any similarities to the Feud? Also see: “*The ultimate ownership of all property is in the State; individual so-called “ownership” is only by virtue of Government; i.e., law, amounting to mere user; and use must be in accordance with law and subordinate to the necessities of the State.*” —Senate Resolution No. 62 (April 24, 1933)

- 21 See this propaganda on *federal citizenship* from 1906: “...the spirit in the citizen that, originating in love of country, results in obedience to its laws, the support and defense. ...such a citizen is called a patriot... it is the citizen who yields the legitimate share of his property, as well as the proper services of his person, to the lawful demands of his country for support, who is the real patriot.”

STUDIES IN CONSTITUTIONAL LAW, A Treatise On American Citizenship,
by John S. Wise, Edward Thompson Company Northport, Long Island, N.Y. (1906)

- 22 The term, citizen = political rights. See this information at : www.pacinelaw.us/questions
Also, watch out for those creating their own governments and courts... such is considered an act of sedition. Moreover, a *de facto government* maintains *de jure principles*, see law on *de facto corporations*.