

# A Nationals Citizenship Handbook

Research and Findings of the Citizenship Laws of the United States of America



Version 1.2 - 12/27/2023

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## Preface

All your life you've been asked these two questions:

- 1) Are you a Citizen of the United States ( or U.S. Citizen )?
- 2) Are you a Resident?

If you're like most, you've answered yes to these two questions. But what do they really mean? This document hopes to clarify these two questions for you in the context of our laws here in the United States and United States of America.

## Summary and Instructions

The purpose of this handbook is to gather in one place the citizenship laws of our nation which will help you to better understand your political status within our nation.

We cover 3 main areas:

- Layer 1, Political Statuses and Citizenship
- Layer 2, United States vs the United States of America
- Layer 3, Jurisdictions

Each layer is comprised of sections, and each section presents a question as well as citations from exhibits which will offer a conclusion. If you don't agree with a conclusion stop immediately and make a note about what you don't understand or agree with in that section. You may then choose to either do your own research, continue reading, or disregard this information and move on with your life.

## Important Notes

Words and Terms have two definitions:

A **Common Use** definition

A **Legal/Lawful** definition

Because of this we will often refer to Black's Law Dictionary in order to confirm the **Legal/Lawful** definition of a word, verses its common use definition when appropriate.

Also, the information presented in this booklet is true and correct to the best of our knowledge and should be:

- Used at your own risk
- Considered 'open source'
- Used for personal and non-commercial purposes only
- Freely distributed without cost or limitation

# Layer 1: Political Statuses and Citizenship

## Layer 1 Preface

This first layer is focused on defining exactly what citizenship is, the types of citizenship there are, and what sort of political statuses are available to you.

Citizenship in its purest form comes in two flavors: A citizen who is a member of the people in a state as part of the final authority over the government of that state as a body politic. And a citizen subject, who is subject to and owned by a government or sovereign that created the citizenship status.

A “Political Status” is a status that can be one of these two types. There are functionally 3 types of political status:

- A “Sovereign” (A King, Emperor, Government, or Nation)
- A “Citizen” (A member of a State who is a member of the governing body of people with political rights. Think “We the People” or “Kingship Shared by Many”)
- A “Citizen Subject” (A subject in voluntary or involuntary servitude to a Sovereign)

In short: there are political statuses that are subject to another status/government and those that aren't. Each nation has its own political statuses, including the United States of America.

In this layer we break down, with proof and sources, the different political statuses that exist in this nation and what kind they are.

## What is Citizenship?

The purpose of answering this question is that we need a strong foothold on the foundation of citizenship: what exactly is citizenship and what does it entail?

### 1. Citizenship/Citizen Definition

*Citizen Definition*

<https://www.merriam-webster.com/dictionary/citizen>

*citizen - noun*

*1 a: a native or naturalized person who owes **allegiance** to a government and is entitled to protection from it*

*b: a **member of a state***

Citizen Definition: Black's Law Dictionary, 4<sup>th</sup> Edition Page 310

*In American Law*

*One who, under the constitution and laws of the United States, **or of a particular state, is a member of the political community, owing allegiance and being entitled to the enjoyment of full civil rights.** Amy v. Smith, 1 Litt. (Ky.) 331; Minor v. Happersett, 21 Wall. 162, 22 L.Ed. 627.*

*[...]*

*But a state and the federal government each has citizens of its own, and the same person may be at the same time a citizen of the United States and a citizen of a state. The government of the United States can neither grant nor secure to its citizens rights or privileges which are not expressly or by implication placed under its jurisdiction. All that cannot be so granted or secured are left to the exclusive protection of the states. U. S. v. Cruikshank, 92 U.S. 542, 23 L.Ed. 588.*

*With reference to the jurisdiction and power of federal courts and removal of actions **a citizen of the District of Columbia is not a "citizen of a state"**, Neild v. District of Columbia, 110 F.2d 246, 249, 71 App.D.C. 306; Glaeser v. Acacia Mut. Life Ass'n, D.C.Cal., 55 F.Supp. 925, 926;*

**A citizen can be of two types: Either they owe allegiance to a government or they are a member of a state. These distinctions are made in the Merriam Webster dictionary as well as in Black's Law Dictionary. Within our own system of law, you can be a citizen of the Federal Government, or a "citizen of a state". You can also be both. With reference to jurisdiction and power of the federal courts however a citizen of the District of Columbia is considered not a "citizen of a state".**

**These definitions also imply two very important concepts: "Allegiance" and "State". But what are these concepts exactly? What do these two things mean relative to the concept of citizen?**

## 2. State Definition

Black's Law Dictionary, 4th Edition, Page 1578

*STATE, n.*

*A **people permanently occupying a fixed territory bound together by common-law habits and custom** into one body politic exercising, **through the medium of an organized government**, independent sovereignty and control over all persons and things within its boundaries...*

State Definition, Merriam-Webster

<https://www.merriam-webster.com/dictionary/state>

***5 a : a politically organized body of people usually occupying a definite territory especially : one that is sovereign***

*b : the political organization of such a body of people*

*c : a government or politically organized society having a particular character*

People Definition, Black's Law Dictionary, 4<sup>th</sup> Edition, Page 1292

*PEOPLE. A state; as the people of the state of New York. **A nation in its collective and political capacity.** Nesbitt v. Lushington, 4 Term R. 783; U. S. v. Quincy, 6 Pet. 467, 8 L.Ed. 458; U. S. v. Trumbull, D.C.Cal., 48 F. 99.*

*The aggregate or **mass of the individuals who constitute the state.** Solon v. State, 54 Tex.Cr.R. 261, 114 S.W. 349; Loi Hoa v. Nagle, C.C.A.Cal., 13 F.2d 80, 81.*

*In a more restricted sense, and as generally used in constitutional law, the **entire body of those citizens of a state or nation who are invested with political power for political purposes**, that is, the qualified voters or electors. Koehler v. Hill, 60 Iowa 543, 15 N.W. 609; Boyd v. Nebraska, 12 S.Ct. 375, 143 U.S. 135, 36 L.Ed. 103; In re Incurring of State Debts, 19 R.I. 610, 37 A. 14; In re Opinion of the Justices, 226 Mass. 607, 115 N.E. 921, 922; State v. City of Albuquerque, 31 N.M. 576, 249 P. 242, 247.*

Common Law Definition, Black's Law Dictionary, 4<sup>th</sup> Edition Page 346

*As distinguished from equity law, **it is a body of rules and principles, written or unwritten, which are of fixed and immutable authority, and which must be applied to controversies rigorously and in their entirety, and cannot be modified to suit the peculiarities of a specific case**, or colored by any judicial discretion, and which rests confessedly upon custom or statute, as distinguished from any claim to ethical superiority. Klever v. Seawall, C.C.A.Ohio, 65 F. 395, 12 C.C.A. 661.*

*As distinguished from ecclesiastical law, **it is the system of jurisprudence administered by the purely secular tribunals.***

**A state is a people which express their will "through the medium of an organized government" but are distinct from a citizen who owes allegiance to a government. Government is created by these members for the purpose of enforcing their will. They have full access to the common law, which is a strict set of rules for controversies that requires due process.**



### 3. Allegiance Definition

Allegiance Definition, Merriam-Webster

<https://www.merriam-webster.com/dictionary/allegiance>

*allegiance* – noun

*a* : the **obligation** of a **feudal vassal** to his liege lord

*b* : (1) : the **fidelity** owed by a **subject** or **citizen** to a sovereign or government

Black's Law Dictionary, 4th Edition, Page 99

**ALLEGIANCE.** *Obligation of fidelity and obedience to government in consideration for protection that government gives.* U. S. v. Kuhn, D.C.N.Y., 49 F.Supp. 407, 414.

[...]

*"The tie or ligamen which binds the subject [or citizen] to the king [or government] in return for that protection which the king [or government] affords the subject, [or citizen.]"* 1 Bl.Comm. 366.

*It consists in "a true and faithful obedience of the subject due to his sovereign," 7 Coke, 4b, and is a comparatively modern corruption of ligeance (ligeantia), which is derived from liege (ligius), meaning absolute or unqualified. It signified originally liege fealty, 1. e. absolute and unqualified fealty. 18 L. Q. Rev. 47.*

In terms of a citizen that owes allegiance to a government, they owe fidelity and obligation for consideration of the protection the government gives. This bears its roots in feudalism, and for now we'll call this a "citizen subject".

So, we know a state is an organized body of members, who create a government with the purpose of exercising their will. Allegiance, however, is the relationship between a government and its subjects, who owe an "obligation of fidelity", "True and Faithful Obedience", and this obedience is absolute.

A member of a state has starkly different obligations than that of a "citizen subject". Members of a state operate common law habits and customs with a governments responsibilities being only what is expressly delegated to them.

These are two very different types of relationships. What about our own laws and customs? Is there any reference to these types of citizenships in our own country?

Evidence 1 expresses that there are two types of citizens, citizens of the individual states, and citizens of the Federal Government. Is this referenced anywhere else? Which is which?

#### 4. Article IV, Section 2, Clause 1 Annotated

[https://constitution.congress.gov/browse/essay/artIV-S2-C1-1/ALDE\\_00013777/](https://constitution.congress.gov/browse/essay/artIV-S2-C1-1/ALDE_00013777/)

*The first section of Article IV, Section 2 provides that the **citizens of each state** shall be entitled to all Privileges and Immunities of the citizens of other states. The provision is often called the Privileges and Immunities Clause or the Comity Clause. This Clause, **which is textually tied to state citizenship**, should not be confused with the **distinct provision in the Fourteenth Amendment—the Privileges or Immunities Clause**—which protects the **privileges or immunities of citizens of the United States** against state invasion.*

Congress distinguishes between two types of citizens, citizens of each state and citizens of the United States. These are the political statuses that exist in the United States of America. You have citizens of the individual states, who have separate privileges and immunities from those of citizens of the United States.

#### 5. The Slaughterhouse Cases (1872)

<https://supreme.justia.com/cases/federal/us/83/36/>

*Primary Holding:*

*The Privileges or Immunities Clause of the Fourteenth Amendment is **limited to federal citizenship** rather than extending to **state citizenship**.*

*[...]*

***Not only may a man be a citizen of the United States without being a citizen of a State**, but an important element is necessary to convert the former into the latter. He must reside within the State to make him a citizen of it, but it is only necessary that he should be born or naturalized in the United States to be a citizen of the Union.*

*It is quite clear, then, **that there is a citizenship of the United States, and a citizenship of a State, which are distinct from each other**, and which depend upon different characteristics or circumstances in the individual.*

This distinction goes all the way back to 1872. A citizen of the United States is a Federal Citizen, or a citizen of the Federal Government in Washington DC. A State Citizen, on the other hand, is a member of one of the states.

## Conclusion

There are two types of citizens:

- One who owes allegiance to, is subject to, and is a vassal to a government or sovereign.<sup>(1)(2)(3)</sup>
- One who is a member of a self-governing state, that as a body is the final governing authority of a government limited to delegated powers and authority by members of the people.<sup>(1)(2)</sup>

This distinction being made between in both Black's Law Dictionary(Legal) and Merriam-Webster Dictionary(Common Speak). There's a "citizen" and a "citizen subject". A citizen subject is a vassal to the government/sovereign, owing total faith and obedience, but with a citizen (member of a people/state) the roles are reversed and the government is controlled and limited by the citizens of the state for their purposes.

Congress acknowledges two distinct political statuses<sup>(4)</sup> in our nation, citizens of the states and citizens of the United States, going all the way back to 1872<sup>(5)</sup>.

So, what are these two citizenships? And what type are they? Are they citizens or citizen subjects? It's also unlikely you've ever been asked if you're a state citizen, so let's start with what we know by figuring out what a U.S. Citizen is.

## What is U.S. Citizenship?

You find U.S. Citizenship everywhere, it's all over in the law books and codes and almost every time you sign something sent to you by the Federal Government or your State (IRS Tax Forms, Corporate Forms, DMV, Etc...) you are asked to confirm you are one. But what is it exactly? We're going to dive back into history and see what this is.

### 1. *Dred Scott v. Sandford*

<https://www.oyez.org/cases/1850-1900/60us393>

In 1856, *Dred Scott v. Sandford*:

*The Missouri court ruled in this landmark case that negroes are not, and cannot be, American Citizens.*

*“The majority held that “a negro, whose ancestors were imported into [the U.S.], and sold as slaves,” whether enslaved or free, **could not be an American citizen** and therefore did not have standing to sue in federal court. Because the Court lacked jurisdiction, Taney dismissed the case on procedural grounds.”*

*“Taney further held that the Missouri Compromise of 1820 was unconstitutional and foreclose Congress from freeing slaves within Federal territories. The opinion showed deference to the Missouri courts, which held that **moving to a free state did not render Scott emancipated**. Finally, Taney ruled that **slaves were property under the Fifth Amendment**, and that any law that would deprive a slave owner of that property was unconstitutional.”*

[...]

*So, too, a person may be entitled to vote by the law of the State, who is not a citizen even of the State itself. And in some of the States of the Union, foreigners not naturalized are allowed to vote. And the State may give the right to free negroes and mulattoes, **but that does not make them citizens of the State**, and still **less of the United States**. And the provision in the Constitution giving privileges and immunities in other States does not apply to them.*

**“American Citizen” is mentioned here, but more importantly Dred Scott was not, and could not be, an American citizen. Reading further in the case clarifies that state citizenship existed during this time, and that citizenship had direct bearing on being a United States Citizen, which at the time the term United States referred to the states collectively (this point clarified later).**

**The crux of the case, however, is that a negro was not, and could not be, a citizen of a state, much less a citizen of the United States. Obviously this isn't fair or right, was anything done about it?**

## 2. The American Civil War

<https://www.britannica.com/event/American-Civil-War>

In 1861-1865:

*American Civil War, also called **War Between the States**, four-year [war](#) (1861–65) between the [United States](#) and 11 Southern states that [seceded](#) from the Union and formed the Confederate States of America.*

*The secession of the Southern states (in chronological order, South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana, Texas, Virginia, Arkansas, Tennessee, and North Carolina) in 1860–61 and the ensuing outbreak of armed hostilities were the culmination of decades of **growing sectional friction over slavery**. Between 1815 and 1861 the economy of the Northern states was rapidly modernizing and diversifying...*

The civil war was fought between the United States and the 11 southern states, historically over slavery and the treatment of the negro race.

## 3. The 13<sup>th</sup> Amendment

<https://constitution.congress.gov/constitution/amendment-13/>

In 1865:

*“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.”*

After the civil war ended, the 13<sup>th</sup> amendment was ratified to end slavery within the jurisdiction of the states. Notice also the plural use of the word “jurisdiction”. This amendment directly overrides the state citizens ability to own slaves, and that at this time “United States” referred to the states collectively. Was this sufficient however to free the slaves of our country?

## 4. History of Law Article

<https://online.law.tulane.edu/articles/history-of-law-the-fourteenth-amendment>

*“Some southern states began actively passing laws that restricted the rights of former slaves after the Civil War, and **Congress responded with the 14th Amendment**, designed to place limits on states' power as well as protect civil rights. To be readmitted to the Union after the Civil War, southern states had to ratify the 14th Amendment...”*

After the southern states lost the civil war and the 13<sup>th</sup> amendment was ratified, the southern states were creating laws that limited the rights of their negro inhabitants who were freed, but had no standing against their state. In response to this Congress proposed the 14<sup>th</sup> amendment and, in order for the southern states to be allowed back into the union, they had to ratify it as well. What was in the 14<sup>th</sup> amendment, however?

## 5. The 14<sup>th</sup> Amendment

<https://www.archives.gov/milestone-documents/14th-amendment>

In 1868:

*All persons born or naturalized in the United States, **and** subject to **the** jurisdiction thereof, are **citizens of the United States and of the state wherein they reside**. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*

There's a key point to bear in mind here. United States, before the 14<sup>th</sup> amendment, was used in a plural sense to refer to the states collectively. However in this amendment it says "the jurisdiction thereof", not "their jurisdiction thereof", a singular jurisdiction/entity. This is further backed by the mentioning of the states separately

On top of that, this is the first time we've seen the creation of a U.S. Citizenship as it pertains to a singular entity in which there is jurisdiction. In short, since the Negroes were being invaded by the individual states, the Federal Government's solution was to create a Citizen of the United States political status to grant largely to the Negroes, where primary jurisdiction over them is Congress in Washington D.C., and NOT the several states.

What sort of impact did this have on our citizenship laws?

## 6. Colgate v. Harvey (1935)

<https://supreme.justia.com/cases/federal/us/296/404/>

*Thus, the dual character of our citizenship is made plainly apparent. That is to say a citizen of the United States is ipso facto and at the same time a citizen of the state in which he resides. And, while the Fourteenth Amendment does not create a national citizenship, **it has the effect of making that citizenship "paramount and dominant" instead of "derivative and dependent" upon state citizenship**. [Footnote 3] "In reviewing the subject," Chief Justice White said, in the *Selective Draft Law Cases*, 245 U. S. 366, 245 U. S. 377, 245 U. S. 388-389:*

*"We have hitherto considered it as it has been argued from the point of view of the Constitution as it stood prior to the adoption of the Fourteenth Amendment. But, to avoid all misapprehension, we briefly direct attention to that [the fourteenth] amendment for the purpose of pointing out, as has been frequently done in the past, **how completely it broadened the national scope of the government under the Constitution by causing citizenship of the United States to be paramount and dominant, instead of being subordinate***

Years later, this case spells out this very nature of the "U.S. Citizen" political status that when bore is paramount and dominant to state citizenship status. This is further backed by the definition of citizen, where it's mentioned that citizens of the Federal Government were not considered state citizens in federal courts. Going back in history though, how did this dynamic play out?

## 7. Plessy v. Ferguson

<https://www.britannica.com/event/Plessy-v-Ferguson-1896>

In 1896:

*“Plessy v. Ferguson, legal case in which the U.S. Supreme Court on May 18, 1896, by a seven-to-one majority (one justice did not participate), advanced the controversial “separate but equal” doctrine for assessing the **constitutionality of racial segregation laws**. Plessy v. Ferguson was the first major inquiry into the meaning of the Fourteenth Amendment’s (1868) equal-protection clause, which prohibits the states from denying “equal protection of the laws” to any person within their jurisdictions. Although the majority opinion did not contain the phrase “separate but equal,” **it gave constitutional sanction to laws designed to achieve racial segregation by means of separate and supposedly equal public facilities and services for African Americans and whites**. It served as a controlling judicial precedent until it was overturned by the Supreme Court in *Brown v. Board of Education of Topeka* (1954).”*

So, as we know the purpose of the U.S. Citizenship status was to grant the freed negroes a citizenship that protected them from the actions and laws of the states. The states did not like this, so they sought to segregate their own citizens from the congress created “U.S. Citizenship”, on top of the already high racial tensions. These segregations were the “Jim Crow Laws”.

This case brought into question whether the individual states had the right, under the 14<sup>th</sup> amendment, to separate their citizens from citizens of the United States. The court ruled in favor.

## 8. Brown v. Board of Education

<https://www.uscourts.gov/educational-resources/educational-activities/history-brown-v-board-education-re-enactment>

In 1954:

*“When the cases came before the Supreme Court in 1952, the Court consolidated all five cases under the name of *Brown v. Board of Education*. Marshall personally argued the case before the Court. Although he raised a variety of legal issues on appeal, the most common one was that **separate school systems for blacks and whites were inherently unequal, and thus violate the “equal protection clause” of the Fourteenth Amendment** to the U.S. Constitution. Furthermore, relying on sociological tests, such as the one performed by social scientist Kenneth Clark, and other data, he also argued that segregated school systems had a tendency to make black children feel inferior to white children, and thus such a system should not be legally permissible.”*

This landmark case nearly 60 years later destroyed the states rights to separate their citizens from U.S. citizens, and both statuses were equalized, and the states were required to NOT treat their citizens any differently from U.S. citizens. But wait, this case was about race, not about political status...right?

## 9. US Code reference to “White” citizens

<https://uscode.house.gov/view.xhtml?req=%28%22white+citizens%22%29&f=treesort&fq=true&num=1&hl=true&edition=prelim&granuleId=USC-prelim-title42-section1981>

§1981. *Equal rights under the law*

(a) *Statement of equal rights*

*All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is **enjoyed by white citizens**, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.*

Further proof that the events during these times were matters of citizenship, not just race, this line exists in the United States Code to this day. Notice how this code uses the verbiage from the 14<sup>th</sup> Amendment.

Notice also the reference to “white citizens”, the opposite end of the aisle. These were the state citizens “not” subject to “the” jurisdiction thereof in the 14<sup>th</sup> amendment, native citizens of the state that the states were trying to separate federal citizens from.

But what are persons within the jurisdiction of the United States?

## 10. National of the United States Code Definitions

[https://uscode.house.gov/view.xhtml?req=\(title:8%20section:1101%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:8%20section:1101%20edition:prelim))

*Section 22: The term "national of the United States" means (A) a citizen of the United States, or (B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.*

Also within the United States Code is the definition of a “national of the United States”, remember that this is the singular United States, not plural, so it refers to Congress and the Federal Government. This statement is interchangeable with a U.S. Citizen and owes permanent allegiance to the United States and is wholly subject to it.

These are the persons within the jurisdiction of the United States, and as we’ve discussed were largely freed negros.



## 11. US v Wong Kim Ark

<https://casetext.com/case/united-states-v-wong-kim-ark>

*The first section of the Fourteenth Amendment of the Constitution begins with the words, "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." As appears upon the face of the amendment, as well as from the history of the times, this was not intended to impose any new restrictions upon citizenship, or to prevent any persons from becoming citizens by the fact of birth within the United States, who would thereby have become citizens according to the law existing before its adoption. It is declaratory in form, and enabling and extending in effect. **Its main purpose doubtless was, as has been often recognized by this court, to establish the citizenship of free negroes, which had been denied in the opinion delivered by Chief Justice Taney in Dred Scott v. Sandford, (1857) 19 How. 393; and to put it beyond doubt that all blacks, as well as whites, born or naturalized within the jurisdiction of the United States, are citizens of the United States. The Slaughterhouse Cases, (1873) 16 Wall. 36, 73; Strauder v. West Virginia, (1879) 100 U.S. 303, 306; Ex parte Virginia, (1879) 100 U.S. 339, 345; Neal v. Delaware, (1880) 103 U.S. 370, 386; Elk v. Wilkins, (1884) 112 U.S. 94, 101. But the opening words, "All persons born," are general, not to say universal, restricted only by place and jurisdiction, and not by color or race — as was clearly recognized in all the opinions delivered in The Slaughterhouse Cases, above cited.***

**This perspective on history is shared going all the way back to 1898 in US v Wong Kim Ark, 30 years after the passage of the 14<sup>th</sup> amendment. This is a landmark case where the definition and extent of the 14<sup>th</sup> amendment were really put to the test and confirms the impact of the Dred Scott decision.**

**This also makes it quite clear that U.S. Citizenship, while originally created for the freed negroes, is not limited to them.**

## 12. Library of Congress Article: Reconstruction and Rights

<https://www.loc.gov/classroom-materials/united-states-history-primary-source-timeline/civil-war-and-reconstruction-1861-1877/reconstruction-and-rights/>

*In the latter half of the 1860s, Congress passed a series of acts designed to address the question of rights, as well as how the Southern states would be governed. These acts included the act creating the Freedmen's Bureau, the Civil Rights Act of 1866, and several Reconstruction Acts. The Reconstruction Acts established military rule over Southern states until new governments could be formed. They also limited some former Confederate officials' and military officers' rights to vote and to run for public office. (However, the latter provisions were only temporary and soon rescinded for almost all of those affected by them.) Meanwhile, the Reconstruction acts gave former male slaves the right to vote and hold public office.*

*Congress also passed two amendments to the Constitution. **The Fourteenth Amendment made African-Americans citizens and protected citizens from discriminatory state laws.** Former Confederate states did not get congressional representation until they adopted this amendment. The Fifteenth Amendment guaranteed African American men the right to vote.*

**Straight from the horses mouth that the purpose of the 14<sup>th</sup> amendment was to protect the freed slaves from discriminatory state laws and grant them a citizenship status, as previously discussed.**

## 13. The Slaughterhouse Cases (1872)

<https://supreme.justia.com/cases/federal/us/83/36/>

*Primary Holding:*

*The Privileges or Immunities Clause of the Fourteenth Amendment **is limited to federal citizenship** rather than extending to state citizenship.*

**U.S. Citizens are Federal citizens. The only citizenship mentioned in that amendment is to "the" jurisdiction thereof, as in the Federal Government citizens of the United States.**

## Conclusion

The U.S. Citizenship status was created after the Civil War<sup>(2)</sup> when the 13th amendment<sup>(3)</sup> wasn't enough to ensure the proper treatment of ex-slaves<sup>(4)</sup>. While "slavery" was abolished by the 13th amendment<sup>(3)</sup>, southern states would still pass local laws prohibiting Negroes from participating in their states, or receiving proper benefits from their states<sup>(7)</sup>.

Even then, before the 14th amendment, negro slaves did not qualify to become "American Citizens" short of a modification to the Constitution<sup>(1)</sup>.

The 14th amendment, then, was passed and the "U.S. Citizen" status was born<sup>(5)</sup>. This status transferred primary citizenship from the individual states to the Congress and the Federal Government for those who bore this status<sup>(6)</sup>, which allowed the Federal Government the power it needed to protect the Negroes from states with discriminatory laws.

These protections however were limited at first, as "Jim Crow" laws were passed in the individual states that restricted and tightly controlled the "Alien U.S. Citizens/Negro Citizens" relative to the state citizens.

We then had two types political statuses in the nation: The U.S. Citizens who were granted civil rights and protections under the 14th amendment and "State Citizens" under the original Constitution and other founding documents of our nation which pre-existed the 14th amendment, who were the "People" of each state with full political rights.

With the legal precedent given by *Brown v. Board of Education*<sup>(8)</sup> the "separate but equal" doctrine was eradicated and the "rights" of a U.S. Citizen was equalized with that of a "State Citizen"<sup>(1)</sup> which disallowed the states to treat their citizens differently than U.S. Citizens.

To this day the U.S. code clearly declares that "All persons within the jurisdiction of the United States shall enjoy the same rights as white citizens"<sup>(9)</sup>. This perspective on history is further confirmed by the case *US v Wong Kim Ark*<sup>(11)</sup>. The *Slaughterhouse Cases* also make it quite clear that U.S. Citizenship is Federal Citizenship<sup>(13)</sup>.

Now that we got the background down, is a U.S. Citizen a citizen or a citizen subject?

Well, the United States code specifies quite clearly that a U.S. Citizen owes permanent allegiance to the United States<sup>(10)</sup>, which means they are a Citizen Subject who is subject to Congress and the Federal Government for protection against their state<sup>(4)(6)</sup>. This is a classic formula for Allegiance.

But what is the other citizenship status? This "state citizen"?

## What is “State/American” citizenship?

While the old court cases are replete with references to “state citizenship”, there’s no reference to it in modern code. There’s however a definition in the U.S.C. that is close.

### 1. National, National of the United States Definitions

[https://uscode.house.gov/view.xhtml?req=\(title:8%20section:1101%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:8%20section:1101%20edition:prelim))

*Section 21: The term "national" means a person owing permanent allegiance to a state.*

*Section 22: The term "national of the United States" means (A) a citizen of the United States, or (B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.*

A national, no adjectives, is a political status owing permanent allegiance to a state. This is distinct from a citizen or national of the United States.

Is this the state citizen referred to in the old court cases that is the “American Citizen” and original citizenship of our nation?

### 2. National Definition – Merriam Webster Dictionary

National Definition, Merriam-Webster Dictionary

<https://www.merriam-webster.com/dictionary/national>

*national – noun*

*1 : one that owes allegiance to or is under the protection of a nation without regard to the more formal status of citizen or subject*

National Definition, Black’s Law Dictionary, 4th Edition, Page 1175

*NATIONAL.*

*Pertaining or relating to a nation as a whole; commonly applied in American law to institutions, laws, or affairs of the United States or its government, as opposed to those of the several states. The term "national" as used in the phrase "national of the United States" is broader than the term "citizen".  
Brassert v. Biddle, D.C.Conn., 59 F.Supp. 457, 462.*

This is the entirety of Black’s Law definition of national. What is quite clear though, is that national is distinct from “citizen”.

Black’s law specifically refers to a national of the United States, which is mentioned in the U.S.C. above, but does not define “national”, no adjectives. Merriam-Webster, on the other hand, distinguishes a national from a citizen or subject (citizen subject) who has the protections of a nation without being subject to it. Only the final political authority of a nation can have protections without being wholly subject to it (King, Emperor, Members of State). Is there anything in the modern code that reflects this?

### 3. Title 26 Jurisdictional Statement on Income Tax

<https://www.ecfr.gov/current/title-26/chapter-I/subchapter-A/part-1/subject-group-ECFR504ddca54174c57/section-1.1-1>

*CFR 26 1.1-1 Section 1 of the Code imposes an income tax on the income of every individual who is a citizen or resident of the United States and, to the extent provided by section 871(b) or 877(b), on the income of a nonresident alien individual....*

National, National of the United States, Alien Code Definitions

[https://uscode.house.gov/view.xhtml?req=\(title:8%20section:1101%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:8%20section:1101%20edition:prelim))

*Section 3: The term "alien" means any person not a citizen or national of the United States.*

This is the IRS Jurisdictional statement detailing who is subject to Income Tax, and it refers to "citizens" or "residents" of the United States, the "the" jurisdiction thereof Congress/Federal Government United States.

What's odd though is that it specifies that there's some instances where a "non-resident alien" gets taxed too under 871(b) or 877(b). An "alien" is merely someone who is not a citizen or national of the United States per the U.S.C.. If you read closer into these sections, they are about the taxation of expatriated citizens and the income of non-resident aliens who receive their income within the physical boundaries of the District of Columbia or earn income from Public Office.

But what does it mean to be a resident?

### 4. Non-Resident Definition

Merriam Webster Definition of Non-Resident

<https://www.merriam-webster.com/dictionary/nonresident>

*not residing in a particular place.*

Non-Resident Definition, Black's Law Dictionary, 4<sup>th</sup> Edition Page 1207

*NON-RESIDENT.*

*One who is not a dweller within jurisdiction In question; not an inhabitant of the state of the forum. Gardner v. Meeker, 169 Ill. 40, 48 N.E. 307; Nagel v. Loomis, 33 Neb. 499, 50 N.W. 441. For the distinction between "residence" and "domicile," see Domicile.*

This is one of those cases where the LEGAL definition of a term is starkly different than the COMMON definition of a term. In our common language, the terms non-resident/resident merely means that a person isn't/is in a physical location or place.

The legal/lawful definition is quite different however, as agreeing to residency endows jurisdiction. We'll cover jurisdiction further in the 3<sup>rd</sup> layer. That's non-resident, what is resident?

## 5. Residency

Resident Definition: Blacks Law Dictionary Page 1473

*Also a **tenant**, who was obliged to reside on his **lord's** land, and not to depart from the same; called, also, "homme levant et couch-ant," and in Normandy, "resscant du fief."*

Tenant Definition: Black's Law Dictionary, Page 1635

*One who holds of another (called "lord" or "superior") by some service; **as fealty or rent.***

Lord Definition: Black's Law Dictionary, Page 1093

*A **feudal superior or proprietor**; 'one of whom a fee or estate is held.*

*Lord of a manor: The grantee or owner of a **manor.***

Manor Definition: Black's Law Dictionary, Page 1115

*In English law, the manor was originally a tract of land granted out by the king to a lord or other great person, **in fee.** It was otherwise called a "barony" or "lordship," **and appendant to it was the right to hold a court**, called the "court-baron." The lands comprised in the manor were divided [...]*

***but of these part were held by tenants in copyhold, e., those holding by a copy of the record in the lord's court; [...]***

*The word also signified the franchise of having a manor, **with jurisdiction for a courtbaron and the right to the rents and services of copyholders.***

Feudal Law: Black's Law Dictionary, Page 749

*The body of jurisprudence relating to feuds; the real-property law of the feudal system; **the law anciently regulating the property relations of lord and vassal**, and the creation, incidents, and transmission of feudal estates. [...]*

***Survivals of the feudal law, to the present day**, so affect and color that branch of jurisprudence **as to require a certain knowledge of the feudal law in order to the perfect comprehension of modern tenures and rules of real-property law.***

Here, we can see the term resident has roots in feudal law. It was used to describe the tenants that were attached to the land and considered in fee (property). A "Lord" has the appended right to hold their own private courts over their tenants, and many of these principles survive to this day. When you're asked if you're a resident by the Federal Government, you're being asked if you're willing to be a tenant in their manor and subject to their private courts.

Is it possible however that residency in the "United States" jurisdiction is distinguished from being a member of a state?

## 6. *McDonel v. State*, 90 Ind. 320 (1883)

<https://cite.case.law/ind/90/320/>

*The evidence of Bushing on his voire dire showed that although he was not a citizen of the United States, he was a citizen and a voter of the State, under section 2 of art. 2 (section 84, R. S. 1881) of our State Constitution. **One may be a citizen of a State and yet not a citizen of the United States.** Thomasson v. State, 15 Ind. 449; Cory v. Carter, 48 Ind. 327 (17 Am. R. 738); McCarthy v. Froelke, 63 Ind. 507; In Re Wehlitz, 16 Wis. 443.*

Here, we have a case where one may be a citizen of a state, yet NOT be a citizen of the United States, the political status created by Congress.

What this implies is that one may be a citizen of a state, not under the jurisdiction of the United States, and therefore an "alien" under the definition of a non-resident alien in the U.S.C. and as "non-resident" to the residency of the 14<sup>th</sup> amendment, since it says "Born or Naturalized and subject to the jurisdiction thereof", not "are" subject.

This means that there are those who are who are NOT subject to the jurisdiction thereof. What's the foundation of the existence of this political status, though?

## 7. The Articles of Confederation

<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=127>

### ARTICLE II.

*Each State retains its Sovereignty, freedom and independence, and every Power, Jurisdiction and right, which is not by this confederation expressly delegated to the United States in Congress assembled.*

[...]

### ARTICLE IV.

*The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, **the free inhabitants of each of these states, paupers, vagabonds and fugitives from Justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states, and the people of each state shall have free ingress and regress to and from any other state...***

In the original founding our nation, each state is independent of each other. Any questions on whether or not a power belongs to a state is answered to belong to a state by default. Article IV describes the "Free Inhabitants" of each of the states. This is carried on by the Bill of Rights of our constitution. How important did people consider their states back in the day?

## 8. Robert E. Lees Response to being asked to lead the North

<https://leefamilyarchive.org/reference/books/southerner/03.html>

*He said in debate, “Virginia is my country, her will I obey, however lamentable the fate to which it may subject me.”*

Back in the days of the civil war, peoples states were considered their countries. As citizens of their states, what sort of standing did it have on our nation as a whole?

## 9. United States v. Hall

[https://cite.case.law/pdf/6130837/United%20States%20v.%20Hall,%2026%20F.%20Cas.%2079,%203%20Chi.%20Leg.%20News,%20260;%2013%20Int.%20Rev.%20Rec.%20181%20\(1871\).pdf](https://cite.case.law/pdf/6130837/United%20States%20v.%20Hall,%2026%20F.%20Cas.%2079,%203%20Chi.%20Leg.%20News,%20260;%2013%20Int.%20Rev.%20Rec.%20181%20(1871).pdf)

*By the original constitution **citizenship in the United States was a consequence of citizenship in a state.** By this clause this order of things is reversed[14th amendment].*

As noted by Judge Woods in this case being a citizen of a state made you a citizen of our country/nation, or a “national”. Although as a citizen of a state where did you derive your rights and duties?

## 10. The Declaration of Independence (1776)

<https://www.archives.gov/founding-docs/declaration-transcript>

*The unanimous Declaration of the thirteen United States of America, When in the Course of human events, it becomes necessary for **one people** to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, **the separate and equal station to which the Laws of Nature and of Nature's God entitle them**, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.”*

Our declaration of independence declares the source of our rights to not come from government, but from the Laws of Nature and Nature's God.

However the definition of a national includes the word allegiance, does this mean that they are a subject?



## 11. State, Nation, People Definition

Black's Law Dictionary, 4th Edition, Page 1578

*STATE, n.*

*A **people permanently occupying a fixed territory bound together by common-law habits and custom** into one body politic exercising, **through the medium of an organized government**, independent sovereignty and control over all **persons and things** within its boundaries [...] *United States v. Kusche*, D.C.Cal., 56 F. Supp. 201, 207, 208. *The organization of social life which exercises sovereign power in behalf of the people. Delany v. Moraitis*, C.C.A.Md., 136 F. 2d 129, 130.*

People Definition, Black's Law Dictionary, 4<sup>th</sup> Edition, Page 1292

*PEOPLE. **A state**; as the people of the state of New York. **A nation in its collective and political capacity.** *Nesbitt v. Lushington*, 4 Term R. 783; *U. S. v. Quincy*, 6 Pet. 467, 8 L.Ed. 458; *U. S. v. Trumbull*, D.C.Cal., 48 F. 99.*

[...]

*In a more restricted sense, and as generally used in constitutional law, the **entire body of those citizens of a state or nation who are invested with political power for political purposes**, that is, the qualified voters or electors. *Koehler v. Hill*, 60 Iowa 543, 15 N.W. 609; *Boyd v. Nebraska*, 12 S.Ct. 375, 143 U.S. 135, 36 L.Ed. 103; *In re Incurring of State Debts*, 19 R.I. 610, 37 A. 14; *In re Opinion of the Justices*, 226 Mass. 607, 115 N.E. 921, 922; *State v. City of Albuquerque*, 31 N.M. 576, 249 P. 242, 247.*

Definition of Nation: Black's Law Dictionary 4<sup>th</sup> Edition, Page 1175

*NATION.*

*A **people**, or aggregation of men, existing in the form of an **organized jural society**, usually inhabiting a distinct portion of the earth, speaking the same language, using the same customs, possessing historic continuity, and distinguished from other like groups by their racial origin and characteristics, and **generally, but not necessarily, living under the same government and sovereignty.** *Montoya v. U. S.*, -180 U.S. 261, 21 S. Ct. 358, 45 L.Ed. 521; *Worcester v. Georgia*, 6 Pet. 539, 8 L.Ed. 483; *Republic of Honduras v. Soto*, 112 N.Y. 310, 19 N.E. 845, 2 L.R.A. 642*

Looking back on the definitions of state, people, and nation the people are the political force behind their nation. These three definitions are the trifecta that defines what a National is.

Since the U.S.C. defines a "national" as an individual who owes permanent allegiance to a state, and is a holder of political power in our nation the term national fits very nicely. A national is a member of the people, who as a body politic creates government for the enforcement of their will over things and persons in their territory, and for all intents and purposes is the nation.

In short, a national owes permanent alliance to themselves, at least as a body politic. This makes it quite clear that persons are distinct from people, as a person under the 14<sup>th</sup> amendment can't be a member of the "people" in the eyes of the Federal Government, as noted that federal citizenship takes primacy.

## 12. Downes v. Bidwell

<https://supreme.justia.com/cases/federal/us/182/244/>

*The idea prevails with some -- indeed, it found expression in arguments at the bar -- **that we have in this country substantially or practically two national governments -- one to be maintained under the Constitution, with all its restrictions, the other to be maintained by Congress outside and independently of that instrument**, by exercising such powers as other nations of the earth are accustomed to exercise. It is one thing to give such a latitudinarian construction to the Constitution as will bring the exercise of power by Congress, upon a particular occasion or upon a particular subject, within its provisions. It is quite a different thing to say that Congress may, if it so elects, proceed outside of the Constitution. The glory of our American system of government is that it was created by a written constitution which **protects the people against the exercise of arbitrary, unlimited power**, and the limits of which instrument may not be passed by the government it created, or by any branch of it, or even by the people who ordained it, except by amendment or change of its provisions.*

**As observed by the U.S. Supreme court, we have in effect two distinct national governments. One restricted by the constitution, and the other not. Nationals have the Constitutional protections while U.S. Citizens do not.**

## Conclusion

The US Code says quite clearly the definition of a “national”<sup>(1)</sup>, which is a person owing allegiance to a state. Merriam Webster Defines a national as someone who may or may not have allegiance, but has the protection of a nation without the formal responsibilities of citizenship<sup>(2)</sup>. In Title 26 the IRS defines two types of persons: U.S. citizens and “non-resident aliens”<sup>(3)</sup>. The U.S.C defines an alien as anyone who isn’t a U.S. Citizen or U.S. National<sup>(4)</sup>, while non-resident is defined as someone who is not considered under jurisdiction<sup>(4)</sup>. Residency is used to describe a subject who is obliged to live on his lords land<sup>(5)</sup>.

It is highly implied, then, that a “non-resident alien” who does not “reside” in the U.S., the legal definition not the common definition, by the definition of residence from Blacks Law Dictionary<sup>(5)</sup> as not owing the United States (the Federal Government) tenancy could be a “national”.

It’s important to differentiate between these titles:

A U.S. Citizen or U.S. National owes permanent allegiance to the United States (Federal Government), as noted by <sup>(1,4)</sup>. This is a Federal Citizen, and is a person in an agreement of allegiance with the Federal Government against their state as a person subject to their fuedal courts.

A national may or may not owe allegiance, but has the protections of, a specific state<sup>(1,2,4,6)</sup>. In the case of our nation, its one of the individual states of the union. This is a state citizen, or “National” and is a member of the people, with authority over persons and things as a member of a body politic with political power for political purposes..

So when it comes to the type of citizen a national is, which are they? A citizen or citizen subject?

A “free inhabitant” as defined in our articles of confederation falls under this definition as the original citizenship of our nation<sup>(7)</sup> and as a non-subject citizen. In the articles it’s implied that these citizens of the states aren’t subject to the state, as they can freely move between the states. Since they aren’t subject, it’s safe to say they are likely the free members of the states, also referred to as “the people”. The U.S.C. defines a national as having permanent allegiance to a state, so for all intents and purposes, the people hold permanent allegiance to themselves.

“People” is also a term associated with “state”<sup>(11)</sup>, as previously noted. Our founding documents are also heavily focused on defining limited powers for our governments, and anything unspecified belongs to the people or to the state. This is a common structure for a “state”.

When working with the Federal Government, the term “national” seems to be the most accurate definition that they carry in their codes<sup>(1)</sup> for what the original constitutional state citizen is, as a national is a member of a nation<sup>(2)</sup> and the original state citizenship would constitute being a member of the nation<sup>(9)</sup> with rights derived from Nature and Nature’s God<sup>(10)</sup>.

A U.S. Citizen is a “Person” under the 14<sup>th</sup> amendment, and is distinct from a member of the people. These are the persons maintained by congress outside of the constitution<sup>(12)</sup>.

## What's the Difference Between These Two Statuses?

The differences between these two statuses are quite glaring, and are enumerated quite plainly.

### 1. Library of Congress Article: Reconstruction and Rights

<https://www.loc.gov/classroom-materials/united-states-history-primary-source-timeline/civil-war-and-reconstruction-1861-1877/reconstruction-and-rights/>

*In the latter half of the 1860s, Congress passed a series of acts designed to address the question of rights, as well as how the Southern states would be governed. These acts included the act creating the Freedmen's Bureau, the Civil Rights Act of 1866, and several Reconstruction Acts. The Reconstruction Acts established military rule over Southern states until new governments could be formed. They also limited some former Confederate officials' and military officers' rights to vote and to run for public office. (However, the latter provisions were only temporary and soon rescinded for almost all of those affected by them.) Meanwhile, the Reconstruction acts gave former male slaves the right to vote and hold public office.*

*Congress also passed two amendments to the Constitution. **The Fourteenth Amendment made African-Americans citizens and protected citizens from discriminatory state laws.** Former Confederate states did not get congressional representation until they adopted this amendment. **The Fifteenth Amendment guaranteed African American men the right to vote.***

Before we get into the differences it's very important to note the time in which the U.S. Citizenship status was created. As previously discussed, after the civil war there was much turmoil on how to re-integrate the southern states. One of the big issues was dealing with the freed slaves and how to protect them from the states they resided in.

In the end, the path taken was to create a new citizenship for the freed slaves in which the Federal Government has final authority, above the authority of the individual states, while preserving the original state citizen and the protection of rights that our country holds dear in matters outside of these freed slaves.

What rights, however, were granted to the freed slaves? (Citizens of the United States)

## 2. The Bill of Rights Summary

<https://www.archives.gov/founding-docs/bill-of-rights-transcript>

[https://users.csc.calpoly.edu/~jdalbey/Public/Bill\\_of\\_Rights.html](https://users.csc.calpoly.edu/~jdalbey/Public/Bill_of_Rights.html)

*THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.*

1. *Freedom of religion, speech, press, assembly, and petition.*
2. *Right to keep and bear arms in order to maintain a well regulated militia.*
3. *No quartering of soldiers.*
4. *Freedom from unreasonable searches and seizures.*
5. *Right to due process of law, freedom from self-incrimination, double jeopardy.*
6. *Rights of accused persons, e.g., right to a speedy and public trial.*
7. *Right of trial by jury in civil cases.*
8. *Freedom from excessive bail, cruel and unusual punishments.*
9. *Other rights of the people.*
10. *Powers reserved to the states.*

**Before discussing the Incorporation Doctrine, it's important to have a basic understanding of the Bill of Rights. Listed here for your benefit is each of the Bill of Rights Amendments and a summary of their purpose.**

## 3. The 14<sup>th</sup> Amendment

<https://www.archives.gov/milestone-documents/14th-amendment>

*In 1868:*

*All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. **No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States;** nor shall any state deprive any person of life, liberty, or property, **without due process of law;** nor deny to any person within its jurisdiction the equal protection of the laws.*

**Note the due process clause of the 14<sup>th</sup> amendment, how it points directly against the states, and that it only applies to citizens of the United States. Notice also that this is a small "s" state, which is used in the definition of national in Title 8 of the U.S.C., Section 1101, Definition 21.**

## 4. Incorporation Doctrine

[https://www.law.cornell.edu/wex/incorporation\\_doctrine](https://www.law.cornell.edu/wex/incorporation_doctrine)

*The incorporation doctrine is a constitutional doctrine **through which parts of the first ten amendments of the United States Constitution** (known as the Bill of Rights) are made applicable to the states through the **Due Process clause of the Fourteenth Amendment**. Incorporation applies both substantively and procedurally.*

*Prior to the doctrine's (and the Fourteenth Amendment's) existence, the Supreme Court found the Bill of Rights to **only apply to the Federal government and to federal court cases**. [...] **States and state courts could choose to adopt similar laws, but were under no obligation to do so.***

*After the passage of the Fourteenth Amendment, the Supreme Court, through a string of cases, **found that the Due Process clause of the Fourteenth amendment included applying parts of the Bill of Rights to States** (referred to as incorporation).*

*As a note, **the Ninth Amendment and the Tenth Amendment have not been incorporated, and it is unlikely that they ever will be**. The text of the Tenth Amendment directly interacts with state law, and the Supreme Court rarely relies upon the Ninth Amendment when deciding cases.*

- *First Amendment (fully incorporated)*
- *Second Amendment (fully incorporated)*
- ***Third Amendment (not incorporated)***
- *Fourth Amendment (fully incorporated)*
- ***Fifth Amendment (partially incorporated)***
  - ***Right to indictment by a grand jury (not incorporated): *Hurtado v. California*, 110 US 516 (1884);***
- ***Sixth Amendment (partially incorporated)***
  - ***Right to jury selected from residents of the state and district where the crime occurred (not incorporated)***
- ***Seventh Amendment (not incorporated)***
- *Eight Amendment*

**This doctrine defines rights that Citizens of the United States have against their state as provided by the Federal Government. Instead of re-inventing the wheel, the Federal Government copied over the rights from the bill of rights that they thought would be most important for their citizens.**

**Common law is completely unavailable to U.S. Citizens, as they are under the exclusive authority of the Federal Government in an arrangement of allegiance within their federal courts. A U.S. Citizen who receives the right of Due Process under the 14<sup>th</sup> amendment does NOT have access to these protections in the constitution, beyond what the Federal Government offers here. Due to the lack of common law, these persons are not members of the people.**

## 5. Definitions of License and Permission

Definition of License: Black's Law Dictionary, 4th Edition Page 1067

*LICENSE. Certificate or the document itself **which gives permission.** Aldrich v. City of Syracuse, 236 N.Y.S. 614, 617, 134 Misc. 698. **Permission or authority.** Independent School Dist., Class A, No. 1, Cassia County v. Pfof, 51 Idaho 240, 4 P.2d 893, 897; Monsour v. City of Shreveport, 194 La. 625, 194 So. 569, 571; Platt v. Bender, La.App., 178 ,So. 678, 682.*

[...]

***Permission** by some competent authority to do some act which, **without such permission, would be illegal.** State ex rel. Zugravu v. O'Brien, 130 Ohio St. 23, 196 N.E. 664; Solberg v. Davenport, 211 Iowa, 612, 232 N.W. 477, 480; Standard Oil Co. (Indiana) v. State Board of Equalization, 110 Mont. 5, 99 P.2d 229, 234*

Definition of Permission: Black's Law Dictionary, 4th Edition Page 1298

*PERMISSION. A license to do a thing; an authority to do an act which, without such authority, **would have been unlawful.***

Many times, to exercise your rights as a "U.S. Citizen", you need a license. To have a license is to have permission to do what is illegal/unlawful by default.

So, a good test to know if you truly have the right to do something, find out if you need a license in order to do it. Examples include:

- CPL or Gun Carry Permit: You don't have the right to have a gun on your person
- Hunting Licenses: You don't have the right to hunt game, even on your own property
- Business Licenses: You don't have the right to operate your specific type of business
- Drivers Licenses: You don't have the right to travel

## Conclusion

The reconstruction era was a troubling time, and the solution decided was just as troubling and extraordinary as the time it took place in<sup>(1)</sup>.

As incredible as our Bill of Rights were, they could not be extended to include the freed slaves, as due to the disposition of the southern states they would freely discriminate against the freed slaves as they had no political status, were not citizens of the state, and had no protection.

That is when the Federal Government passed the 14<sup>th</sup> amendment<sup>(3)</sup> and gave the freed black slaves a political status and protection<sup>(1)</sup> as **Federal Citizens**. To grant that protection however, the Federal Government needed exclusive jurisdiction outside of and over the states on persons under the 14<sup>th</sup> amendment. Thus, when the Federal Government went to incorporating the Bill of Rights into the Rights of the freed slaves, they only brought over the ones that allowed total control and protection over the U.S. Citizen against their state<sup>(4)</sup>.

The protections left out are as follows:

- Third Amendment: Soldiers of the U.S. Military may freely quarter themselves within the homes of U.S. Citizens
- Fifth Amendment: You may be convicted of a crime WITHOUT a grand jury, which means that your conviction is determined not by your neighbors, but by the Federal Government.
- Sixth Amendment: In the same line as the 5<sup>th</sup>, the Federal Government is the final authority on your conviction.
- Seventh Amendment: No jury or common law, Federal Government has final authority.
- Ninth and Tenth Amendment: Not even mentioned, not incorporated, never will be. Any rights unspecified by default belong to the Federal Government, and the Constitution may be construed to deny rights retained by the people.
  - Even those included are reduced to mere privileges, as exercising many of these rights requires a license<sup>(5)</sup>

Common Law protections are critical, because the common law traditions do not require input from the Federal Government for your conviction unless it is in matters constitutionally granted to the control of the Federal Government.

On the other hand, a National, or the original state citizen, is only under the jurisdiction of their original state and retains all their natural rights and constitutional protections as defined by their state constitutions and national founding documents.

It would be accurate to describe a U.S. Citizen as a stripped-down version of a National when talking in terms of rights, as their rights come from the Federal Government and can be rejected at any time on a case by case basis. Typically however, these “rights” are sold as privileges in the form of licenses.

This is contrary to a National whose rights come from Nature and Nature’s God and are constitutionally protected. Since a National’s Rights do not come from government they can’t be lawfully rejected by government because government doesn’t grant them, but in fact the government gets its rights and powers from Nationals, also known as the people.



## Layer 1 Summary

- There are two types of citizenship: A citizen and a citizen subject.
  - A citizen can be a member of a state, in which the government is subject to him as a member of the people
  - A citizen subject can be a feudal serf, who is subject to their government or to a sovereign as a person in a relationship of allegiance
- There are 4 political statuses in our nation:
  - One who owes allegiance to the United States (Federal Government) and are citizen subjects, who are feudal vassals to the United States, and are considered “Federal Citizens”:
    - U.S. Citizens
    - U.S. Nationals
    - Residents
  - One who is a member of a specific state and are “state” Citizens but not subjects, and in fact the United States (Federal Government) is subject to them as a member of the people:
    - Nationals

An individual can bear more than one political status, as noted previously in cases that discuss the dominance of U.S. Citizenship over state citizenship.

Most of us are bearing at least 3 of these statuses: U.S. Citizen, Resident, and National (original state citizen).

This is made clear in the 14<sup>th</sup> amendment:

*All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are **citizens of the United States and of the state wherein they reside.***

In short: you are primarily a citizen of the United States but you also are a citizen of the state that you claim residence in. Being a state citizen makes you a National. Being a U.S. Citizen however makes you completely subject to the Federal Government, with limited rights as defined by the Incorporation Doctrine. In federal courts, your rights as a state citizen are put aside and you only have access to what the Federal Government grants you as a U.S. Citizen.

From this point forward we'll refer to citizen subjects as U.S. Citizens and citizens/members of the people as Nationals.

## Layer 2: The United States vs The United States of America

### Layer 2 Preface

You now have an understanding of the type of citizenships that exist as well as the political statuses available to you in our nation.

Next, we need to discuss the other side of the coin: The agents of government, government and how the citizens relate to them.

There's two main governing entities in our nation as observed in *Downes v. Bidwell*:

- The “United States”
  - Final Legislative Authority rests with Congress in Washington D.C.
  - The Federal Government
  - Direct Jurisdiction Limited to 10 Square Miles (District of Columbia/United States/Congress)
  - U.S. Citizens, U.S. Nationals, and Residents are subject to this government
- The United States of America
  - The original states of the union
  - Governed by We the People, through the medium of organized government
  - Our Nation, which is separate and distinct from our Governments and Agents of Government
  - It, The Federal Government, and State Governments subject to Nationals (We the People, as “members of the states”)

In this layer, we'll cover these two entities in much greater detail.

## What's The United States?

As noted previously, the “United States” is not your nation, but your Federal Government. Here we’re diving deep into this particular topic and defining what the United States really is going all the way back to our founding.

### 1. March 4, 1861: First Inaugural Address - Abraham Lincoln

<https://millercenter.org/the-presidency/presidential-speeches/march-4-1861-first-inaugural-address>

[https://avalon.law.yale.edu/18th\\_century/contcong\\_10-20-74.asp](https://avalon.law.yale.edu/18th_century/contcong_10-20-74.asp)

*Descending from these general principles, we find the proposition that, in legal contemplation the Union is perpetual confirmed by the history of the Union itself. **The Union [corporation] is much older than the Constitution. It was formed, in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured, and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778. And, finally, in 1787 one of the declared objects for ordaining and establishing the Constitution was "to form a more perfect Union.***

According to Abraham Lincoln the formation of our Union, which takes on the form of the Federal Government, goes all the way back to the Articles of Association of 1774 and was continued/refined by the rest of our founding documents.

### 2. Constitution of the United States of America

<https://www.archives.gov/founding-docs/constitution-transcript>

*Section. 1.*

*All legislative Powers herein granted shall be vested in a **Congress of the United States**, which shall consist of a Senate and House of Representatives.*

*Section 8*

*The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; **but all Duties, Imposts and Excises shall be uniform throughout the United States;***

*...*

*To exercise exclusive Legislation in all Cases whatsoever, over such District **(not exceeding ten Miles square)** as may, by **Cession of particular States**, and the Acceptance of Congress, become the **Seat of Government of the United States...***

This was carried on and expanded by our Constitution. **Congress, and by extension the United States (Federal Government), only has direct jurisdiction over 10 square miles. Any additional jurisdiction must be expressly granted by the States, and must be uniform. Any examples of this limitation? (Note: We will discuss the 16<sup>th</sup> amendment later)**

### 3. The Slaughterhouse Cases (1872)

<https://supreme.justia.com/cases/federal/us/83/36/>

*Primary Holding:*

*The Privileges or Immunities Clause of the Fourteenth Amendment is limited to federal citizenship rather than extending to state citizenship.*

This case, not long after the ratification of the 14<sup>th</sup> amendment, represents a spat that state citizens had with their state and called to the Federal Government for protection from their state. The judge ruled that since the Federal Government didn't have jurisdiction over state citizens there was nothing they could do.

### 4. Volume 20: Corpus Juris Sec. § 1785

[https://educationcenter2000.com/legal/Merriam\\_case\\_law\\_HJR192.html](https://educationcenter2000.com/legal/Merriam_case_law_HJR192.html)

*The United States is a District of Columbia corporation. In Volume 20: Corpus Juris Sec. § 1785 we find "The United States government is a foreign corporation with respect to a State" (see: NY re: Merriam 36 N.E. 505 1441 S. 0.1973, 14 L. Ed. 287).*

Fast Forward to the gold forfeitures of 1933, it's found in this case that The United States Government is a Foreign Corporation with respect to a State. This further backs the intent of the original founding, that the states are foreign from the Federal Government, Sovereign, and Independent, including their citizens as mentioned in the previous case.

But what is government, exactly?

### 5. Definition of Government – Black's Law Dictionary, 4<sup>th</sup> Edition Page 824

*GOVERNMENT*

*From the Latin gubernaculum. Signifies the instrument, the helm, whereby the ship to which the state was compared, was guided on its course by the "gubernator" or helmsman, and in that view, **the government is but an agency of the state, distinguished as it must be in accurate thought from its scheme and machinery of government.** State v. Chase, 175 Minn. 259, 220 N.W. 951, 953.*

*Federal government. The government of the United States of America, as distinguished from the governments of the several states.*

Black's Law Dictionary not only recognizes our form of government as an agency (instrument) of the state (we the people/nationals), but it also distinguishes the Federal Government from the Governments of the Several States. Our modern United States is the Federal Government, and not the government that is the agency of a state.

So, we have two distinct areas we can lawfully operate. Any further proof of this?

## 6. 28 U.S. Code § 1746 : Within and Without the United States

[https://uscode.house.gov/view.xhtml?req=\(title:28%20section:1746%20edition:prelim\)%20OR%20\(granuleid:USC-prelim-title28-section1746\)&f=treesort&edition=prelim&num=0&jumpTo=true](https://uscode.house.gov/view.xhtml?req=(title:28%20section:1746%20edition:prelim)%20OR%20(granuleid:USC-prelim-title28-section1746)&f=treesort&edition=prelim&num=0&jumpTo=true)

*(1)If executed without the United States: “I declare (or certify, verify, or state) under penalty of perjury under the laws of the **United States of America** that the foregoing is true and correct. Executed on (date).*

*(Signature)”.*

*(2)If executed **within the United States, its territories, possessions, or commonwealths**: “I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date).*

*(Signature)”.*

The United States Code, when signing under Penalty or Perjury, accommodates for signing within OR without the United States. Notice that executing without the United States is “The United States of America”.

## 7. The 14<sup>th</sup> Amendment

<https://www.archives.gov/milestone-documents/14th-amendment>

*In 1868:*

*All persons born or naturalized in the United States, **and subject to the jurisdiction thereof, are citizens of the United States** and of the state wherein they reside.*

With the passing of the 14<sup>th</sup> amendment, Congress and the Federal Government was granted complete jurisdiction to a political status: The U.S. Citizen. Notice that this says subject to “the” jurisdiction thereof, not “their” jurisdiction thereof. As previously noted, “the” jurisdiction thereof is the Federal Government, and “their” jurisdiction thereof is the several states.

## 8. 28 U.S. Code § 3002 – Definitions

[https://uscode.house.gov/view.xhtml?req=\(title:28%20section:3002%20edition:prelim\)%20OR%20\(granuleid:USC-prelim-title28-section3002\)&f=treesort&edition=prelim&num=0&jumpTo=true](https://uscode.house.gov/view.xhtml?req=(title:28%20section:3002%20edition:prelim)%20OR%20(granuleid:USC-prelim-title28-section3002)&f=treesort&edition=prelim&num=0&jumpTo=true)

(15) “United States” means—

(A) **a Federal corporation;**

(B) *an agency, department, commission, board, or other entity of the United States; or*

(C) *an instrumentality of the United States.*

Title 28 USC, which is Judiciary and Judicial Procedure, defines the United States not as our nation, but as a Federal Corporation including anything under that corporation. Since it’s under this title anything involving the courts or judiciary defines the United States as the Federal Government and it’s sub-corporations.

Since 1933, the term “United States Government” evolved to just being the “United States”.

## 9. An Act to provide a Government for the District of Columbia.

<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=016/llsl016.db&recNum=0454>

*CHAP. LXIL.— An Act to provide a Government for the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, **That all that part of the territory of the United States included within the limits of the District of Columbia be, and the same is hereby, erected into a government by the name of the District of Columbia**, by which name it is hereby constituted a body corporate for municipal purposes, and may contract and be contracted with, sue and be sued, plead and be impleaded, have a seal, and exercise all other powers of a municipal corporation not inconsistent with the Constitution and laws of the United States and the provisions of this...*

Given many of the codes references to Washington D.C., it seems likely the modern Federal Corporation was this corporation enacted to be a Municipal Government for Washington D.C. in 1871.

## 10. UCC § 9-307. LOCATION OF DEBTOR.

<https://www.law.cornell.edu/ucc/9/9-307>

(h) [Location of United States.]

*The United States is located in the District of Columbia.*

*And also, Planet Earth is located in Mexico. Jokes aside, this particular line of the code would be very confusing if we didn't understand that United States was a District of Columbia Corporation.*

## 11. 26 U.S. Code § 7701 : United States Definition

[https://uscode.house.gov/view.xhtml?req=\(title:26%20section:7701%20edition:prelim\)%20OR%20\(granuleid:USC-prelim-title26-section7701\)&f=treesort&edition=prelim&num=0&jumpTo=true](https://uscode.house.gov/view.xhtml?req=(title:26%20section:7701%20edition:prelim)%20OR%20(granuleid:USC-prelim-title26-section7701)&f=treesort&edition=prelim&num=0&jumpTo=true)

(9) United States

*The term "United States" when used in a geographical sense includes only the States and the District of Columbia.*

(10) State

*The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.*

EJUSDEM GENERIS Maxim – Blacks Law Dictionary 4<sup>th</sup> Edition, Page 608

*Of the same kind, class, or nature. In the construction of laws, wills, and other instruments, the "ejusdem generis rule" is, that **where general words follow an enumeration of persons or things, by words of a particular and specific meaning, such general words are not to be construed in their widest extent, but are to be held as applying only to persons or things of the same general kind or class as those specifically mentioned.** Black, *Interp. of Laws*, 141; *Goldsmith v. U. S.*, C.C.A.N.Y., 42 F.2d 133, 137; *Aleksich v. Industrial Accident Fund*, 116 Mont. 69, 151 P.2d 1016, 1021.*

EJUSDEM GENERIS Maxim – Merriam-Webster

<https://www.merriam-webster.com/legal/ejusdem%20generis%20rule>

*a rule of construction: general words (as in a statute) that follow specific words in a list **must be construed as referring only to the types of things identified by the specific words***

**In Title 26, which is the IRS Tax Code, United States is further defined to only include the District of Columbia. The term "Include" cannot expand to the states themselves because they are not mentioned or implied anywhere else in this code, and this interpretation is further cemented by the maxim "EJUSDEM GENERIS", which states that a general term followed by specific terms can ONLY include the specific terms in statutes and in law.**

## 12. Civil Rights and Civil Action Definitions

Civil Rights Definition: Black's Law Dictionary, Page 1487

*Rights capable of being enforced or redressed in a civil action. Also a term applied to certain rights secured to citizens of the United States by the thirteenth and fourteenth amendments to the constitution, and by various acts of congress made in pursuance thereof. State of Iowa v. Railroad Co., C.C.Iowa, 37 F. 498, 3 L.R.A. 554; State v. Powers, 51 N.J.L. 432, 17 A. 969.*

Civil Action Definition: Black's Law Dictionary, Page 311

*In the Civil Law*

*A personal action which is instituted to compel payment, or the doing of some other thing which is purely civil. Pothier, Introd. Gen. aux Cont. 110.*

*At Common Law*

*One which seeks the establishment, recovery, or redress of private and civil rights. One brought to recover some civil right, or to obtain redress for some wrong not being a crime or misdemeanor. Wheeling Traction Co. v. Pennsylvania Co., D.C.Ohio, 1 F.2d 478, 479.*

Payment Definition: Black's Law Dictionary, Page 1285

*PAYMENT. The fulfilment of a promise, or the performance of an agreement.*

In the 13<sup>th</sup> amendment, it was declared that slavery and involuntary servitude are unconstitutional, and all slaves were freed from bondage with Private Citizens. However, these freed slaves didn't have any political status or rights. Given this, the Federal Government passed the 14<sup>th</sup> amendment and granted them Civil Rights as Federal Citizens. These citizens owe allegiance to the Federal Government in return.

These particular civil rights can only be leveraged to force the Federal Government or one of its agencies to fulfill a promise, which is the promise of protection. This is distinct from Common Law civil rights which is focused on actual Rights.

## 13. Downes v. Bidwell

<https://supreme.justia.com/cases/federal/us/182/244/>

*The idea prevails with some -- indeed, it found expression in arguments at the bar -- that we have in this country substantially or practically two national governments -- one to be maintained under the Constitution, with all its restrictions, the other to be maintained by Congress outside and independently of that instrument, [...] The glory of our American system of government is that it was created by a written constitution which protects the people against the exercise of arbitrary, unlimited power, and the limits of which instrument may not be passed by the government it created, or by any branch of it, or even by the people who ordained it, except by amendment or change of its provisions.*

This is the entity under congress that is maintained independently of the Constitution.



## Conclusion

While our nation was founded to be multiple independent and sovereign states, there by necessity must be an entity to represent them as a whole and manage aspects similar among all of them. This began with the articles of association which formed our Union<sup>(1)</sup>.

Over time, this union was refined, and the “Federal Government” updated to perfect the union between the states<sup>(2)</sup>.

We’ve always dictated that the Federal Government is separate, and stays out of the affairs of the individual states outside of its enumerated powers. It’s geographical jurisdiction is hard limited to 10 square miles in our constitution<sup>(3)(4)(5)(6)</sup>.

With the creation of the 14<sup>th</sup> Amendment, however, the Federal Government was given direct jurisdiction over a body of persons, circumventing state jurisdiction<sup>(7)</sup> and the 10 square miles limitation.

We find however continued evidence that the “United States” is a “Federal Corporation”<sup>(8)</sup>. It seems likely that this corporation was originally created to be a Municipal Government for the District of Columbia, and grew from there<sup>(9)</sup>. This leads to a VERY confusing statement in the UCC<sup>(10)</sup>.

The IRS in its code REALLY dances hard around calling the United States limited actual jurisdiction over the District of Columbia, and as noted previously only has direct authority over Citizens of the United States and Residents, and uses confusing language to specify its geographical limitations<sup>(11)</sup>.

In short, the “United States” is our Federal Government. A U.S. Citizen is, per the 14<sup>th</sup> amendment, primarily subject to the Federal Government/United States, and NOT their state. A U.S. Citizen receives, exclusively, Civil Rights under the 14<sup>th</sup> amendment<sup>(12)</sup> from the Federal Government per the Incorporation Doctrine, and no constitutional protections<sup>(13)</sup>.

## What Is The United States of America?

The United States of America is the name of our country, or nation. In this section we'll be breaking down the implications of what a nation is and the original proofs and founding of our nation. We'll start however by defining nation.

### 1. Definition of Nation

Definition of Nation: Merriam-Webster Dictionary

<https://www.merriam-webster.com/dictionary/nation>

*1 b : a **community of people** composed of one or more nationalities and possessing a **more or less defined territory and government***

*c : a territorial division containing a **body of people of one or more nationalities** and usually characterized by **relatively large size and independent status***

Definition of Nation: Black's Law Dictionary 4<sup>th</sup> Edition, Page 1175

**NATION.**

*A **people**, or aggregation of men, existing in the form of an **organized jural society, usually inhabiting a distinct portion of the earth**, speaking the same language, using the same customs, possessing historic continuity, and distinguished from other like groups by their racial origin and characteristics, and **generally, but not necessarily, living under the same government and sovereignty**. *Montoya v. U. S.*, -180 U.S. 261, 21 S. Ct. 358, 45 L.Ed. 521; *Worcester v. Georgia*, 6 Pet. 539, 8 L.Ed. 483; *Republic of Honduras v. Soto*, 112 N.Y. 310, 19 N.E. 845, 2 L.R.A. 642*

**A nation is, for a lack of better terms, a community of people who usually live upon a distinct portion of the earth. The people of this nation may or may not live under the same government or sovereignty, and is the key point here that allows for multiple political statuses and jurisdictions within the nation.**

**As noted previously, U.S. Citizens don't have the right of jury or common law, so they cannot be members of "the people" within the definition of nation.**

### 2. The Declaration of Independence (1776)

<https://www.archives.gov/founding-docs/declaration-transcript>

*The unanimous Declaration of the thirteen **United States of America**, When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, **the separate and equal station to which the Laws of Nature and of Nature's God entitle them**, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation."*

**When the Declaration of Independence was Penned, our founding Fathers declared us the "United States of America" and that the People shall get their Rights and Duties directly from God and His laws.**

### 3. The Articles of Confederation (1777)

<https://www.archives.gov/milestone-documents/articles-of-confederation>

*To all to whom these Presents shall come, we, the undersigned Delegates of the States affixed to our Names send greeting. Whereas the Delegates of the **United States of America** in Congress...*

*Article I. The Stile of this confederacy shall be, “**The United States of America.**”*

Continuing through to the Articles of Confederation the name of our nation is solidified.

### 4. The Treaty of Paris (1783)

<https://www.archives.gov/milestone-documents/treaty-of-paris>

*It having pleased the Divine Providence to dispose the Hearts of the most Serene and most Potent Prince George the Third, by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, Duke of Brunswick and Lunebourg, Arch- Treasurer and Prince Elector of the Holy Roman Empire etc.. and of the **United States of America**, to forget all past Misunderstandings...*

*...by the Commissioners empowered on each Part, which Articles were agreed to be inserted in and constitute the Treaty of Peace proposed to be concluded between the Crown of Great Britain and the said **United States**, but which Treaty was not to be concluded until Terms of Peace should be agreed upon between Great Britain & France...*

Here in the Treaty of Paris, the global community acknowledges us as an independent nation after the revolutionary war. We can also see here that the term “United States” is truly being used as shorthand for “United States of America”.

### 5. The Constitution of the United States of America (1787)

<https://www.archives.gov/founding-docs/constitution-transcript>

***We the People of the United States**, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the **United States of America.***

The constitution once again lays out the name of our nation as the United States of America and uses “United States” as shorthand for said name.

## 6. The Bill of Rights (1789)

<https://www.archives.gov/founding-docs/bill-of-rights-transcript>

*RESOLVED by the Senate and House of Representatives of the **United States of America**, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as amendments to the **Constitution of the United States**, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz.*

A simple repeat of what we've seen previously. United States of America and United States used interchangeably, as in the Constitution it's referred to as the "Constitution of the United States".

## 7. The 13<sup>th</sup> Amendment (1865)

<https://constitution.congress.gov/constitution/amendment-13/>

*In 1865:*

*“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.”*

At this point in time, our nations primary sovereignty lied in the individual states, as the constitution refers to “their” jurisdiction, as in the several states.

## 8. The Reconstruction (1865-1877)

<https://www.britannica.com/event/Reconstruction-United-States-history>

*Reconstruction, in U.S. history, the period (1865–77) that followed the American Civil War and during which attempts were made to redress the inequities of slavery and its political, social, and economic legacy and to **solve the problems arising from the readmission to the Union of the 11 states that had seceded at or before the outbreak of war.***

After the Civil War, the 11 states that attempted to secede couldn't just be “let back in”, there were many, many complications. It was during this period that our system of government underwent shocking fundamental changes.

## 9. The 14<sup>th</sup> Amendment (1868)

<https://www.archives.gov/milestone-documents/14th-amendment>

*In 1868:*

*All persons born or naturalized in the United States, **and subject to the jurisdiction thereof**, are citizens of the United States and of the state wherein they reside.*

A very serious change occurs. The constitution at this point forward doesn't refer to "their" jurisdiction, but "the" jurisdiction. This is also the moment the "Citizen of the United States" political status was created.

This is the moment that the United States and the United States of America split off, the Federal Government expanded its jurisdiction over its citizens (U.S. Citizens under the 14<sup>th</sup> amendment) that resided in the states.

Anyone born or naturalized and not "subject to the jurisdiction thereof" under the 14<sup>th</sup> amendment is then one of the state citizens of our nation, a national.

## 10. Definition of Natural Rights, Black's Law Dictionary 4<sup>th</sup> Edition Page 1487

*Natural rights are those which grow out of the nature of man and depend upon personality, as distinguished from such as are created by law and depend upon civilized society; or **they are those which are plainly assured by natural law** (Borden v. State, 11 Ark. 519, 44 Am.Dec. 217) ; or those which, by fair deduction from the present physical, moral, social, and religious characteristics of man, he must be invested with, **and which he ought to have realized for him in a jural society**, in order to fulfill the ends to which his nature calls him. 1 Woolsey, Polit. Science, p. 26. Such are the rights of life, liberty, privacy, and good reputation. See Black, Const. Law (3d Ed.) 523.*

Natural Rights, or God-Given Rights, are rights derived not from man but from "Nature and Natures God". These Rights are not revocable by mans authority, as they aren't granted by man. This is important, as Rights not derived from the abuser of said rights can be fairly contested. It also mentions jural which is common law. If you don't have common law, you don't have natural rights.

## 11. Citizenship/Citizen Definition

Citizen Definition: Black's Law Dictionary, 4<sup>th</sup> Edition Page 310

*With reference to the jurisdiction and power of federal courts and removal of actions **a citizen of the District of Columbia is not a "citizen of a state"**, Neild v. District of Columbia, 110 F.2d 246, 249, 71 App.D.C. 306; Glaeser v. Acacia Mut. Life Ass'n, D.C.Cal., 55 F.Supp. 925, 926;*

As a citizen of the District of Columbia (U.S. Citizen), you are NOT considered a "citizen of a state" in terms of jurisdiction of federal courts, ONLY a U.S. Citizen.

As previously discussed, Federal U.S. Citizenship has primacy.

## Conclusion

Our nation is the vast community of people living on this land in North America<sup>(1)</sup>.

The “United States of America” is the name of our nation, declared in the Articles of Confederation<sup>(3)</sup> and Declaration of Independence<sup>(2)</sup>, then acknowledged by the global community in the Treaty of Paris<sup>(4)</sup>.

Throughout these documents, the term “United States” is used as shorthand for the “United States of America”<sup>(5)(6)</sup>.

This carried on at least up to the 13<sup>th</sup> amendment in 1865<sup>(7)</sup>, but 3 years later during the Reconstruction<sup>(8)</sup> something happened. In the effort of protecting freed slaves from the invasion of their states, the sovereignty of the states was overruled by creating a political status in which Congress could protect them from the states<sup>(9)</sup>.

This solved the problem for the freed slaves, but it shifted the balance of power greatly from the states to Congress and the Federal Government over those who were Citizens of the United States. Any powers in regards to these citizens instead of falling to the states and common law by default, fell to the Federal Government.

This is the point in which the “United States” and the “United States of America” split, between the 13<sup>th</sup> and the 14<sup>th</sup> amendment, proven by the reference to “their jurisdiction” in the 13<sup>th</sup> amendment<sup>(7)</sup> changing to “the jurisdiction” in the 14<sup>th</sup><sup>(9)</sup>.

Nationals, or Citizens of the United States of America as citizens of a state, enjoy Rights provided by Nature and Natures God, and are not subject to these rights being revoked by the Federal Government, or any government as they aren’t granted by any such entity<sup>(10)</sup>. These rights are enumerated in the Bill of Rights and protected, and under the 13<sup>th</sup> amendment suspended only if duly convicted of a crime. These natural rights are practiced through common law customs.

Should the Federal or State Governments exceed their jurisdiction, the Citizen of the United States of America (National/State Citizen) has ground to stand on to defend their rights, as the rights do not come from governments to begin with.

A U.S. Citizen on the other hand owes permanent allegiance to the Federal Government for protection against their state. They are subject, and their “rights” are actually revocable privileges. The purpose of this is so the Federal Government has jurisdiction to protect its citizens from invasion from the states. This primacy is noted in the definition of citizen<sup>(11)</sup>.

## **Layer 2 Summary**

Our nation is the United States of America, which began with the confederation of states with a Federal Government subject to these states, and ended with the Federal Government having primacy over the states because of the federal citizens in the states.

The United States IS the Federal Government.

Citizens of the United States of America, called Nationals, have natural, inalienable God-given rights. In the event of the Federal Government stepping beyond its jurisdiction a national has lawful and legal ground to contest and collect damages.

U.S. Citizens of the Federal Government have 14<sup>th</sup> amendment Civil Rights, which are revocable as the government pleases, and the citizen has no standing to defend those rights as these rights are actually “privileges” granted by the government, and therefore can be taken away at will. These rights (privileges) are enumerated in the Incorporation Doctrine and are provided in an arrangement of allegiance to the Federal Government as a Federal Citizen.

## Layer 3: Jurisdictions

### Layer 3 Preface

If a citizen and a government are two sides of the same coin, jurisdiction is the coin as a whole. Jurisdiction represents the relationship between the two and, more importantly, who is subject to who.

As we'll discuss, at the core of jurisdiction is Authority, which is granted to a judge/agent. Authority must be granted by a higher power. This higher power in our ideal society is The People (as granted by God), but for a U.S. Citizen is the Federal Government acting independently of The People as the final authority enforcing man-made laws through their feudal courts.

So, in this final section we break down the following:

- What is Jurisdiction?
- What Jurisdictions exists in our nation?
- How was our original jurisdiction overridden?

As discussed previously, a Citizen of the United States is subject to the Federal Government, while a national is the original free citizen of the several states getting their Rights and Duties from Nature and Nature's God, with secondary alliance to their state as a member of the people.



## What is Jurisdiction?

Before we can dive into the different major jurisdictions in our nation, we must be clear on what jurisdiction actually means. This is the shortest section in this handbook but probably the most important.

### 1. Definition of Jurisdiction – Blacks Law Dictionary, 4<sup>th</sup> Edition Page 991

#### *JURISDICTION*

*It is the **authority** by which courts and judicial officers take cognizance of and decide cases. Board of Trustees of Firemen's Relief and Pension Fund of City of Marietta v. Brooks, 179 Okl. 600, 67 P.2d 4, 6; Morrow v. Corbin, 122 Tex. 553, 62 S.W.2d 641; State v. Barnett, 110 Vt. 221, 3 A.2d 521, 526;*

*The legal right by which **judges exercise their authority**. Max Ams, Inc. v. Barker, 293 Ky. 698, 170 S.W.2d 45, 48;*

**At its heart jurisdiction is the foundation for authority.**

### 2. Definition of Authority – Black's Law Dictionary, 4<sup>th</sup> Edition Page 168

#### *AUTHORITY.*

*The **lawful delegation of power by one person to another**. RucksBrandt Const. Co. v. Price, 165 Oki. 178, 23 P.2d 690, 692.*

*Power of **agent to affect legal relations of principal** by acts done in accordance with **principal's manifestations of consent to agent**. In re Fitzpatrick's Estate, Sur., 17 N.Y.S.2d 280, 288.*

**In order for authority to exist, power must be delegated from one entity/person to another lawfully. Authority without jurisdiction is no authority at all.**

### 3. Definitions of Agent and Agency

Definition of Agent – Black’s Law Dictionary, 4<sup>th</sup> Edition Page 85

*AGENT.*

*One who acts **for or in place of another** by authority from him; a substitute, a deputy, **appointed by principal** with power to do the things which principal may do. Stephenson v. Golden, 279 Mich. 710, 276 N.W. 849.*

Definition of Agency – Black’s Law Dictionary, 4<sup>th</sup> Edition Page 84

*AGENCY.*

*Includes every relation **in which one person acts for or represents another by latter's authority**, Saums v. Parfet, 270 Mich. 165, 258 N.W. 235, where one person acts for another, either in the relationship of **principal and agent, master and servant**, or employer or proprietor and independent contractor, Gorton v. Doty, 57 Idaho 792, 69 P.2d 136, 139.*

**Agency is the technical term for the “chain of authority”, that makes government possible. Any breaks in this authority and the agent is acting unlawfully.**

**An agent acts in the place of another, using delegated authority. This implies that all power held by an agent must be granted.**

### 4. Definition of Principal – Black’s Law Dictionary, 4<sup>th</sup> Edition Page 1355

*PRINCIPAL, n.*

***The source of authority or right.** A superintendent, as of a school district. Williams v. School Dist. No. 189, 104 Wash. 659, 177 P. 635, 636.*

*Law of Agency*

***The employer or constitutor of an agent; the person who gives authority to an agent or attorney to do some act for him.** Adams v. Whittlesey, 3 Conn. 567.*

*Called also **constituent** or chief. Mech. Agency § 3.*

**The source of authority, think of a chain of authority that goes from one person to another, with a source. This is also why you’d hear politicians call their electors “constituents”, because these electors delegated their authority to them.**

**A true constituent is one who has the authority, and grants it to another to act in their stead. This is the basis of a citizen (national, member of a people) granting authority to a government to perform defined tasks and have defined powers.**

**This authority is held by a national because it was originally granted by Nature and Nature’s God. This authority can then be passed down through the medium of organized government by the members of the state (nationals) to the government they created, which is a group of agents acting in the stead of members of the state.**

## Conclusion

In order for jurisdiction to exist, there MUST be authority<sup>(4)</sup>. Authority is granted by a principal<sup>(2)(4)</sup> to an agent<sup>(3)</sup> who acts in the stead of said principal. Jurisdiction allows a governing body to enact and enforce laws upon a governed people or persons.

All jurisdiction can be traced all the way back to a source, and that source can be one of two places:

- God (Nature's God, Nature, Fate, Etc)
  - Timeless, unchanging, thousands of years of precedence
- Man (Federal Government, Local Government, King)
  - Ever changing, revocable

Jurisdiction granted to agents and is governed by the Laws of Agency<sup>(3)</sup>. The question though is what is the nature of the jurisdictional relationship? Who is subject and who is master?

In the next section we'll go over this in more detail.

## What Jurisdictions Exist in Our Nation?

### 1. The 13<sup>th</sup> Amendment

<https://constitution.congress.gov/constitution/amendment-13/>

#### Section 1

*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.***

Notice subject to "Their" jurisdiction, as in many, or multiple. This refers to the individual states of our union.

### 2. The 14<sup>th</sup> Amendment

<https://www.archives.gov/milestone-documents/14th-amendment>

*All persons born or naturalized **in the United States**, and **subject to the jurisdiction thereof**, **are citizens of the United States and of the state wherein they reside...***

If you are born or naturalized within the United States and subject to it, you are a Citizen of The United States AND of the State you reside within.

Note also subject to THE jurisdiction thereof. This refers to the Federal Government in the District of Columbia, the "singular" jurisdiction.

### 3. Definition of U.S. National, national, and Naturalization

<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title8-section1101&num=0&edition=prelim>

(21) The term "**national**" means a person owing permanent allegiance to a state.

(22) The term "national of the United States" means (A) **a citizen of the United States**, or (B) a person who, though not a citizen of the United States, **owes permanent allegiance to the United States.**

Two distinct Jurisdictions, the Jurisdictions of the individual states and the Jurisdiction of the United States.

A "national" falls under the jurisdiction of a state and a "National of the United States" falls under the jurisdiction of the United States (Federal Government in Washington D.C.).

#### 4. Who is Subject to Who?

Definition of Subject: Black's Law Dictionary 4<sup>th</sup> Edition Page 1594

##### *Constitutional Law*

**One that owes allegiance to a sovereign and is governed by his laws.** *The natives of Great Britain are subjects of the British government. Men in free governments are subjects as well as citizens; as citizens they enjoy rights and franchises; as subjects they are bound to obey the laws. Webster. The term is little used, in this sense, in countries enjoying a republican form of government. The Pizarro, 2 Wheat. 245, 4 L.Ed. 226; Swiss Nat. Ins. Co. v. Miller, 267 U.S. 42, 45 S.Ct. 213, 214, 69 L.Ed. 504.*

The Declaration of Independence (1776)

<https://www.archives.gov/founding-docs/declaration-transcript>

*The unanimous Declaration of the thirteen **United States of America**, When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the **Laws of Nature and of Nature's God** entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation."*

A subject is one who owes allegiance to a sovereign and is completely subject to him. Men in free governments are both subjects as well as citizens. It would be accurate to say that a National is in fact bound by the laws of their state, but also has political rights to manage and control the state.

Looking at the U.S.C. a national owes allegiance to an individual state. However the founding documents make it quite clear that the chain of authority is more complex than that. A national's first Duty and Rights are subject to Nature and Nature's God, their state is secondary.

U.S. Citizen, on the other hand, owes allegiance to the United States (Federal Government) as noted in the U.S.C. in evidence 3.

#### 5. Definition of ALLEGIANCE – Black's Law Dictionary, 4<sup>th</sup> Edition Page 99

##### *ALLEGIANCE.*

*Obligation of **fidelity and obedience to government** in consideration for protection that government gives. U. S. v. Kuhn, D.C.N.Y., 49 F.Supp. 407, 414.*

*The citizen or subject owes an absolute and permanent allegiance to his government or sovereign until he becomes a citizen or subject of another government **or another sovereign**. The alien owes a local and temporary **allegiance during period of his residence**. U. S. v. Wong Kim, Ark., 169 U.S. 649, 18 Sup.Ct. 456, 42 L.Ed. 890.*

Allegiance means obedience and faith as a duty in return for a right, and a foreign alien who temporarily resides owes allegiance as well.

## 6. Legal Residence – Black’s Law Dictionary, 4<sup>th</sup> Edition

Non-Resident Definition, Black’s Law Dictionary, 4<sup>th</sup> Edition Page 1207

*NON-RESIDENT.*

*One who is not a dweller within jurisdiction In question; not an inhabitant of the state of the forum. Gardner v. Meeker, 169 Ill. 40, 48 N.E. 307; Nagel v. Loomis, 33 Neb. 499, 50 N.W. 441. For the distinction between "residence" and "domicile," see Domicile.*

Legal Residence Definition, Black’s Law Dictionary 4<sup>th</sup> Edition, Page 1473

*Legal residence. See Legal.*

*RESIDENT.*

*One who has his residence in a place. See Residence.*

*Also a tenant, who was obliged to reside on his lord's land, and not to depart from the same; called, also, "homme levant et couchant," and in Normandy, "resseant du fief."*

The legal meaning of residence is to be obligated to someone for being on the land, and with the reference to a “lord” points to its source being in feudal law.

Having residency endows jurisdiction, and is not just physical location, and can be purely legal.

## 7. Obligation – Black’s Law Dictionary, 4<sup>th</sup> Edition Page 1223

*That which a person is bound to do or forbear; any duty imposed by law, promise, contract, relations of society, courtesy, kindness, etc. Goodwin v. Freadrich, 135 Neb. 203, 280 N.W. 917, 923.*

*Duty. Rucks-Brandt Const. Co. v. Price, 165 Oki. 178, 23 P.2d 690.*

*Duty imposed by law. Helvering v. British-American Tobacco Co., C.C.A., 69 F.2d 528, 530*

An obligation bounds one to do something, be something, or act in a certain way.

## 8. Rights, Duties, and Citizenship

Duty Definition: Black's Law Dictionary, 4th Edition Page 595

*In its use in jurisprudence, this word is **the correlative of right**. Thus, wherever there exists a right in any person, **there also rests a corresponding duty** upon some other person or upon all persons generally.*

Right Definition: Black's Law Dictionary, 4th Edition Page 1486

*As a noun, and taken in a concrete sense, a **power, privilege, faculty, or demand**, inherent in one person **and incident upon another**...*

Citizen Definition: Black's Law Dictionary, 4<sup>th</sup> Edition Page 310

*But a state and the federal government each has citizens of its own, [...] The government of the United States **can neither grant nor secure to its citizens rights or privileges which are not expressly or by implication placed under its jurisdiction**. All that cannot be so granted or secured are left to the exclusive protection of the states. *U. S. v. Cruikshank*, 92 U.S. 542, 23 L.Ed. 588.*

For every duty, there is a corresponding right, and every right a corresponding duty. A right cannot exist without a duty, and a duty cannot exist without a right. This principle is made clear in the opposite sense in *U.S. v. Cruikshank*, where the Federal Government cannot secure its citizens rights or privileges which are not expressly or by implication under its jurisdiction.

If they can't secure rights or privileges, they can't impose duties or obligations, and the individual in question is outside of their jurisdiction and federal courts.

## 9. Article IV, Section 2, Clause 1 Annotated

[https://constitution.congress.gov/browse/essay/artIV-S2-C1-1/ALDE\\_00013777/](https://constitution.congress.gov/browse/essay/artIV-S2-C1-1/ALDE_00013777/)

*The first section of Article IV, Section 2 provides that the **citizens of each state** shall be entitled to all Privileges and Immunities of the citizens of other states. The provision is often called the Privileges and Immunities Clause or the Comity Clause. This Clause, **which is textually tied to state citizenship**, should not be confused with the **distinct provision in the Fourteenth Amendment—the Privileges or Immunities Clause**—which protects the **privileges or immunities of citizens of the United States** against state invasion.*

Congress distinguishes between state citizens and Citizens of the United States, as well as separate privileges and immunities for each.

## 10. The Slaughterhouse Cases (1872)

<https://supreme.justia.com/cases/federal/us/83/36/>

*Primary Holding:*

*The Privileges or Immunities Clause of the Fourteenth Amendment is limited to federal citizenship rather than extending to state citizenship.*

This distinction goes all the way back to 1872, as noted by the Supreme Court.

## 11. Congress's Limitation to 10 Square Miles

<https://constitution.congress.gov/constitution/>

*To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And*

*To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.*

Congress, and by extension the United States (Federal Government), only has geographical jurisdiction over 10 square miles. Any additional jurisdiction must be granted by the States, but only for the erection of needful buildings.

## 12. The 10<sup>th</sup> Amendment

<https://constitution.congress.gov/constitution/>

*The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.*

The Federal Government and its powers are distinctly limited, and anything unspecified goes to the States, or to the people.

The 14<sup>th</sup> amendment created a political status that is completely subject to Congress, creating a loophole around our founding documents for a specific group of persons.



### 13. Downes v. Bidwell

<https://supreme.justia.com/cases/federal/us/182/244/>

*The idea prevails with some -- indeed, it found expression in arguments at the bar -- **that we have in this country substantially or practically two national governments -- one to be maintained under the Constitution, with all its restrictions, the other to be maintained by Congress outside and independently of that instrument, [...]** The glory of our American system of government is that it was created by a written constitution which **protects the people against the exercise of arbitrary, unlimited power, and the limits of which instrument may not be passed by the government it created, or by any branch of it, or even by the people who ordained it, except by amendment or change of its provisions.***

**These are the two jurisdictions, spoken plainly and on the supreme court.**

## Conclusion

While there are many jurisdictions in our nation, the two big ones that overshadow everything are:

- 1) The jurisdiction of the people and our nation as members of our states<sup>(1)</sup>
  - The “citizens” of the individual states are called “nationals”, and are subject to the Laws of Nature and Nature’s God<sup>(3)(4)</sup>
  - Second to that, they are subject to their state to the extent that they govern the state through the medium of organized government
  - God is the final authority and lawgiver
- 2) The jurisdiction of the United States (Federal Government)<sup>(2)</sup>
  - The “citizens” of the United States are U.S. Citizens, U.S. Nationals, and Residents, and are subject to the United States (Federal Government)<sup>(3)(6)</sup>
  - The Federal Government is the final authority and lawgiver

U.S. Citizenship status was created by Congress with the ratification of the 14<sup>th</sup> Amendment<sup>(2)</sup>, and as such is subject directly to congress. Nationals are subject to God first, their state second.

Being a subject or owing allegiance means you are owned by a sovereign<sup>(4)(5)(6)(7)(8)</sup>.

Congress, since the conception of the 14<sup>th</sup> amendment all the way up to modern day distinguish between U.S. Citizens and State Citizens (nationals)<sup>(9)(10)</sup>.

Congress and the Federal Government only have explicit jurisdiction over 10 square miles, and only limited powers outside of that<sup>(11)</sup>. Anything not specified is delegated to the states, or to the people<sup>(12)</sup>. But with the creation of the 14<sup>th</sup> amendment political status that is completely subject to congress these limitations are circumvented<sup>(2)</sup>.

These two jurisdictions were spoken of plainly on the supreme court<sup>(13)</sup>.

## How is Our Original Jurisdiction Overridden?

As a national, one of the original free people in this country, God was your law-giver, and your state was your vehicle in which you exercised your political power along with the rest of the free-people in your state.

Today, you are completely subject to the Federal Government and are buried under their laws. You need a license to travel, to own a gun, many times to get a job to even work. To have a license is to have permission to do what is otherwise illegal by default.

As a U.S. Citizen, you don't have rights. If you did, you wouldn't need a license for any of these things. What you have instead are privileges, given to you that "emulate" rights enumerated in the constitution by the Incorporation Doctrine.

And over the years, these privileges have been scaled back, inch by inch.

How did this happen?

### 1. Article IV, Section 2, Clause 1 Annotated

[https://constitution.congress.gov/browse/essay/artIV-S2-C1-1/ALDE\\_00013777/](https://constitution.congress.gov/browse/essay/artIV-S2-C1-1/ALDE_00013777/)

*The first section of Article IV, Section 2 provides that the **citizens of each state** shall be entitled to all Privileges and Immunities of the citizens of other states. The provision is often called the Privileges and Immunities Clause or the Comity Clause. This Clause, **which is textually tied to state citizenship**, should not be confused with the **distinct provision in the Fourteenth Amendment—the Privileges or Immunities Clause**—which protects the **privileges or immunities of citizens of the United States** against state invasion.*

As noted in Layer 1, the original intent of the creation of U.S. Citizenship was to protect freed black slaves from "state invasion", or in other words having state laws created that targeted and restricted them.

This created a feudal allegiance between the freed black slaves and the Federal Government. Those who bear this status are completely subject to the Federal Government for its protection against their state.

## 2. Rights and Duties

Citizen Definition: Black's Law Dictionary, 4<sup>th</sup> Edition Page 310

*But a state and the federal government each has citizens of its own, [...] The government of the United States **can neither grant nor secure to its citizens rights or privileges which are not expressly or by implication placed under its jurisdiction.** All that cannot be so granted or secured are left to the exclusive protection of the states. U. S. v. Cruikshank, 92 U.S. 542, 23 L.Ed. 588.*

Person Definition: Black's Law Dictionary, 4<sup>th</sup> Edition Page 1300

***Persons are the subject of rights and duties;** and, as a subject of a right, the person is the object of the correlative duty, and conversely. [...] **But not every human being is necessarily a person,** for a person is capable of rights and duties, and there may well be human beings having no legal rights, as was the case with slaves in English law.*

*A person is such, not because he is human, **but because rights and duties are ascribed to him.** The person is the legal subject or substance of which the rights and duties are attributes. An individual human being considered as having such attributes is what lawyers call a natural person. Pollock, First Book of Jurispr. 110. Gray, Nature and Sources of Law, ch. II*

The 14<sup>th</sup> Amendment

*All **persons** born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside.*

For protection U.S. Citizens are directly subject to The Federal Government in the form of allegiance. This arrangement makes them a "Person", which is why the 14<sup>th</sup> amendment says "person" instead of "people". A member of the people can become a person, but a person under the arrangement under the 14<sup>th</sup> amendment can't be a member of the people (a national) pertaining to the Federal Government. Allegiance is a two way relationship: The one in power vows protection, the one subject vows allegiance. Allegiance is voluntary servitude. Broken down:

The Federal Government:

- Bears the burden of protecting its citizens from invasions upon privileges that are granted to them from their states.

**BUT**

- Enjoy total and complete subjugation of these people, and can be profited upon in the form of fidelity and obligation, which includes a large degree of control through the form of regulations and profiting of their labor directly through taxation, circumventing the uniform taxation requirement.

U.S. Citizens:

- Bear the burden of total subjugation to the Federal Government, and all that entails.

**BUT**

- In any matters where their privileges, which are granted to them by the Federal Government, U.S. Citizens can seek protection against their state, should their state choose to invade them.

### 3. Residency

Definition of ALLEGIANCE – Black’s Law Dictionary, 4th Edition Page 99

*ALLEGIANCE.*

*Obligation of **fidelity and obedience to government** in consideration for protection that government gives. U. S. v. Kuhn, D.C.N.Y., 49 F.Supp. 407, 414.*

*The citizen or subject owes an absolute and permanent allegiance to his government or sovereign until he becomes a citizen or subject of another government **or another sovereign**. The alien owes a local and temporary **allegiance during period of his residence**. U. S. v. Wong Kim, Ark., 169 U.S. 649, 18 Sup.Ct. 456, 42 L.Ed. 890.*

Residence – Black’s Law Dictionary, 4th Edition Page 1473

*Legal residence. See Legal.*

*RESIDENT.*

*One who has his residence in a place. See Residence.*

*Also a tenant, **who was obliged to reside on his lord's land**, and not to depart from the same; called, also, "homme levant et couchant," and in Normandy, "resseant du fief.*

Non-Resident Definition, Black’s Law Dictionary, 4th Edition Page 1207

*NON-RESIDENT.*

***One who is not a dweller within jurisdiction** In question; **not an inhabitant of the state of the forum**. Gardner v. Meeker, 169 Ill. 40, 48 N.E. 307; Nagel v. Loomis, 33 Neb. 499, 50 N.W. 441. For the distinction between "residence" and "domicile," see Domicile.*

Manor Definition: Black’s Law Dictionary, Page 1115

*In English law, the manor was originally a tract of land granted out by the **king to a lord** or other great person, **in fee**. It was otherwise called a "barony" or "lordship," **and appendant to it was the right to hold a court**, called the "court-baron." The lands comprised in the manor were divided [...]*

***but of these part were held by tenants in copyhold, e., those holding by a copy of the record in the lord's court; [...]***

*The word also signified the franchise of having a manor, **with jurisdiction for a courtbaron and the right to the rents and services of copyholders**.*

**When asked if you’re a resident you are asked on forms presented to you by The United States (Federal Government) if you are legally residing within the Jurisdiction of the United States. Not physically, legally.**

**In short, you’re asked if you’d like to “Opt-In” to being under the laws of the Federal Government in Washington D.C. and subject to their feudal courts.**

## 4. Income Tax Jurisdictional Statement

<https://www.ecfr.gov/current/title-26/chapter-I/subchapter-A/part-1/subject-group-ECFR504ddca54174c57/section-1.1-1>

*§ 1.1-1 Income tax on individuals.*

*(a) General rule.*

*(1) Section 1 of the Code imposes an income tax on the income of every individual **who is a citizen or resident of the United States** and, to the extent provided by section 871(b) or 877(b), on the income of a nonresident alien individual.*

Income tax only applies to citizens or residents of the United States (Federal Government), else only very specific circumstances to nonresident aliens, which fall under if a U.S. Citizen Expatriates or if a non-resident alien happens to be within the geographical limitations of the District of Columbia or earns income from Public Office.

## 5. United States Code Size

<https://www.govinfo.gov/features/uscode-2018#:~:text=The%20U.S.%20Code%20is%20a,of%20the%20Law%20Revision%20Counsel.>

*The U.S. Code is a consolidation and codification by subject matter of the general and permanent laws of the United States, and is produced in a Main Edition every six years. The 2018 Main Edition is approximately 60,000 pages encompassing 54 volumes, and is prepared by the Office of the Law Revision Counsel. Through XPub, GPO plans to complete the publishing of the 2018 Main Edition in less than a year – a process that has historically taken 1.5 years.*

The United States Code is massive, and as a U.S. Citizen you are subject to all 60,000 pages of it. As a national, you are subject only to 27 titles out of 50. These are positive law titles that are taken word for word from legislation and the founding documents without re-interpretation.

The rest is re-interpreted and changed from the original legislation by federal agencies by subject matter in the Code of Federal Regulations, and can be re-interpreted to nearly mean whatever they want it to mean in matters over U.S. Citizens. Some of it is even completely invented, with no legislative backing whatsoever.

## 6. The Code of Federal Regulations

[https://ballotpedia.org/Federal\\_Register\\_tops\\_70,000\\_pages\\_\(2020\)](https://ballotpedia.org/Federal_Register_tops_70,000_pages_(2020))

*From November 2 to November 6, the Federal Register grew by 2,104 pages for a **year-to-date total of 71,222 pages**. Over the same period in 2019 and 2018, the Federal Register reached 60,882 pages and 56,254 pages, respectively. As of November 6, the 2020 total led the 2019 total by 10,340 pages and the 2018 total by 14,968 pages.*

In addition to the United States Code, a U.S. Citizen is subject to every single page of the CFR. A national is not under any of them, since all the federal agencies are delegated their authority by congress, and only have authority over whoever congress has direct authority over, that being U.S. Citizens (subject to the jurisdiction thereof). Beyond this, these regulations only pertain to what congress is constitutionally given power over.

## 7. United States Organic Statutes at Large

<https://www.loc.gov/collections/united-states-statutes-at-large/about-this-collection/>

*The United States Statutes at Large is the collection of every law, public and private, ever enacted by the Congress, published in order of the date of its passage. These laws are codified every six years in the United States Code, **but the Statutes at Large remains the official source of legislation**. Until 1948, all treaties and international agreements approved by the Senate were also published in the set. In addition, the Statutes at Large **includes the text of the Declaration of Independence, Articles of Confederation, the Constitution, amendments to the Constitution, treaties with Indians and foreign nations, and presidential proclamations**.*

Legislation is considered constitutional, and applies to nationals. Legislation codified and re-interpreted into the U.S.C and C.F.R. applies almost to U.S. Citizens exclusively, exception being positive law titles in the U.S.C. Sometimes, the "re-interpretation" can be 180 degrees from the original intent of legislation.

## 8. The Constitutional Efficacy of Federal Income Tax

<https://constitution.congress.gov/constitution/>

*Section 9, Paragraph 4*

*No Capitation, or other direct, Tax shall be laid, **unless in Proportion to the Census or enumeration herein before directed to be taken.***

*Sixteenth Amendment*

***The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, **without apportionment among the several States, and without regard to any census or enumeration.*****

<https://www.ecfr.gov/current/title-26/chapter-I/subchapter-A/part-1/subject-group-ECFR504ddca54174c57/section-1.1-1>

*IRS Jurisdictional Statement on Income Tax*

*CFR 26 1.1-1 Section 1 of the Code imposes an income tax on the income of every individual **who is a citizen or resident of the United States** and, to the extent provided by section 871(b) or 877(b), on the income of a nonresident alien individual....*

The Constitution makes it quite clear that there shall be NO direct tax, and if there is it must be apportioned, aka the exact same for everyone, in spite of the IRS Jurisdictional statement. However, the Sixteenth Amendment gives Congress the ability to tax incomes of those they have jurisdiction over in the States, and ONLY that. This irrefutably gives Congress the power to directly tax U.S. Citizens in the states, but this does not include Nationals as they are of separate jurisdictions, those being the states.

We know this because the jurisdictional statement makes it quite clear that the income tax only applies to U.S. Citizens and Residents. If the 16<sup>th</sup> amendment truly did give the Federal Government the ability to tax as broadly as it claims, this regulation would state something along the lines of "All those born or naturalized within the geographical area of the United States of America are imposed...".

But it doesn't, and while regulations are re-interpreted from U.S.C. and statutes at large, they still must be "arguably correct".



## Conclusion

The reason why Congress/The United States/Federal Government/District of Columbia have jurisdiction over you is because one of their agents asked you:

- Are you a Citizen of the United States?
  - Are you seeking protection from your state?<sup>(1)(2)</sup>
- Are you a Resident?
  - Are you temporarily or permanently within the jurisdiction of the United States (Federal Government) and its private fuedal/manorial courts?<sup>(3)</sup>

And you say yes to both of these questions. Saying yes you consent to being within the direct jurisdiction of Congress/The United States/Federal Government/District of Columbia.

Why is this important?

- Because that means you're subject to the U.S.C. in its exactness, constitutional or not, which is 60,000 pages in length.<sup>(5)</sup>
- You're also subject to the C.F.R., which is always changing, but in 2020 rested at 71,222 pages in length.<sup>(6)</sup>
- This is all enforced using fuedal courts against you personally

As a national however, you are one of the original citizens and member of We the People, and any laws levied against you are subject to the United States Organic Statutes at Large, which includes Declaration of Independence, Articles of Confederation, the Constitution, and amendments to the Constitution.<sup>(7)</sup>

A U.S. Citizen/Resident doesn't have these protections. In fact, the purpose of the U.S.C. and C.F.R. is to govern U.S. Citizens and Residents, excluding positive law titles which are pulled unchanged from the United States Statutes at Large and do apply to nationals.

This is clear, because the Federal Government's jurisdictional statement on who's income shall be taxed only includes U.S. Citizens and residents<sup>(4)(8)</sup>, in spite of the constitution making it quite clear that a capitation tax shall not occur. The 16<sup>th</sup> amendment allows congress to tax incomes, but it does not specify that it affects The People/state citizens, so by omission only affects those that the Federal Government has direct jurisdiction over thanks to the 10<sup>th</sup> amendment, and spelled out clearly in Title 26 C.F.R.<sup>(4)</sup>.

You say yes to these questions you enter a state of voluntary servitude, circumventing the 13<sup>th</sup> amendment that outlaws **involuntary** servitude, but not **voluntary** servitude. So many people now say yes that federal law enforcement, the Federal Government, courts, and a Direct Income Tax that now they simply assume you're a U.S. Citizen, and we've been under these regulations for so long we just assume it's normal.

One more piece of evidence for you, straight from the IRS Manual:

[https://www.irs.gov/irm/part1/irm\\_01-005-002#idm140242529490048](https://www.irs.gov/irm/part1/irm_01-005-002#idm140242529490048)

1.5.2.2 (01-14-2015)

*Background*

[...]

(2) *Our system of taxation depends on the taxpayers' **belief** that:*

*The tax laws they follow **apply to everyone.***

*The IRS will **respect and protect their rights under the law.***

Also:

31 USC 321(d)(2): *General authority of the Secretary*

<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title31-section321&num=0&edition=prelim>

*(d)(1) The Secretary of the Treasury may accept, hold, administer, and use gifts and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Department of the Treasury. **Gifts and bequests of money and the proceeds from sales of other property received as gifts or bequests shall be deposited in the Treasury in a separate fund and shall be disbursed on order of the Secretary of the Treasury.** Property accepted under this paragraph, and the proceeds thereof, shall be used as nearly as possible in accordance with the terms of the gift or bequest.*

*(2) For purposes of the **Federal income, estate, and gift taxes, property accepted under paragraph (1) shall be considered as a gift or bequest to or for the use of the United States.***

Did you know that your taxes were based on your belief in the Federal Government, and that it was considered a “gift or bequest”?

This is because involuntary servitude is forbidden, per the 13<sup>th</sup> amendment. So when you “volunteer” to be a 14<sup>th</sup> amendment citizen of the United States, you volunteer to gift your income and your belief to the Federal Government.

A “national, and not a citizen of the United States” is someone who is still one of the original state citizens and has not volunteered into the Federal Governments feudal control for protections against their state.

### **Layer 3 Summary**

The chain of our authority in our nation is as follows:

God → Nationals → States → Federal Government

We receive our Rights from God, which we then create governments of our individual states to exercise our political powers, and the Federal Government was created to represent our nation outside of our country and handle common tasks for the states.

However, over time and with the implementation of the U.S. Citizen status, the following has been set up:

The Federal Government → U.S.Citizens → States

The Federal Government has final authority on U.S. Citizens, which in all matters concerning these citizens, the sovereignty of the states are overruled. This gives by extension absolute authority of the states over to the Federal Government.

## What You're Actually Being Asked

Now that we've gone over in detail all the history and definitions, we can answer what it is you're being asked when you're asked these two questions.

### Are you a U.S. Citizen?

When you're asked this, you're asked if you're seeking protection from your state by the Federal Government. These protections, once upon a time, were critical for the freed slaves, because they had no standing in the common law courts and, as such, would be wrongfully tried against.

That protection, however, comes at a cost:

- You no longer have rights, but mere privileges that the Federal Government is kind enough to grant you, especially in all cases against your state
- You are under the exclusive jurisdiction of the Federal Government, and its ever growing number of federal agencies
- Every year, your "privileges" are reduced in the name of "protection"

So saying yes to being a U.S. Citizen is saying yes to owing total allegiance not to your country or your state, but to the Federal Government, and owing countless duties that are subject to the whims of unelected bureaucrats in the Federal Agencies.

### Are you a Resident?

If you recall, the 14<sup>th</sup> amendment states: "All persons born or naturalized in the United States, and subject to the **jurisdiction** thereof, **are citizens of the United States and of the state wherein they reside**".

Non-Resident Definition, Black's Law Dictionary, 4th Edition Page 1207

*NON-RESIDENT.*

***One who is not a dweller within jurisdiction In question; not an inhabitant of the state of the forum. Gardner v. Meeker, 169 Ill. 40, 48 N.E. 307; Nagel v. Loomis, 33 Neb. 499, 50 N.W. 441. For the distinction between "residence" and "domicile," see Domicile.***

Definition of "DOMICILE", Black's Law Dictionary, 4<sup>th</sup> Edition Page 572

*DOMICILE*

***"Domicile" and "residence," however, are frequently distinguished, in that domicile is the home, the fixed place of habitation; while residence is a transient place of dwelling. Fisher v. Jordan, C.C.A.Tex., 116 F.2d 183, 186; Minick v. Minick, 111 Fla. 469, 149 So. 483, 488; Hartzler v. Radeka, 265 Mich. 451, 251 N.W. 554.***

Your state is considered a temporary, transient place of jurisdiction, while you're technically "Domiciled" in the District of Columbia. When you're asked if you're a resident, you're asked if you're under the jurisdiction of D.C. while currently residing in your state, with congress being your lord and you being a tenant and subject to their courts.

## In Closing

Congratulations! You now have a strong understanding of the Citizenship Laws of the United States and the United States of America.

You may be confused, angry, depressed, or any number of emotions. You may be wondering if there's anything you can do.

There are many places to look but a good first start is to really focus on our nations "national" political status.

There's no better place to look to learn more of not only what this status is, but how to change your political status peacefully with the Federal Government at the following. All for free, no cost on your part other than what you pay for postage. You can view it here:

<http://thetrixdocs.com/>

A little quote from Roger Sayles, the man who has been studying all this for over 30 years, and has worked off the studies of 2 other mens lifetimes, and has made this handbook possible:

"The best way for me to protect my freedom is to help you protect yours."

Yours truly,

A National of the United States of America

## Political Status References

### State Citizenship

This is a **national**, and is the original political status that has constitutional protections against the Federal Government and the **protections of their state**. U.S. Citizen status takes primacy when bore. U.S. National is used by the Federal Government to cover up your National status by applying it to American Samoan/Swain Islanders as non-citizen nationals.

### **National, National of the United States Definitions**

[https://uscode.house.gov/view.xhtml?req=\(title:8%20section:1101%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:8%20section:1101%20edition:prelim))

*Section 21: The term "national" means a person owing permanent allegiance to a state.*

### Article IV, Section 2, Clause 1 Annotated

[https://constitution.congress.gov/browse/essay/artIV-S2-C1-1/ALDE\\_00013777/](https://constitution.congress.gov/browse/essay/artIV-S2-C1-1/ALDE_00013777/)

*[...]This Clause, which is textually tied to state citizenship, should not be confused with the distinct provision in the Fourteenth Amendment—the Privileges or Immunities Clause—which protects the privileges or immunities of citizens of the United States against state invasion.*

### **McDonel v. State, 90 Ind. 320 (1883)**

<https://cite.case.law/ind/90/320/>

*[...] One may be a citizen of a State and yet not a citizen of the United States. Thomasson v. State, 15 Ind. 449; Cory v. Carter, 48 Ind. 327 (17 Am. R. 738); McCarthy v. Froelke, 63 Ind. 507; In Re Wehlitz, 16 Wis. 443.*

### United States v. Hall

[https://cite.case.law/pdf/6130837/United%20States%20v.%20Hall,%2026%20F.%20Cas.%2079,%203%20Chi.%20Leg.%20News,%20260;%2013%20Int.%20Rev.%20Rec.%20181%20\(1871\).pdf](https://cite.case.law/pdf/6130837/United%20States%20v.%20Hall,%2026%20F.%20Cas.%2079,%203%20Chi.%20Leg.%20News,%20260;%2013%20Int.%20Rev.%20Rec.%20181%20(1871).pdf)

*By the original constitution citizenship in the United States was a consequence of citizenship in a state. By this clause this order of things is reversed[14th amendment].*

### **Citizen Definition: Black's Law Dictionary, 4<sup>th</sup> Edition Page 310**

*But a state and the federal government each has citizens of its own, and the same person may be at the same time a citizen of the United States and a citizen of a state. [...] All that cannot be so granted or secured are left to the exclusive protection of the states. U. S. v. Cruikshank, 92 U.S. 542, 23 L.Ed. 588. With reference to the jurisdiction and power of federal courts and removal of actions a citizen of the District of Columbia is not a "citizen of a state", Neild v. District of Columbia, 110 F.2d 246, 249, 71 App.D.C. 306; Glaeser v. Acacia Mut. Life Ass'n, D.C.Cal., 55 F.Supp. 925, 926;*

## Federal Citizenship and Residency

A U.S. Citizen is a Federal Citizen, and a resident is considered having residency/being domiciled in the District of Columbia. These persons only have privileges that the Federal Government is kind enough to grant, and no rights.

### Non-Resident Definition, Black's Law Dictionary, 4th Edition Page 1207

*NON-RESIDENT.*

*One who is not a dweller within jurisdiction In question; not an inhabitant of the state of the forum. Gardner v. Meeker, 169 Ill. 40, 48 N.E. 307; Nagel v. Loomis, 33 Neb. 499, 50 N.W. 441. For the distinction between "residence" and "domicile," see Domicile.*

### Definition of "DOMICILE", Black's Law Dictionary, 4<sup>th</sup> Edition Page 572

*DOMICILE*

*"Domicile" and "residence," however, are frequently distinguished, in that domicile is the home, the fixed place of habitation; while residence is a transient place of dwelling. Fisher v. Jordan, C.C.A.Tex., 116 F.2d 183, 186; Minick v. Minick, 111 Fla. 469, 149 So. 483, 488; Hartzler v. Radeka, 265 Mich. 451, 251 N.W. 554.*

### National of the United States Definition

[https://uscode.house.gov/view.xhtml?req=\(title:8%20section:1101%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:8%20section:1101%20edition:prelim))

*Section 22: The term "national of the United States" means (A) a citizen of the United States, or (B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.*

### The Slaughterhouse Cases (1872)

<https://supreme.justia.com/cases/federal/us/83/36/>

*Primary Holding:*

*The Privileges or Immunities Clause of the Fourteenth Amendment is limited to federal citizenship rather than extending to state citizenship.*

### Incorporation Doctrine

[https://www.law.cornell.edu/wex/incorporation\\_doctrine](https://www.law.cornell.edu/wex/incorporation_doctrine)

*The incorporation doctrine is a constitutional doctrine through which parts of the first ten amendments of the United States Constitution (known as the Bill of Rights) are made applicable to the states through the Due Process clause of the Fourteenth Amendment. Incorporation applies both substantively and procedurally.*