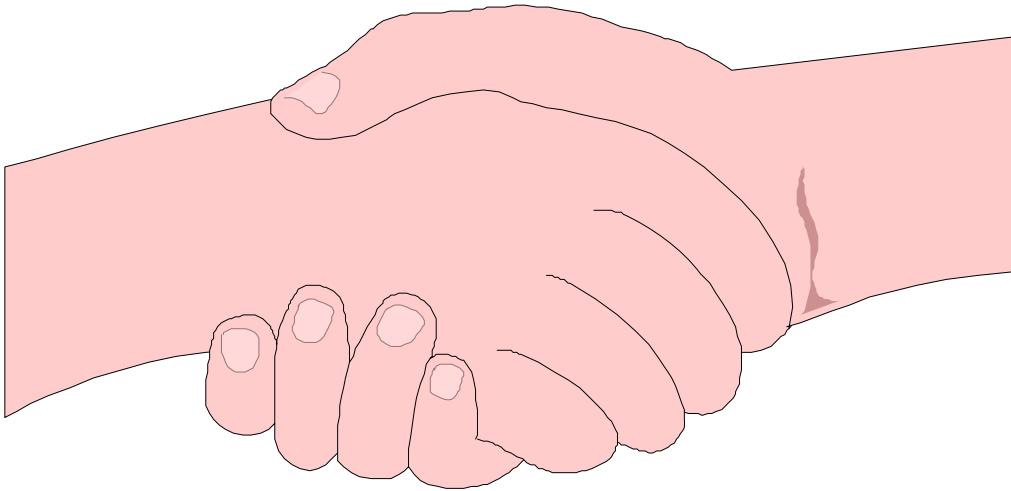


REQUIREMENT FOR CONSENT



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

[Dresden James]

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1 The essence of sovereignty: Consent

This memorandum of law will cover the requirement for consent as the foundation of our system of law and government. Why is this subject important? Because we assert that there are only two types of governments:

1. Government by consent: This type of government serves the people from below.

But Jesus called them to Himself and said to them, "You know that those who are considered rulers over the Gentiles lord it over them, and their great ones exercise authority over them. Yet it shall not be so among you; but whoever desires to become great among you shall be your servant." And whoever of you desires to be first shall be slave of all. For even the Son of Man did not come to be served, but to serve, and to give His life a ransom for many."

[Matt. 10:42-45, Bible, NKJV]

2. Terrorist government: This type of government rules from above by force or fraud or both and always results in idolatry toward government. This type of government is described as "the Beast" in Rev. 19:19.

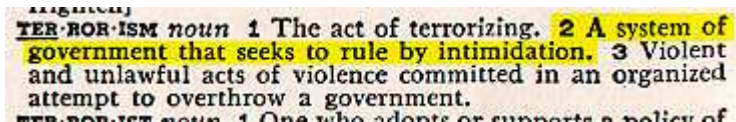
Then all the elders of Israel gathered together and came to Samuel at Ramah, and said to him, "Look, you are old, and your sons do not walk in your ways. Now make us a king to judge us like all the nations [and be OVER them]".

But the thing displeased Samuel when they said, "Give us a king to judge us." So Samuel prayed to the Lord. And the Lord said to Samuel, "Heed the voice of the people in all that they say to you; for they have rejected Me [God], that I should not reign over them. According to all the works which they have done since the day that I brought them up out of Egypt, even to this day—with which they have forsaken Me and served other gods [Kings, in this case]—so they are doing to you also [government becoming idolatry]. Now therefore, heed their voice. However, you shall solemnly forewarn them, and show them the behavior of the king who will reign over them."

So Samuel told all the words of the LORD to the people who asked him for a king. And he said, "This will be the behavior of the king who will reign over you: He will take [STEAL] your sons and appoint them for his own chariots and to be his horsemen, and some will run before his chariots. He will appoint captains over his thousands and captains over his fifties, will set some to plow his ground and reap his harvest, and some to make his weapons of war and equipment for his chariots. He will take [STEAL] your daughters to be perfumers, cooks, and bakers. And he will take [STEAL] the best of your fields, your vineyards, and your olive groves, and give them to his servants. He will take [STEAL] a tenth of your grain and your vintage, and give it to his officers and servants. And he will take [STEAL] your male servants, your female servants, your finest young men, and your donkeys, and put them to his work [as SLAVES]. He will take [STEAL] a tenth of your sheep. And you will be his servants. And you will cry out in that day because of your king whom you have chosen for yourselves, and the LORD will not hear you in that day."

Nevertheless the people refused to obey the voice of Samuel; and they said, "No, but we will have a king over us, that we also may be like all the nations, and that our king may judge us and go out before us and fight our battles." [1 Sam. 8:4-20, Bible, NKJV]

Consistent with the above, Funk and Wagnalls defines "terrorism" as follows:



TER·ROR·ISM noun 1 The act of terrorizing. 2 A system of government that seeks to rule by intimidation. 3 Violent and unlawful acts of violence committed in an organized attempt to overthrow a government.

[Original (pre-Orwellian) Definition of the Word "Terrorism"
Funk and Wagnalls New Practical Standard Dictionary (1946)]

In the American republican form of government, the requirement for consent in all human interactions is the essence and the foundation of all of our sovereignty as human beings. Only by consenting to become "persons" or "individuals" from a statutory perspective can we be detached from that sovereignty.

"The rights of the individual are not derived from governmental agencies, either municipal, state or federal, or even from the Constitution. They exist inherently in every man, by endowment of the Creator, and are merely reaffirmed in the Constitution, and restricted only to the extent that they have been voluntarily surrendered by

the citizenship [DOMICILE, not NATIONALITY]¹ to the agencies of government. *The people's rights are not derived from the government, but the government's authority comes from the people. The Constitution but states again these rights already existing, and when legislative encroachment by the nation, state, or municipality invade these original and permanent rights, it is the duty of the courts to so declare, and to afford the necessary relief. The fewer restrictions that surround the individual liberties of the citizen, except those for the preservation of the public health, safety, and morals, the more contented the people and the more successful the democracy.*"
[City of Dallas v. Mitchell, 245 S.W. 944 (1922)]

"... Our government is founded upon compact. Sovereignty was, and is, in the people"
[Glass v. Sloop Betsy, 3 Dall. (U.S.) 6 (1794)]

"In common usage, the term 'person' does not include the sovereign, and statutes employing the word are ordinarily construed to exclude it."
[Wilson v. Omaha Indian Tribe 442 U.S. 653, 667 (1979)]

"Homo vocabulum est naturae; persona juris civilis. Man (homo) is a term of nature; person (persona) of civil law. "
[Black's Law Dictionary, Second Edition (A. D.1910), p. 577]

"the word `person' in legal terminology is perceived as a general word which normally includes in its scope a variety of entities other than human beings., see e.g. 1, U.S.C. para 1."
[Church of Scientology v. US Department of Justice (1979) 612 F.2d. 417 @425]

1.1 Requirement for consent is the FOUNDATION of our system of civil law

This requirement for consent of the governed is also the foundation for our system of law, starting with the Declaration of Independence and going down from there. Anything Not consensual is, by definition, UNJUST per the organic law:

"That to secure these rights, governments are instituted among men, **deriving their just powers from the consent of the governed.**"
[Declaration of Independence]

Some people ignorantly argue that the Declaration of Independence cited above is not "LAW" and they are wrong. The very first enactment of Congress on p. 1 of volume 1 of the Statutes At Large incorporated the Declaration of Independence as the laws of this country. Don't believe us on this critical point? Watch Judge Andrew Napolitano say the same thing. He also says that law is THE MOST VIOLATED provision of law in existence!:

Judge Andrew Napolitano says the Declaration of Independence is LAW enacted by Congress, Exhibit #03.006
<http://sedm.org/Exhibits/ExhibitIndex.htm>

The U.S. Supreme Court recognized the above requirement of the Declaration of Independence by holding that there are ONLY two ways that any government civil enactment can acquire the "force of law" against anyone, and both of them require your CONSENT in some form:

"All the powers of the government [including ALL of its civil enforcement powers against the public] must be carried into operation by individual agency, either through the medium of public officers, or contracts made with [private] individuals."
[Osborn v. Bank of U.S., 22 U.S. 738 (1824)]

Consequently, whenever the government seeks to civilly enforce against you, it has the burden of proving ONE of the following two requirements to demonstrate that authority to civilly govern, both of which require consent in some form:

1. You CONSENTED to either lawfully occupy a public office in the government OR;
2. You have a contract with them, where the "social compact" that implements the civil law is the "contract".

This burden of proof is the SAME burden of proof that YOU have to meet when you sue them: Consent to be sued in writing in the form of a statute expressly waiving sovereign immunity. Sovereign immunity goes BOTH ways because all are equal under our system of law. In a government of delegated powers, you can't delegate sovereign immunity to a "government" without ALSO having the SAME power against them.

¹ See: *Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002; <http://sedm.org/Forms/05-MemLaw/Domicile.pdf>.