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Sovereignty

Do we, the people work for Government? OR Does Government work for US?

“Sovereignty itself is... not subject to law, for it is the author and source of law... while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts.” Justice Thomas Stanley Matthews in *Yick Wo v. Hopkins* [p. 370]:

Sovereignty remains with the people, by whom all government exists and acts;

The 1776 **Declaration of Independence** of the 13 united States of America declares: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are **Life, Liberty** and the pursuit of **Happiness**. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, **it is the Right of the People to alter or to abolish it**, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their **Safety and Happiness**.”

So, when a government no longer protects Life, Freedom and Happiness it is the right of the people to alter or abolish it;

“Sovereign individuals are subject only to a Common Law, whose primary purposes are to protect and defend individual rights and to prevent anyone, whether public official or private person, from violating the rights of other individuals. Within this scene, Sovereigns are never subject to their own creations, and the constitutional contract is such a creation.” To quote the Supreme Court, “No fiction can make a natural born subject.” *Milvaine v. Coxe’s Lessee*, 8 U.S. 598 (1808). “That is to say, no fiction, be it a corporation, a statute law, or an administrative regulation, can mutate a natural born Sovereign into someone who is subject to his own creations.”

No fiction can make a natural born subject; but yet corporations front as lawful government and impose feudalism; but, not for long... just keep educating yourself;

The very meaning of ‘sovereignty’ is that the decree of the sovereign makes law. *American Banana Co. v. United Fruit Co.*, 29 S.Ct. 511, 513, 213 U.S. 347, 53 L.Ed. 826, 19 Ann.Cas. 1047.

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Plantation slaves make applications, petitions or submissions; a sovereign declares and establishes and wishes to his/her equals and peers, no matter their status or title; so, unless we make our declarations, we have remained silent; and, silence creates the semblance of consent;

'Sovereignty' means that the decree of sovereign makes law, and foreign courts cannot condemn influences persuading sovereign to make the decree. *Moscow Fire Ins. Co. of Moscow, Russia v. Bank of New York & Trust Co.*, 294 N.Y.S. 648, 662, 161 Misc. 903.

The courts on our land are sea courts for sea governments on our land, supposedly providing services; however, the BAR legal system is in truth a secret society operating outside any canonical jurisdiction, so they cannot be sued; see:

<http://giftoftruth.wordpress.com/bar/>

BAR agents believe they are untouchable, therefore do they continue engaging in barratry, personage, piracy and numerous other deceits; therefore, we must challenge their jurisdiction and rebut all assumptions and presumptions;

We desire most from men,
From men both lund and poor,
To have sovereignty without lies.
For where we have sovereignty, all is ours,
Though a knight be ever so fierce,
And ever win mastery.
It is our desire to have master
Over such a sir.
Such is our purpose.

- The Wedding of Sir Gawain and Dame Ragnell (c. 1450), [10]

People vs. STATE sovereignty

I am one of “we, the people” and the people are sovereign, not a legal fiction called “THE STATE”;

“The words "sovereign state" are cabalistic words, not understood by the disciple of liberty, who has been instructed in our constitutional schools. It is our appropriate phrase when applied to an absolute despotism. The idea of sovereign power in the government of a republic is incompatible with the existence and foundation of civil liberty and the rights of property.” *Gaines v. Buford*, 31 Ky. (1 Dana) 481, 501.

Definition of Sovereignty

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The power to do everything in a state without accountability, to make laws, to execute and to apply them, to impose and collect taxes and levy contributions, to make war or peace, to form treaties of alliance or of commerce with foreign nations, and the like. Story, Const. Sec 207

Sovereignty in government is that public authority which directs or orders what is to be done by each member associated in relation to the end of the association. It is the supreme power by which any citizen is governed and is the person or body of persons in the state to whom there is politically no superior. The necessary existence of the state and that right and power which necessarily follow is "sovereignty."

By sovereignty in its largest sense is meant supreme, absolute, uncontrollable power, the absolute right to govern. The word which by itself comes nearest to being the definition of "sovereignty" is will or volition as applied to political affairs. *City of Bisbee v. Cochise County*, 52 Ariz. 1, 78 P.2d 982, 986. Black's Law Dictionary, Fourth Edition

Definition of State: 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, capable of making war and peace and of entering into international relations with other communities of the globe. *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.

Definition of Government: Republican Government. One in which the powers of sovereignty are vested in the people and are exercised by the people, either directly, or through representatives chosen by the people, to whom those powers are specially delegated. *In re Duncan*, 139 U.S. 449, 11 S.Ct. 573, 35 L.Ed. 219; *Minor v. Happersett*, 88 U.S. (21 Wall.) 162, 22 L.Ed. 627. Black's Law Dictionary, Fifth Edition, p. 626

The People existed in their own individual sovereignty before the constitution was enabled. When the People "establish" a constitution, there is nothing in the word "establish" that signifies that they have yielded any of their sovereignty to the agency they have created.

To deprive the People of their sovereignty it is first necessary to get the People to agree to submit to the authority of the entity they have created. That is done by getting them to claim they are citizens of that legal fiction entity.

The particular meaning of the word "citizen" is frequently dependent on the context in which it is found, and the word must always be taken in the sense which best harmonizes with the subject matter in which it is used.

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One may be considered a citizen for some purposes and not a citizen for other purposes, as, for instance, for commercial purposes, and not for political purposes.

So, a person may be a citizen in the sense that as such he is entitled to the protection of his life, liberty, and property, even though he is not vested with the suffrage or other political rights.

Being sovereign

- I know who I am;
I know what I am;
- My sovereignty was bestowed upon me by my Creator;
- It is part of the unalienable rights I possess just because I am alive;
- My belief in my Creator is private;
- The land and the soil that we sojourn on is inalienable;
- As a sovereign, I alone chose what I accept and what I reject;
- This is part of one of my claimed rights described as free choice;
My primary obligation is to my Creator and my belief is private;
Each sovereign has their own choice with respect to faith;
- There is no obligation to share the details of this choice;
I am responsible for everything I do;
I am responsible for my own protection;
I am responsible for my family;
I am responsible for protecting others not capable of protecting themselves.
- I accept this as a duty to my peers;
- I am responsible to encourage other sovereigns to establish the just standards of conduct by which we as a society would choose to live;
- As a sovereign, I determine the course of my actions together with my peers for our mutual benefit and safety;
- We, the people are the ultimate authority by which all government bodies are created;
- Government bodies are legal fictions created to provide we, the people with services, protect our rights and private property;
Those appointed to public office are public servants and are employed by we, the people;
Southern Africa:
- Public servants swore an oath to protect the Republic and our rights.
- I am responsible for supporting and defending the 1955 Freedom Charter; and, ensuring the fulfillment of the 1994 RDP Policy Framework; and, the ORIGINAL Bill of Rights known as the Declaration of the Rights of Man;

Definitions – Black’s Law Dictionary, 4th edition

Note: All definitions are from Black’s Law Dictionary, 4th Edition, 1968

INALIENABLE. Not subject to alienation; the characteristic of those things which cannot be bought or sold or transferred from one person to another, such as rivers and public highways, and certain personal rights; *e. g.*, liberty.

UN-ALIENABLE

UN-. A prefix used indiscriminately, and may mean simply "not." Thus, "unlawful" means "not authorized by law." *State v. Sanders*, 136 La. 1059, 68 So. 125, 126, Ann.Cas.1916E, 105.

American Sovereignty

The law subscribes to the king (in America, the people) the attribute of sovereignty; he is sovereign and independent within his own Dominion; and owes no kind of subjection to any other potentate upon earth. Hence, it is, that no suit or action can be brought against the king, even in civil matters, because no court can have jurisdiction over him; for all jurisdiction implies supremacy of power. (*Chisholm vs. Georgia*, 2 Dall. 419,458.)

The people, or the Sovereign are not bound by general words in statutes, restrictive of prerogative rights, titles or interests, unless expressly named. Acts of limitation do not bind at the King, nor the people. The people have been ceded all the rights of the king, the former Sovereign. It is a maxim of the common-law that when an act of parliament is made for the public good, the advancement of religion and Justice, and to prevent injury and wrong, the king shall be bound by such an act, though not named; but when a statute is General, and any prerogative rights, titles or interests would be divested or taken from the king (or the people) in such case he shall not be bound. *The People vs. Herkimer*, 15 American Decisions 379, 4 Cowen (NY 345, 348 (1825)).

The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative. [*Lansing v. Smith*, 4 Wend. 9 (N.Y.) (1829), 21 Am.Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav.Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7.]

A consequence of this prerogative is the legal ubiquity of the king. His majesty in the eye of the law is always present in all his courts, though he cannot personally distribute justice. (*Fortesc.c.8. 2Inst.186*) His judges are the mirror by which the king's image is reflected. 1 Blackstone's Commentaries, 270, Chapter 7, Section 379.

Thomas Hobbes on Sovereign authority

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When people mutually covenant each to the others to obey a common authority, they have established what Hobbes calls “sovereignty by institution”. When, threatened by a conqueror, they covenant for protection by promising obedience, they have established “sovereignty by acquisition”. These are equally legitimate ways of establishing sovereignty, according to Hobbes, and their underlying motivation is the same—namely fear—whether of one's fellows or of a conqueror. The social covenant involves both the renunciation or transfer of right and the authorization of the sovereign power. Political legitimacy depends not on how a government came to power, but only on whether it can effectively protect those who have consented to obey it; political obligation ends when protection ceases.

Yick Wo v. Hopkins

Justice Thomas Stanley Matthews expressed this in his Opinion in *Yick Wo v. Hopkins* [p. 370]:

"When we consider the nature and the theory of our institutions of government, the principles upon which they are supposed to rest, and review the history of their development, we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power. Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but, in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts. And the law is the definition and limitation of power. It is, indeed, quite true that there must always be lodged somewhere, and in some person or body, the authority of final decision, and in many cases of mere administration, the responsibility is purely political, no appeal lying except to the ultimate tribunal of the public judgment, exercised either in the pressure of opinion or by means of the suffrage. But the fundamental rights to life, liberty, and the pursuit of happiness, considered as individual possessions, are secured by those maxims of constitutional law which are the monuments showing the victorious progress of the race in securing to men the blessings of civilization under the reign of just and equal laws, so that, in the famous language of the Massachusetts Bill of Rights, the government of the commonwealth "may be a government of laws, and not of men." For the very idea that one man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life at the mere will of another seems to be intolerable in any country where freedom prevails, as being the essence of slavery itself."

As noted by legal historian Christian G. Fritz in *American Sovereigns*: “The People and America's Constitutional Tradition Before the Civil War, both before and after the Revolution, Americans believed "that the people in a republic, like a king in a monarchy, exercised plenary authority as the sovereign. This interpretation persisted from the revolutionary period up to the Civil War." However, as wide spread as this belief in the power of the people was, the early Americans infrequently used the term "popular sovereignty" to describe the idea. Rather, in expressing this founding concept of rule by the people, they would describe the ideal of how "the people" would exercise sovereignty in

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America and that the state officers and employees function as "public servants." The actual use of the term, "popular sovereignty," didn't begin to gain popularity until around the 1840s.”

Source: https://en.wikisource.org/wiki/Yick_Wo_v._Hopkins/Opinion_of_the_Court

The Rights of the People

The state cannot diminish rights of the people. [Hurtado v. People of the State of California, 110 U.S. 516.]

Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them. [Miranda v. Arizona, 384 US 436, 491.] There can be no sanction or penalty imposed upon one because of this exercise of constitutional rights. [Sherer v. Cullen, 481 F 946.]

What is sovereignty?

It is the inherent right and prerogative of a civilized people to rule itself, and to dictate all of the forms and conditions of the institutions it sets up to carry out this rule.

Bond vs. UNITED STATES, 529 US 334 – 2000. The Supreme Court held that the American People are in fact Sovereign and not the States or the Government. The court went on to define that local, state and federal law enforcement officers were committing unlawful actions against the Sovereign People by the enforcement of the laws and are personally liable for their actions.

Bond v. United States, 529 US 334 – 2000 – Supreme Court – Cited by 761 litigants in other cases. Bond v. US, 131 S. Ct. 2355 – 2011 – Supreme Court – Cited by 306 “ “ Bond v. US, 1 F. 3d 631 – 1993 – Court of Appeals, 7th – Cited by 66 “ “

What are the implications of this 2000, U. S. Supreme Court ruling?

The delegates to the first Federal Convention prohibited the use of corporations by all governments representing the American Republic. Therefore, all of these corporate governments and their corporate laws are a usurpation of the organic Constitution of the United States of America. All State Governments are now sub-corporations of the Federal Government, making all Courts and all law enforcement personnel, corporate federal agencies or employees. [See: James Madison Journal of the Federal Convention, Vol. 2, P. 722] and [Pull up your State Code on your PC and search the Code for the words “District of Columbia” and “Federal Government.” You will receive about 1000 references linking your state to the federal government.]

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"...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects...with none to govern but themselves; the citizens of America are equal as fellow citizens, and as joint tenants in the sovereignty." CHISHOLM v. GEORGIA (US) 2 Dall 419, 454, 1 L Ed 440, 455 @DALL 1793 pp471-472

California Government Code Sections 11120 and 54950 contain strong statements about the sovereignty of the people.

CALIFORNIA GOVERNMENT CODE - SECTION 11120 et seq.

11120. It is the public policy of this state that public agencies exist to aid in the conduct of the people's business and the proceedings of public agencies be conducted openly so that the public may remain informed.

In enacting this article the Legislature finds and declares that it is the intent of the law that actions of state agencies be taken openly and that their deliberation be conducted openly.

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

This article shall be known and may be cited as the **Bagley-Keene Open Meeting Act**.

Source: <http://www.1215.org/lawnotes/lawnotes/sovrein.htm>

Sovereignty lies the duties of an office

This is the exact opposite of what people expect.

"Your rights as a sovereign are secondary and dependent upon the duties. If you don't do the duties you can't claim the rights, but if you do the duties nobody can obstruct or complain about your Will in any matter.

Thus when I perform my duty to expose crime and prosecute it, nobody has any ability to object or interfere. When I do my duty to protect the lives and welfare of my countrymen and defend the land jurisdiction to which I am heir nobody can object, either."

Source: <http://annavonreitz.com/>

This is all about sovereign power and identity and practical worldly issues that are common to all people.

The key to understanding sovereignty is the fact that the servant is always the master; Always. In order to rule, you have to serve.

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Thus, you rule when you serve others and accept unpleasant duties. Sovereignty is not glamorous, does not involve lording it over anyone, and isn't easy. Think of Jesus washing His Disciple's feet. Sovereignty has a ton of duties and very few perks, but the absolutely stunning gift of sovereignty is the freedom to never lie about anything to anyone.

Our nation like ourselves has forgotten what it means to be sovereign, and has lapsed into careless and forgetful dependency upon the very persons and institutions that have undermined and betrayed it from the start: foreign banks, commercial con artists, defence contractors, purveyors of vice, dishonest trustees, and the greedy, immoral, endlessly incompetent Congress.

We are so ignorant that we claim foreign flags as ours, put up with harassment from our employees, allow foreign city states to set up shop on our shores, let communists set the curriculum in our schools, and live as Thomas Jefferson feared— as virtual slaves in the land of our Forefathers.”

Source:

<http://scannedretina.com/2015/08/26/judge-anna-not-only-are-there-no-free-lunches-there-are-also-no-free-rides-obligations-and-duties-too/>

Sovereignty is a Prerequisite for Definite Law: Sovereignty means a final authority on internal matters. A government might be sovereign and lawless, as is true in many dictatorships. But it is not possible to have definite law without sovereignty, that is, a set of norms that define who has the last word.

Sovereignty is a Prerequisite for Reliable Rights: Rights have most value when they are recognized by law—by real law which can be successfully invoked in courts. Soft law secures only soft rights. International conventions, purporting to guarantee basic rights, have been signed by some of the most repressive regimes in the world - and then readily disregarded. But in the meantime, soft law can undermine respect for real rights and real law.

Sovereignty is the Prerequisite for Meaningful Responsibility: At the heart of sovereignty is the notion that power and responsibility must be linked. Definite law implies a definite lawmaker. When the law is bad or proves to have unforeseen consequences, it is important to know whom to blame—or whom to address when seeking reform.

Sovereignty is the Last Safeguard for the Highest Authority: No serious person would say that everything which a sovereign state does is right. Sovereign states have sometimes done terrible wrongs to their own people. But because any one state may be wrong, it does not follow that some consensus or coordinated policy of all states must be right.

Historically, claims for national sovereignty were advanced by countries in Europe, rebelling against some higher, purportedly universal authority—whether the Pope in Rome or the Emperor in Germany, claiming to speak with divine authority. Those who rejected these universal authorities did not reject God’s authority. They rejected the notion that God spoke only through these particular, anointed authorities.

Reservation of Sovereignty

U.S. Supreme Court ruled in *MERRION v. JICARILLA APACHE TRIBE*, 455 U.S. 130 (1982) 455 U.S. 130 – “Without regard to its source, sovereign power, even when unexercised, is an enduring presence that governs all contracts subject to the sovereign's jurisdiction, and will remain intact unless surrendered in unmistakable terms. To presume that a sovereign forever waives the right to exercise one of its sovereign powers unless it expressly reserves the right to exercise that power in a commercial agreement turns the concept of sovereignty on its head. Neither the court nor the Attorney General addressed the scope of Indian sovereignty when unlimited by treaty; instead, they identified a tribe's right, as a social group, to exclude intruders and place conditions on their occupancy.”

"Even if the Tribe's power to tax were derived solely from its power to exclude non-Indians from the reservation, the Tribe has the authority to impose the severance tax. Non-Indians who lawfully enter tribal lands remain subject to a tribe's power to exclude them, which power includes the lesser power to tax or place other conditions on the non-Indian's conduct or continued presence on the reservation. The Tribe's role as commercial partner with petitioners should not be confused with its role as sovereign. It is one thing to find that the Tribe has agreed to sell the right to use the land and take valuable minerals from it, and quite another to find that the Tribe has abandoned its sovereign powers simply because it has not expressly reserved them through a contract. To presume that a sovereign forever waives the right to exercise one of its powers unless it expressly reserves the right to exercise that power in a commercial agreement turns the concept of sovereignty on its head." *Merrion v. Jicarilla Apache Tribe; Amoco Production Company v. Jicarilla Apache Indian Tribe*, 455 U.S. 130, 131, 102 S.Ct. 894, 71 L.Ed.2d 21 (1981)

State Sovereignty vs. Popular Sovereignty:

“The Constitution emanated from the people and was not the act of sovereign and independent States.*1 The preamble contemplates the body of electors composing the states, the terms "people" and "citizens" being synonymous. Negroes, whether free or slaves, were not included in the term "people of the United States at that time.” *2 *1 *McCulloch v. Maryland*, 4 Wheat. 316 [1819]. See also *Chisholm v. Georgia*, 2 Dall. 419, 470 [1793]; *Penhallow v. Doane*, 3 Dall. 54, 93 [1795]; *Martin v.*

Hunter, 1 Wheat. 304, 324 [1816]; Barron v. Baltimore, 7 Pet. 247 [1833]. *2 Scott v. Sandford, 19 How 393, 404 [1857].

Bond v. U.S. SCOTUS recognizes personal sovereignty, June 16, 2011

[How The United Nations Enslaves Us & Destroys Our Sovereignty](#)

By G. Edward Griffin

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Conclusion

We, the people are the ultimate authority; so endowed by our Creator [each people in their own private belief therein] and no other people!

All historical details are null and void with respect to what we, the people chose to invoke and enforce. For it is we, the people, the sovereigns of today who are indeed, the living, breathing descendants of past societies; and, even though we may reflect on achievements of the past, we are free to make our own decisions as to what kind of a society we choose to live...

Education is the most powerful weapon we can use to bring about change;

In peace

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