



CITIZEN/SUBJECT EXAMINED © Authored by LB Bork lb@pacinlaw.org

A Citizen is a Subject: Most people in America “treasure” the term citizen; however most fail to understand that a citizen is also a subject, *i.e.* and subject to the sovereign.¹

To set the premise on this term in question, we first should establish what a citizen is. A bit of history and legal evaluation: For one to be a citizen, he first has to be a member of a nation, which is referred to as nationality or one being that of a national, *e.g.* Cherokee national, Florida national, Iowa national, etc.

We should ask ourselves why does one have to be a citizen if he is a member of a nation or a member of a nation, such a person being a “national” of that country?²

Would a man or woman not have an inherent right to participate in the general affairs of his nation without having such an alternate title?

The answer: Titling everyone a “citizen” was a scheme that was set-up by the World Elite under the doctrines established by the work of Emer de Vattel. This instant scheme was to establish a “legal fiction” or presumption that a man or woman of a nation agrees with everything that the government of the nation does; accordingly, this then set forth that all men and women were *subject to* the general laws of the State. Pursuant to these factors that are described above, there is a misconception that government officials are servants, however they are regarded as rulers or sovereign, *i.e.* King. (see EndNotes)

Now to show the premise established by American law.

The federal constitution utilized the principle of Vattel which established the premise or *legal fiction* that everyone born in the [U]nited States of America (*i.e.* the several States) was a *citizen* at birth. This is the presumption that is taken by government and judges

1 In example, below note that the Vermont Constitution—which was put in place after the Federal Constitution—utilized the term “subject” and not “citizen” like the Federal Constitution. Also it should be noted that since day one of the birth of the union of American states, one can find the terms “this State” and “the State” utilized in constitutions and statutes. The former is in reference to the presumed consent of law of the State (or legislature), and the latter is in reference to the republic. In American law it is noted that a republic is a state absent of its form of government (Black's Law) *i.e.* the land and nation (*i.e.* country) without a government. The usage of “this state” is another scheme or artifice that is used to implement presumed consent or legal fiction. There are many factors that will induce the “subject” status, *e.g.* voting. Vermont Constitution, Section 39th. Every person, of good character, who comes to settle in this State, having first taken an oath or affirmation of allegiance to the same, may purchase, or by other just means acquire, hold and transfer land, or other real estate; and after one year's residence, shall be deemed a free denizen thereof, and entitled to all rights of a natural born subject of this State, except that he shall not be capable of being elected Governor, Lieutenant Governor, Treasurer, Councillor or Representative in Assembly, until after two years residence.

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

anyway. Now to evidence this assertion, look at the following definition that was of the period prior to the so-called Civil War as set forth by Bouvier's Law Dictionary, 1856:

- **PERSONS.** This word is applied to men, women and children, who are called natural persons. In law, man and person are not exactly synonymous terms. Any human being is a man, whether he be a member of society or not, whatever may be the rank he holds, or whatever may be his age, sex, etc.

A person is a man considered according to the rank he holds in society, with all the rights to which the place he holds entitles him, and the duties which it imposes. Persons are also divided into citizens, (q.v.) and aliens, (q.v.) when viewed with regard to their political rights.

Hence, a man—or woman—is a human being, however they are not a “person” unless they are a member a civil society, *i.e.* a state, body politic or nation.

Accordingly, the term person then takes on many different meanings:

In American law, according to established principals of law, the term “citizen” relates to a person with political rights; an alien does not have political rights. Again, a person is a member of a nation. A man or woman that is a member of the nation has a nationality. If one is not a person, he or she is looked at as stateless; hence any such man or woman has no protections under his people—*i.e.* nation—or government. Therefore, as established under the American system of republican government—a misconception by most people that are in the freedom movement—a man is not truly deemed a “citizen” until the right—*so-called*—is engaged by his voluntary participation. When the right is engaged he becomes a subject, *i.e.* subject to the laws of the state: Because he is:

- 1) agreeing to legislation for his participation by voting, or not setting forth that he is not a citizen: state and/or federal; or,
- 2) subject to the law for taking government office. In other words: no man can be bound by someone else unless he consents. Voting as a "citizen" establishes a status that tacitly states you want law established so you can be governed by it.

Now look at the term “SUBJECT” as defined by *Ballentine's Law Dictionary*:

- **subject.** A citizen. An inhabitant. See subject to.
- **subject to.** Words of qualification.

American Heritage Dictionary simply defines the word “qualification” as: A quality, an accomplishment that makes a person suitable for a particular position. All people living in a particular country (or state) are not truly qualified to be a “citizen” per se; but if one is qualified to be a citizen and states that he is a citizen qualifies him to be “subject to” a government. As to these matters, now view these two definitions of which define a non-citizen that are taken from Bouvier's Law Dictionary, 1856:

- **PERSONS.** Persons are sometimes divided into free persons and slaves. Freemen are those who have preserved their natural liberty, that is to say, who have the right of doing what is not forbidden by the law. A slave is one who is in the power of a master to whom he belongs. Slaves are sometimes ranked not with persons but things.

- **FREEMAN.** One who is in the enjoyment of the right to do whatever he pleases, not forbidden by law.

Note that “citizen” in describing a “free man” was not utilized in the definition; however note that the term “person” was utilized. Moreover, also note that a freeman can do what ever he pleases that is not forbidden by law. Such language may be taken as a broad and open statement, but as the original law that governed the people in America was the Common Law, this is construed to mean under the custom and usage of a particular society, *i.e.* the Common Law. This law was generally based on the smallest political subdivision of the state or republic, which is each individual county (or parish).

Simply put: One is a national (person), but not necessarily a citizen.

IN SUMMARY: One may define a “citizen” as: one that engages such privilege and/or right in a specific State or venue or in any given political sphere, which is to include exercising suffrage or running for any state—and its political subdivisions—or federal public office. Furthermore, currently referring to oneself as a citizen—state or any variation— establishes the nexus to being subject to the general laws of the state. This is even more dangerous under the *Fourteenth Amendment Political System*, because the *state citizenship* existent prior to the Fourteenth Amendment was eliminated, *i.e.* the state governments are not the same state governments as they were prior to the so-called Civil War, *i.e.* they (the bodies politic) are not *de jure*, but *de facto*.³

Therefore, as there is technically no state citizenship, by referring to oneself as a citizen at all in this political system is stating that you are a United States citizen. This in effect will subject you to all the private law instituted by the Fourteenth Amendment insurgent Congress and the State—not country—of which you “reside” in.

Today, generally everyone is—or at minimum presumed—to be a citizen/subject; or as found in the language of the Fourteenth Amendment of this *Political System de facto*:

“subject to the jurisdiction thereof (or of IT)”

To rectify this problem one must officially establish his rightful status or nationality. To learn more, see these legal terms: Jus Publicum and Jus Privatum.

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3 BODY POLITIC, government, corporations. When applied to the government this phrase signifies the state.

2. As to the persons who compose the body politic, they take collectively the name, of people, or nation; and individually they are citizens, when considered in relation to their political rights, and subjects as being submitted to the laws of the state.

3. When it refers to corporations, the term body politic means that the members of such corporations shall be considered as an artificial person.

IMPORTANT NOTE: The so-called straw man premise is because people are members of the *corporate body politic* under the 14th Amendment Political System.

## ENDNOTES:

**Ruler.** n. One, such as a monarch or dictator, that rules or governs.

—American Heritage Dictionary

You see, “We the People” are not who you think they are.

- *The popular leaders, who in all ages have called themselves “ the people.”*

—Blackstone's Commentaries 438 / Ballentine's Law Dictionary

The FEDERALIST Papers were a Public Notice posted in the state known as the “Empire State”. If, on the other hand, they find us either destitute of an effectual government (each State doing right or wrong, as to its rulers may seem convenient), or split into three or four independent and probably discordant republics or confederacies, one inclining to Britain, another to France, and a third to Spain, and perhaps played off against each other by the three, what a poor, pitiful figure will America make in their eyes!

The Federalist Papers were a series of articles outlining the Ruling Elitists' plan to control the commerce of the American peoples under the revered document that is known as the Constitution for the United States. The FEDERALIST Papers were noted to be posted as a Public Notice in the “Empire State”. . . . But whose Empire is this anyway?

Now, enumerated below is the telling evidence...The segments directly below are from the FEDERALIST Papers. Note that “We the People” refer to themselves as RULERS:

If, on the other hand, they find us either destitute of an effectual government (each State doing right or wrong, as to its **rulers** may seem convenient), or split into three or four independent and probably discordant republics or confederacies, one inclining to Britain, another to France, and a third to Spain, and perhaps played off against each other by the three, what a poor, pitiful figure will America make in their eyes!

--FEDERALIST No. 4 -- John Jay

The **rulers** of the respective members, whether they have a constitutional right to do it or not, will undertake to judge of the propriety of the measures themselves.

--FEDERALIST No. 15 -- Alexander Hamilton

Independent of parties in the national legislature itself, as often as the period of discussion arrived, the State legislatures, who will always be not only vigilant but suspicious and jealous guardians of the rights of the citizens against encroachments from the federal government, will constantly have their attention awake to the conduct of the national **rulers**, and will be ready enough, if any thing improper appears, to sound the alarm to the people, and not only to be the voice, but, if necessary, the arm of their discontent.

--FEDERALIST No. 26 -- Alexander Hamilton

But though the adversaries of the proposed Constitution should presume that the national **rulers** would be insensible to the motives of public good, or to the obligations of duty, I would still ask them how the interests of ambition, or the views of encroachment, can be promoted by such a conduct?

--FEDERALIST No. 27 -- Alexander Hamilton

If the representatives of the people betray their constituents, there is then no resource left but in the exertion of that original right of self-defense which is paramount to all positive forms of government, and which against the usurpations of

the national rulers, may be exerted with infinitely better prospect of success than against those of the *rulers* of an individual state.

--*FEDERALIST No. 28 -- Alexander Hamilton*

If we were even to suppose the national *rulers* actuated by the most ungovernable ambition, it is impossible to believe that they would employ such preposterous means to accomplish their designs.

--*FEDERALIST No. 29 -- Alexander Hamilton*

It is of great importance in a republic not only to guard the society against the oppression of its *rulers*, but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens.

--*FEDERALIST No. 51 -- Alexander Hamilton or James Madison*

If foreign gold could so easily corrupt our federal *rulers* and enable them to ensnare and betray their constituents, how has it happened that we are at this time a free and independent nation?

--*FEDERALIST No. 55 -- Alexander Hamilton or James Madison*

But the security will not be considered as complete, by those who attend to the force of an obvious distinction between the interest of the people in the public felicity, and the interest of their local *rulers* in the power and consequence of their offices.

--*FEDERALIST No. 59 -- Alexander Hamilton or James Madison*

As the cool and deliberate sense of the community ought, in all governments, and actually will, in all free governments, ultimately prevail over the views of its *rulers*; so there are particular moments in public affairs when the people, stimulated by some irregular passion, or some illicit advantage, or misled by the artful misrepresentations of interested men, may call for measures which they themselves will afterwards be the most ready to lament and condemn.

--*FEDERALIST No. 63 -- Alexander Hamilton or James Madison*

The different views taken of the subject in the two preceding papers must be sufficient to satisfy all dispassionate and discerning men, that if the public liberty should ever be the victim of the ambition of the national *rulers*, the power under examination, at least, will be guiltless of the sacrifice.

--*FEDERALIST No. 61 -- Alexander Hamilton*

Let it, however, be admitted, for argument sake, that the expedient suggested might be successful; and let it at the same time be equally taken for granted that all the scruples which a sense of duty or an apprehension of the danger of the experiment might inspire, were overcome in the breasts of the national *rulers*, still I imagine it will hardly be pretended that they could ever hope to carry such an enterprise into execution without the aid of a military force sufficient to subdue the resistance of the great body of the people.

--*FEDERALIST No. 60 -- Alexander Hamilton*

The intrinsic difficulty of governing thirteen States at any rate, independent of calculations upon an ordinary degree of public spirit and integrity, will, in my opinion constantly impose on the national *rulers* the necessity of a spirit of accommodation to the reasonable expectations of their constituents.

--*FEDERALIST No. 85 -- Alexander Hamilton*