

ADASK notes

Alfred Adask breaks down sovereign citizenship... That's being free

<http://freedomguide.blogspot.com/2011/05/alfred-adask-breaks-down-sovereign.html>

1) Thus, it would seem that if "JOHN H DOE" were a defendant, it might assert only its own "legal rights" as a FICTION and could not assert any claim to relief based on the legal rights or interests of the man "John Henry Doe".

This, in turn, suggests that if the "prudential rule of standing" prevents the defendant "JUHN H DOE" from asserting the rights of the man, "John Henry Doe," then, if the man " John Henry Doe " wants to assert his rights in a case where " JOHN H DOE " is the defendant, " John Henry Doe " had better figure out a way to enter the case as an INTERVENOR and assert his own rights.

More, as INTERVENOR, I'd bet that one of the first objects would be to assert that I was NOT SURETY for the original defendant " JOHN H DOE ".

2) "Governmental" (rather than "government") implies to me that they are referring to "this state" and whatever privatized agencies of "this state".

What is the "authority that federalism defines"? The limits on government found at Article I of the federal Constitution?

The "rights" in question are being enforced under the 9th Amendment. The 10th Amendment deals with powers.

The 9th Amendment guarantees the preservation of the rights of the PEOPLE even if those rights are not mentioned in the Constitution.

I get the feeling that the defendant may be arguing that is her RIGHT under the 9th Amendment to challenge the powers exercised by the State/state government under the 10th Amendment.

This speculation implies that the defendant must be relying on even a more fundamental right that predates the Bill of Rights and might be found in the "Declaration of Independence," Articles of Confederation or NW Ordinance.

Democratic process" is not necessary synonymous with "democracy". Democracy is a system of government, while "democratic process" is merely voting.

Under the "republican form of government" guaranteed at Article 4.4 of the federal Constitution, the people can engage in "democratic process" (voting) so long as that voting does not result in compromises to the fundamental principle of the "republican form": that each man and woman is an individual sovereign

In the democracy, there is only one sovereign--the collective, the people AS A WHOLE. The will of the sovereign-collective is discovered by the "democratic process" of voting. The majority of the voters in a particular election are presumed to represent the "will" of the sovereign-collective.

In the democracy, there is no individual sovereignty. The voters can vote to any damn thing they want, to anyone they want because within the democracy-collective, no individual holds any rights that aren't subject to instant repudiation by the majority.

OK--the People are also BENEFICIARIES of federalism. This suggests that I should expressly identify myself as: 1) a man made in God's image (Genesis 1:26-28); 2) endowed by my Creator with certain unalienable Rights ("Declaration of Independence"); 3) one of the People of The State of Texas; 4) one the People of The United States of America; and 5) a BENEFICIARY of "federalism" as described by The Supreme Court of the United States in *Bond v US* no. 09-1227.

OK--this "cardinal principle" does not declare that "citizens of the United States" have no right to suit or defend on the basis of "federalism". But it does say that ANYONE whose LIBERTY is at risk can sue or defend on the basis of his rights under the principles of federalism.

But note that Liberty is an unalienable Right declared by the "Declaration of Independence" to be bestowed only upon "men" (and women). If you don't identify yourself as a "man," "woman" or one of the "People," your claim to "Liberty" is likely compromised or waived. Without identifying yourself as a "man" etc., you probably lack the STANDING to make claims to rights under federalism and under the 10th Amendment.

If there are some legal challenges to the authority or validity of laws that the People can make but the Congress cannot, then the Court implies that it is UP TO THE PEOPLE to effectively challenge the laws. That, once passed, the Congressional member cannot challenge the laws.

Thus, if Congress passes an idiotic law, it's primarily UP TO THE PEOPLE to act to rescind that law because in some instances, individual Congressmen cannot.

5) If the "The State/this state" hypothesis is valid, this *Bond v US* case is our ticket out of "this state".

Clearly, under "federalism," the "constitutional STRUCTURE of our Government" includes the governments and States of the UNION--not the "administrative districts" of some damned TERRITORY.

If "this state" is a NON-constitutional territory OUTSIDE the "constitutional structure of our Government," then any time the agencies of "this state" cause a "justiciable injury" to my Liberty, *Bond v US* apparently offers me a right to challenge the laws of "this state" under the 10th Amendment.

As I've said repeatedly in my comments on this case, I may be mistaken about my belief in the "The State/this state" dichotomy and therefore, my comments on this case may be fundamentally flawed.

On the other hand, IF the "The State/this state" hypothesis were roughly correct but unknown to an average reader, they could read this case without recognizing 90% of its significance.

i.e., if the "The State/this state" hypothesis is false, the *Bond v US* case is interesting, but no big deal. On the other hand, if the "The State/this state" hypothesis is correct; the *Bond v US* case is EXPLOSIVE, almost REVOLUTIONARY.

The significance of every Supreme Court case depends not only on what the Supreme Court actually writes, but also on whatever the reader already understands.

6) The "enumerated powers" limits make sense to me. So far as I know, the "enumerated powers" only apply to the Federal Government's powers relative to the States of the Union. Under Article 4.3.2 of the Constitution, the Congress have virtually UNLIMITED powers to do any damn thing they want--IN THE TERRITORIES.

If an action or event takes place in the TERRITORY, the principles of federalism have absolutely NO application.

So, you can't simply argue that some laws are "unconstitutional"--you must argue that such laws are "unconstitutional" within a particular VENUE.

To make an effective suit based on the "principles of federalism" and under the 10th Amendment, you must AT LEAST effectively declare:

- 1) your STANDING as a MAN or one of the PEOPLE; and,
- 2) your VENUE as within one of the States of the Union and absolutely outside any territory.

There may be additional requirements that I do not yet know or suspect, but those two would seem to be fundamental. If you can't control your STANDING and your VENUE, you can kiss your butt goodbye.

But if you can, I think you can kiss "this state" goodbye.

While the power of Congress are virtually unlimited in the TERRITORY, those powers are limited (expressly "enumerated") within or with regard to the States of the Union and We the People.

When I first began to read this case, I began to wonder if it would ultimately void the "The State/this state" hypothesis.

But, at this point, I'm reading this case as implicit (but almost astonishing) confirmation that that the "The State/this state" hypothesis is valid.

7) I can imagine why a reference to "state sovereignty" might be detrimental: If the governments of the States of the Union have been rendered insolvent and inoperable, there may be no "States" to claim "state sovereignty". Alternatively, if the petitioner is acting within a TERRITORY, her claim to "state sovereignty" may be moot.

If there are no longer any States of the Union, it would be unreasonable for anyone to make claims on behalf of "state sovereignty". If a petitioner's injuries took place in a TERRITORY, it would likewise be unreasonable to make claims concerning "state sovereignty".

BUT--the Supremes imply that under the 10th Amendment, whatever powers may have been previously exercised by the governments of the States of the Union, if those governments and/or States are missing, those powers default to the PEOPLE and if the people can learn to apply those powers (and rights under the 9th Amendment), individual people can overpower the feds and tell them what to do.

In that regard, the Bond v US case would seem to be grounds for the restoration of the standing of "sovereigns without subjects" and individual SOVEREIGNTY.