



SOVEREIGNS WITHOUT SUBJECTS © Authored by LB Bork lb@pacinlaw.org

The purpose of this commentary is to clear up some misconceptions of some people.

There are many out there in the freedom movement who believe that people (*i.e.* men) are individually sovereign or they are “sovereigns without subjects”.

Under the law of God we are considered as being such; however, in the real world under the existence of “THE STATE” there is fundamentally no such thing.

The belief that many think that each individual man is a sovereign with “THE STATE” in existence is believed to come from the case of *Chisholm v. Georgia*;¹ this instant case of the United States supreme Court was a case that was decided close to the formation of the United States Constitution. In evidence, the language in said case makes the statement or sets forth the dictum which reads “sovereigns without subjects”.

To first establish the principle of why that statement or phrase does not apply to you as a man (*i.e.* citizen) living in a [U]nited State,² some simple foundation must be laid.

Appropriately, Sir William Blackstone³—who was of England—can be quoted as stating the following about the phrase “the people” in his many commentaries:

*The popular leaders, who in all ages have called themselves “the people.”*⁴

Keep in mind that the original population of the [U]nited States of America was British. The judge in *Chisholm v. Georgia* was undoubtedly familiar with the commentaries of Sir William Blackstone and incorporated such dogma in his decisions. Also, keep in mind that the people loyal to England were referred to as subjects, not citizens.

With that foundation set forth, below is the citation which was taken from *Chisholm v. Georgia* that people in “the movement” have taken this instant misconception from:

“In the United States, sovereignty resides in the people, who act through the organs established by the Constitution (cites omitted). Besides, the Prince having all the Executive powers, the judgment of the Courts would, in fact, be only monitory, not mandatory to him, and a capacity to be advised, is a distinct thing from a capacity to be sued. The same feudal ideas run through all their jurisprudence, and constantly remind us of the distinction between the Prince and the subject. No such ideas obtain here; at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they

1 *Chisholm v. Georgia*, 2 U.S. 419, 2 Dall. 440 (1793) <http://laws.findlaw.com/us/2/419.html>

2 Since the Articles of Confederation, there is no such thing as the “united^[adj] States”.

3 Blackstone, Sir William. 1723-1780. British jurist and educator who wrote *Commentaries on the Laws of England* (1765-1769), the most comprehensive single treatment of the body of English law. *American Heritage Dictionary*

4 Blackstone's *Commentaries*, 438

are **sovereigns without subjects** (unless the African [2 U.S. 419, 472] slaves among us may be so called) and have none to govern but themselves; the citizens of America are equal as fellow citizens, and as joint tenants in the sovereignty.”¹

Let us now go through the misconstrued verbiage below:

*In the **United States***

i.e., “United States” meaning: the several states (unincorporated).⁵

*sovereignty resides in **the people***

i.e., “the people” - FIRST ENTITIES DESCRIBED meaning: “the rulers”⁶ or the “popular representatives” via “the citizens”.

who act through the organs established by the Constitution

i.e., this clause means: “the rulers”⁶ (or the people) work through provisions that are set forth in the United States Constitution.

CONTENT CLIPPED DUE TO NONE SUBSTANCE

*at the Revolution, the sovereignty devolved on **the people***

i.e., “the people” means: “the rulers”.⁶ “Devolved” imports the meaning of sovereignty passed on from England to “the rulers” via “the citizens”.

*and **they***

i.e., “they” meaning: “the rulers”⁶

*are truly the **sovereigns** of the country*

i.e., “sovereigns” meaning: “they”, the people or “the rulers”⁶ of the [U]nited States” that ruled the several ex-British colonies which were then regarded as sovereign states and self-governing (autonomous).

*but **they** are*

i.e., “they” meaning: “the rulers” acting as the state.⁶

***sovereigns without subjects** (unless African slaves among us may be so called)*

i.e., “sovereigns without subjects” means: they, “the rulers” are not governing British type subjects.⁶ (slaves were ‘possibly’ subjects as in English law)

*and **have none to govern but themselves***

i.e., “have none to govern but themselves” meaning: They, “the rulers”⁶ acting in a collective mode in each state, are acting as the sovereign of each of the several states were to govern their states independently.

the citizens of America are equal as fellow citizens

i.e., “citizens” - SECOND ENTITIES DESCRIBED. NOTE: It should be noted that it *does not* say ‘the people of America are equal as fellow citizens.’

and as joint tenants in the sovereignty

i.e., the citizens collectively give “the rulers” of each of the several states the authority to exist, *i.e.* governments are instituted by the consent of the governed.

5 The several states in the Union are limited in sovereignty under the U.S. Constitution. The State of the Union defined: The United States of America are a corporation endowed with the capacity to sue and be sued, to convey and receive property. *1 Marsh. Dec. 177, 181*

6 See this information at: <http://www.pacinelaw.org/sup/rulers.html>

The important thing in this instance is that the court was talking about two entities in its statement: 1) the people; and 2) the citizens. If the citizens were the sovereigns the court would have not separated them into two separate categories. The purpose of this was to tacitly state that citizens give government its sovereignty. Also, it should be understood that the “the citizens” of America do not act through the organs of the Constitution, “the people” that are holding the offices do, *i.e.* the officers that are “the state”.

The court was just simply stating that they—the rulers who are “the State”—do not have the same type subjects (except maybe any slaves)—as ones that were when beholden to England—that owed them personal fidelity in their sovereign capacities.

In total, what the court somewhat stealthily stated is that “the people” or “the state” was the true sovereign and the citizens give such entities their power to exist. Such entities act through the “organs” (*i.e.*, the offices) in the United States Constitution. However, the thing that the court did not state is that such citizens are subjects of the state,⁷ *i.e.* “the people” does not mean “the subjects”; but, “the citizens” does mean “the subjects”.

Aside such matters—in a good sense—the court also was stating—by its use of the word tenant⁸ in regard to the citizens of America—that the land or country was actually theirs. The rulers—or the state or states—are just the trustees for them.

Furthermore, one must keep in mind that the general principle is that *citizens* are *subjects* when they submit themselves to the state,⁷ which is a principle that few people grasp. Moreover, with the measures that are established under the Fourteenth Amendment; now all the “inhabitants” (or persons) in America who embrace calling themselves “citizens” are unwittingly subject to both the state and federal governments.⁹

So, what is the purpose of this stealthy language?

Simply put: In reality this is just an elitist attitude buried in language that few understand. But it appears that was the intent; otherwise things would have been written clear.

All-in-all citizens are not deemed the sovereign, “THE STATE” is. And the only possible way “THE STATE” can exist is by the consent of the governed, *i.e.* the citizens.

With that established—and with such principles in mind—the phrase which appears in the Preamble of the United States Constitution which states “We the People” are not you and I. This is another misconception that people seem to embrace. You should understand

7 **SUBJECT.** A citizen. Ballentine’s Law Dictionary. Also see this from the 14th state that was of the Union: Vermont: “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...” *Vermont constitution, section 39*

8 **TENANT.** Law. One who holds or possesses lands, tenements, or sometimes personal property by any kind of title. *American Heritage Dictionary*

9 This is the nature of federal citizenship under the Fourteenth Amendment as stated by the Supreme Court of the United States: “It is the natural consequence of a citizenship [92 U.S. 542, 551] which owes allegiance to two sovereignties, and claims protection from both. The citizen cannot complain, because he has voluntarily submitted himself to such a form of government. He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws.” *U.S. v. Cruikshank, 92 U.S. 542 (1875)* <http://laws.findlaw.com/us/92/542.html>

that such people were the ones who signed the Constitution.¹⁰ Such people are the actual men who have the obligations to their contracts.¹¹ The document was of purpose to make all “inhabitants” in the [U]nited States of America their constitutors.¹²

In closing, under the American judiciary (which has always had a Masonic base)¹³ you have to be very careful in what is being stated. These people seem to have a genuine way of speaking in double-talk and in a way to create puzzlement. The use of words in court decisions are sometimes not as they seem. So, the next time you read something that uses the phrase “the people” it just may mean “the state” or *your* rulers.

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END NOTES:

The exercise of this discourse is of core purpose to make you aware that there is deception in the language that is used. One should understand that even though people (or inhabitants) who lived in the several states were deemed subjects, the government has little to do with such people as it unfortunately does today: this due to the Fourteenth Amendment.

People that call themselves “sovereigns” fail in understanding who they are. As it appears, such people appear to be stateless and/or look like anarchists, *i.e.* want no government. It is ventured that most do not what this, but nonetheless they appear to be acting in such a capacity.

You need to understand that the ones that are participating in the current de facto governmental system as U.S. citizens are in rebellion to the original constitutional system (see the statement of the court in footnote 9). Accordingly, in example, the people that are willfully participating do not have right of title to “federal land” in their state that is held outside the provisions of the United States Constitution. They are somewhat the same subjects which were of the feudal ideas of the English system which were referred to by the court in *Chisholm v. Georgia*.

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- 10 Look at this telling statement by justice Marshall in *Barron v. Baltimore* using the phrase “the people” in reference to the popular leaders:
“The Constitution was ordained and established by the people of the United States for themselves, for their own government, and not for the government of individual States. Each State established a constitution for itself, and in that constitution provided such limitations and restrictions on the powers of its particular government as its judgment dictated. The people of the United States framed such a government for the United States as they supposed best adapted to their situation, and best calculated to promote their interests.” *Barron v. City of Baltimore*, 32 U.S. 243 (1833) <http://laws.findlaw.com/us/32/243.html>
 - 11 See the writing of Lysander Spooner, *No Treason*. <http://www.lysanderspooner.org>
 - 12 **CONSTITUTOR.** In civil law. One who, by a simple agreement, becomes responsible for the payment of another’s debts. Inst. 4, 6, 9. *Black’s Law Dictionary, Fourth Edition*
 - 13 In *Morals and Dogma* (circa 1871), Alexander Pike wrote: “Masonry, like all the Religions, all the Mysteries, Hermeticism and Alchemy, conceals its secrets from all except the Adepts and Sages, or the Elect, and uses false explanations and misinterpretations of its symbols to mislead those who deserve only to be misled; to conceal the Truth, which it calls Light, from them, and to draw them away from it. Truth is not for those who are unworthy or unable to receive it, or would pervert it.... The truth must be kept secret, and the masses need a teaching proportioned to their imperfect reason. . . .”

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 papers were noted to be posted as a Public Notice in the “Empire State”. . . But whose Empire is this anyway?

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

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*