

Not Requiring Evidence of Jurisdiction is a Violation of Due Process

Here's a conversation I've had over the past week or two regarding jurisdiction. A number of themes are touched on throughout. This conversation began when a friend shared this success story of someone successfully defending themselves from an IRS attack by challenging jurisdiction, covering a six-year span. I've only applied minor editing for form.

Scott: Sounds like questionable income. If someone is claiming no income, and has no accounts reported by banks, but over 10k in payments for mortgage related interest payments, where is the money coming from?

Lack of continued pursuit does not mean this guy is right or beat the government. Self employed people do something similar to this all the time when they first file for early retirement with social security. They claim to have "retired" and hide their earnings while still working 40+ hours a week. Manipulation of the system.

These arguments are similar to other groups that repeatedly claim lack of jurisdiction, constitutional authority, and such of the Federal government. It is rare they win this kind of argument in court.

If there is reasonable suspicion of a crime, such as tax evasion, the Federal government (IRS in this case) has court tested and constitutionally approved authority to pursue, question, subpoena, etc. to determine if a crime has been committed. This guy hardly challenged anything other than responding to an inquiry with questions.

Skyler: Evidence the code and constitution apply to anyone?

Scott: Gotta be more specific than that; what "code" you refer to, and the context. The Constitution applies to everyone inside the U.S. basically, and sometimes to U.S. citizens outside the U.S. Bill of Rights specifically outlines restrictions on how the government can interact with the people. Case law fills in the gaps.

Skyler: You wrote, *"The Constitution applies to everyone inside the U.S. basically, and sometimes to U.S. citizens outside the U.S."* Do you have any evidence to support this claim?

Scott: I have a feeling your issue is going to be more fundamental than my answer will narrow down to in about the next 500 replies or so.

The Constitution applies to the "people", which has been determined by the U.S. Supreme

Court to cover immigrants and illegals (U.S. vs Wong Kim Ark). Courts have also ruled that 4th amendment (search and seizure) protections apply to citizens while abroad as well.

If your argument is going to be that the government has no authority over a person, because each person is their own sovereign... please reference ANY court jurisdiction that has upheld that.

Skyler: I'm not making any arguments. I'm requesting evidence to support your argument that the constitution applies to me (or anyone). You're just repeating your claim. You haven't offered any supporting, factual, evidence for your claim. At this point, your claim is arbitrary, an opinion. Should people be convicted of crimes on the basis of facts (evidence), or opinion?

Scott: I gave you the document and supporting case law.

Skyler: How does the opinion of judges constitute evidence that the constitution applies to me?

Scott: So the majority ruling of the Supreme Court has no legitimacy?

Skyler: Seems like it has legitimacy as opinion, but why should it have any legitimacy as factual evidence? In other words, how does the opinion of a court that was created pursuant to the Constitution constitute evidence that the Constitution applies? Isn't that the same thing as saying "the Constitution applies because the Constitution says so"?

Scott: No, it is like asking the physicist what his instructions mean. You do not ask someone uneducated in the matter their opinion, you reference experts in that field. The Supreme Court interprets the law. The people basically entered a social contract to create a government, which people are now born in. A centralized, educated body (Supreme Court) addresses issues to avoid fluctuation by the changing opinions of the masses.

Skyler: You wrote, "*The supreme court interprets the law.*" What the law says is irrelevant if the law doesn't apply. Don't you agree?

You wrote, "*The people basically entered a social contract to create a government, which people are now born in.*" This is quite the claim. What people? What social contract? What government? And what evidence do you have to support the claim that this government's laws apply to people "born in"?

Scott: But YOUR opinion is it does not apply, U.S. Supreme Court that has ruled that it does apply (see referenced case law). The individual does not decide what is it is not.

People being the 13 Representatives of the 13 states. Each state, made up of people, ratified the Constitution to accept it as the law of the land. You live inside the confines of a

country, you abide by its rules. No one forced you to stay inside the U.S., there is a choice involved here. Declaring something to the contrary pits your resources against the “government.”

Skylar: Is the burden of proof on those claiming the right to use force against so-called lawbreakers, or not, in your opinion?

Scott: Is there a point in debating this? You disagree on the fundamental level and believe your opinion supersedes the established law of the land generated over several hundred years. I can sit here and explain how criminal law works, who has the burden of proof, and so forth but if your argument is going to be that your opinion matters more, there is nothing left to discuss.

Skylar: You seem to hold a standard that prosecutors don’t have to support their claims with evidence, but defendants do. Is that an accurate interpretation?

Scott: You have that absolutely wrong. I have never expressed anything to imply prosecutors do not have to support a claim. The difference is you seem to consider case law irrelevant and established laws do not apply to you.

Skylar: Why should I accept a claim unsupported by evidence? If prosecutors (and politicians, judges, LE personnel, etc.) can’t provide evidence to support their claim of jurisdiction (that their codes and constitutions apply to me), why should we just accept it as true?

Scott: Would you prefer to see opinion not be involved with any government process?

Skylar: I would prefer opinion not be a component of due process. Don’t you?

Scott: By your definitions, opinion includes law as law always involves some degree of interpretation. Due process without guidelines and rules, is either just having a show trial or mob rule.

Skylar: You wrote, *“Due process without guidelines and rules, is either just having a show trial or mob rule.”* Yes, I agree, which is why prosecutors being allowed to make unsupported claims (jurisdiction) and not defendants is a violation of due process. And when the judge allows it, that’s collusion.

That’s the conversation to date. It may continue, it may not, but I think you get the point. There are those who believe that some people, by virtue of their title or badge, should not be held to the same standard for due process as the rest of us.

He's not wrong when he says that people fail at challenging jurisdiction. But what must be made absolutely clear is that they do not fail because people claiming their laws apply have managed to provide evidence proving such. They haven't. Challengers fail because "government" has guns. *That's* their so-called evidence: their willingness to forcefully violate due process on the basis of arbitrary opinion and proceed to separate people from their money, or worse.

There are really no such thing as governments or citizens or political authority. They are all a fiction, a long-con, a scam perpetrated by greedy and violent individuals for their own wealth and aggrandizement.

If they had evidence to support their claim of jurisdiction, that their laws apply to you and me, they'd simply present it for all the world to see, and silence the radicals like myself. Fact is, they can't. So they collude and connive and force their will upon innocent and peaceful people.

Reality must be accepted. Whether you agree with the system or not, you can't pretend that non-existent facts exist, if you want to be honest and intellectually consistent. Perhaps you don't. Perhaps you just want a piece of the ill-gotten pie. I wish you misfortune.