



THE RULE OF LAW:

Power, Authority, and Accountability

Module 1: Law Before Government

Why Law Exists Before the State

HOUSE RULES

- Veritas Potissimum (Truth above all)- Regardless of our wishes, inclinations, or the dictates of our passions, I will rely on facts and evidence, placing truth above all.
- Mutua Observantia (Mutual Respect)- I will adhere to the golden rule, treating others as I expect to be treated in loyalty and tolerance.
- Conlationem Gratuiti (Selfless Contribution)- I will collaborate and share experiential knowledge for the group's growth and support.

Disclaimer

This course is not about politics, personalities, or the news. It is an examination of **settled law and structure**, not a debate over ideology.

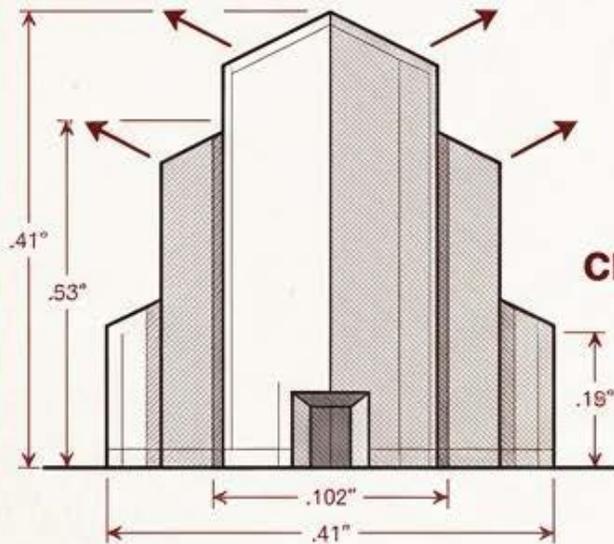
We are not here to argue symptoms or manage the "weather" of daily headlines. We are here to analyze the **architecture of power**, the blueprints, the foundations, and the jurisdictional limits of the house itself.

Once you understand the **mechanics of authority**, the smoke and flames of modern scandals lose their power to confuse. You will stop looking for political saviors and start recognizing the **physics of your own liberty**.

Once you see the structure, you cannot unsee it.

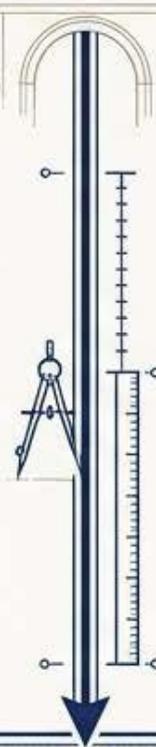
Does government create law, or is government bound by law?

This is the single most critical question in jurisprudence. The answer determines the difference between liberty and tyranny.



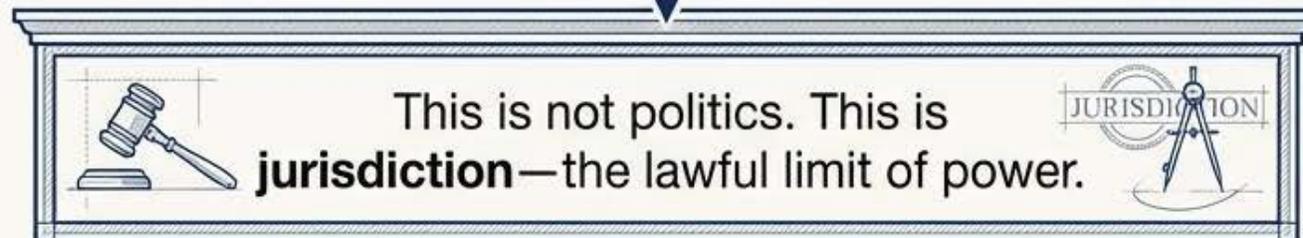
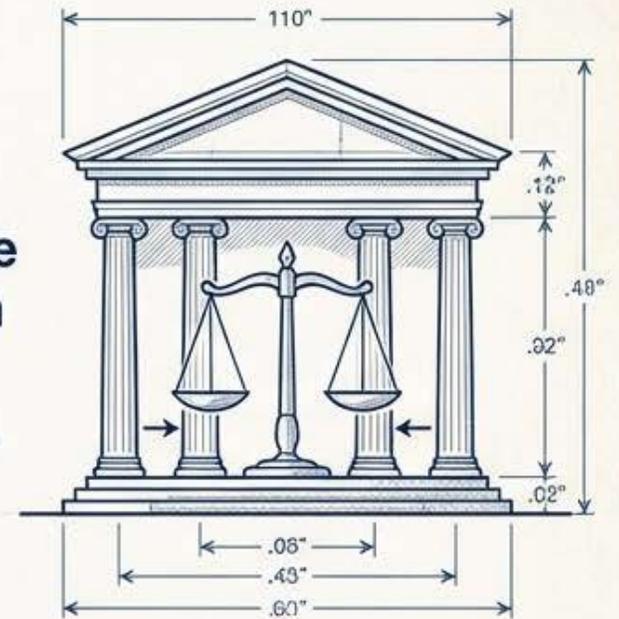
OPTION A

If government creates law, nothing limits it.



OPTION B

If law exists before government, then government is accountable to it.



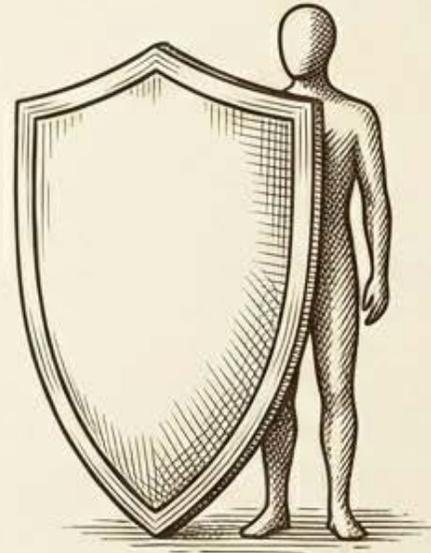
This is not politics. This is **jurisdiction**—the lawful limit of power.

By the end of this module, you will be able to:

1. Distinguish law from fiat
2. Distinguish delegated authority from assumed power
3. Distinguish consent from compliance
4. Enforcement from Violence
5. Explain what jurisdiction is and why it must be expressed in words of right
6. Identify when an act has authority, and when it does not
7. Explain why acts without jurisdiction are void from the beginning

What is Law?

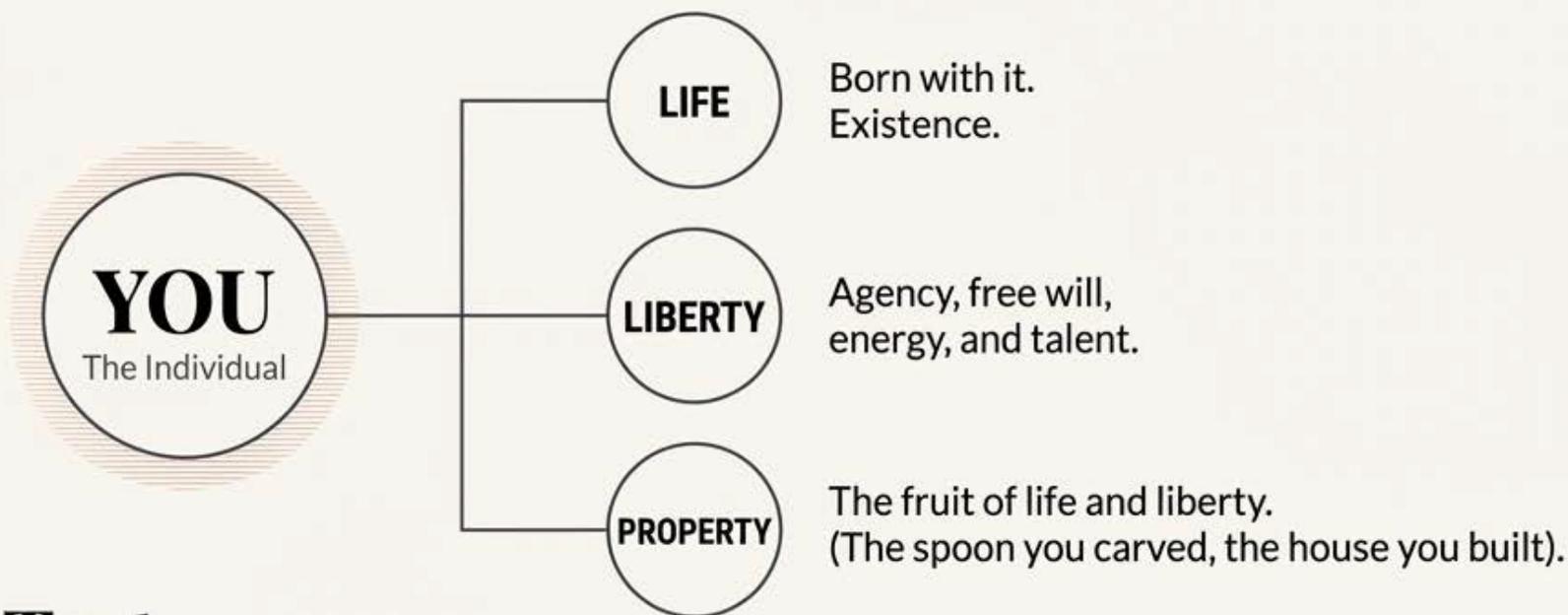
Law is a Rule of Right



Law exists only to secure what is yours by nature:
Life, Liberty, and Property.

Without rights to protect, there is no law—only commands.

Rights are extensions of the self, not gifts from the state



The Litmus Test

IF YES → It is LAW
(e.g., stopping a murderer)



Does this rule protect
a pre-existing right?



IF NO → It is FIAT
(e.g., mandating paint color)

Law is a Shield, Fiat is a Sword

LAW



Definition: A "Rule of Right"

Source: Nature / Pre-existing Reality

Function: Defensive. Secures Life, Liberty, Property.

Core Question: "What is rightfully mine and how is it protected?"

FIAT



Definition: A "Command of Will" (Latin: Let it be done)

Source: The State / The Ruler

Function: Offensive. Demands obedience / Compels behavior.

Core Question: "What do we want you to do?"

Key Insight: Law draws a boundary around you. Fiat intrudes into your circle.

Procedure does not transmute force into law

The Illusion:
Fiat often wears the
costume of
Law—badges, seals,
ornate paper,
signatures.



**WILL
FORCE**

The Reality:
A mandate may have
99% support and a
Governor's signature,
but if it violates
property rights rather
than securing them, it
is jurisdictionally Fiat.

“Enforcement proves power. It does not prove law.”

LAW

The Question:
What is rightfully mine?

The Function:
Protects Rights.

The Nature:
A Rule of Right.



FIAT

The Question:
What do we want you to do?

The Function:
Demands Obedience.

The Nature:
A Command
based on Will.



Enforcement proves the ability to force. It does not prove law



The Playground:
“It’s mine because I want it.”

FORCE

One child grabs a toy from another.
No right is protected here.
This is raw power.



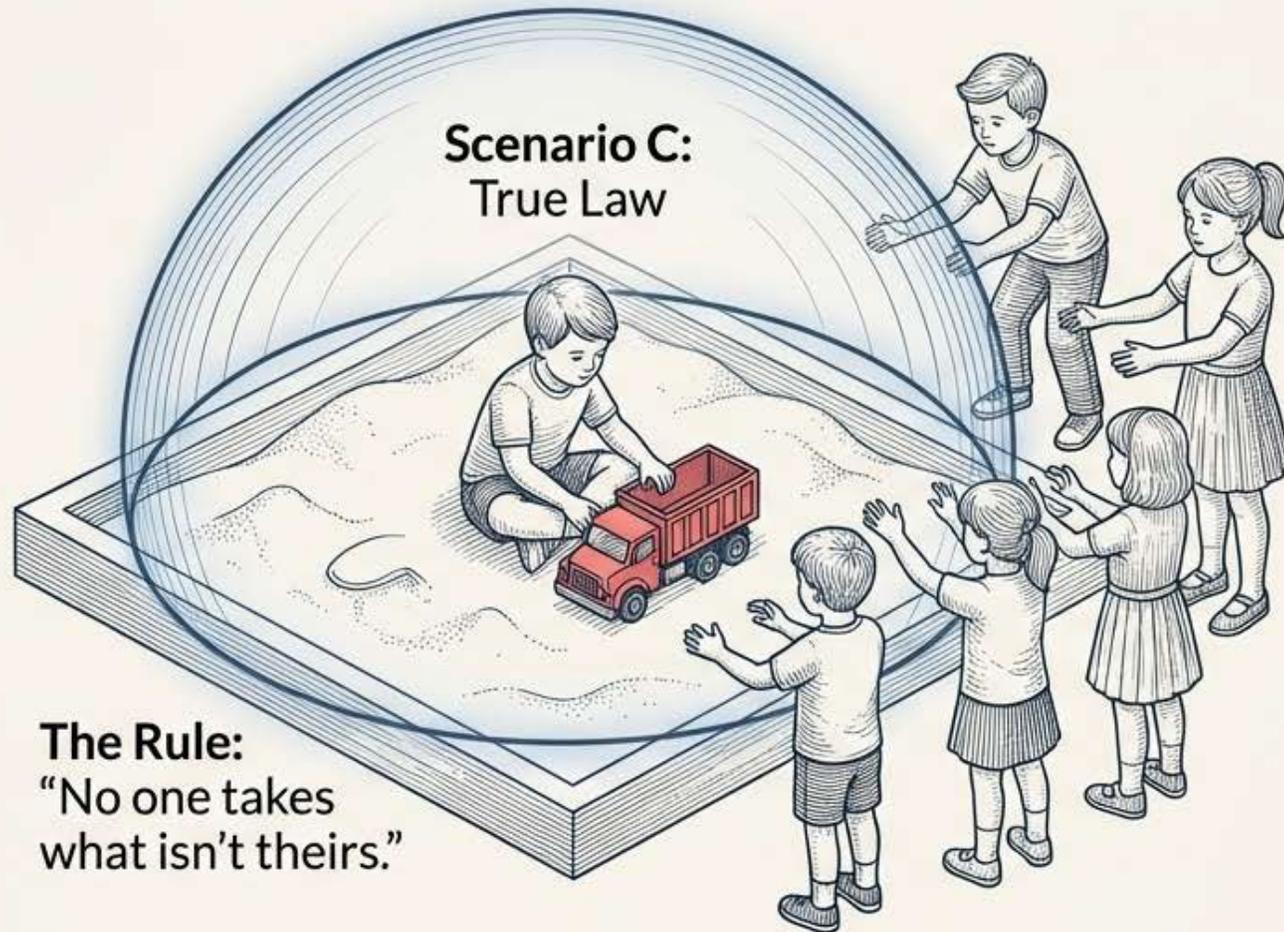
The Playground:
“We voted to take it.”

RAW DEMOCRACY

A rule was used, but the right was violated.
This is not law; it is raw democracy.



True law secures boundaries rather than picking winners



**Scenario C:
True Law**

The Rule:
"No one takes
what isn't theirs."

Function:

It draws a line. It does not decide who wins the truck; it secures the existing right.

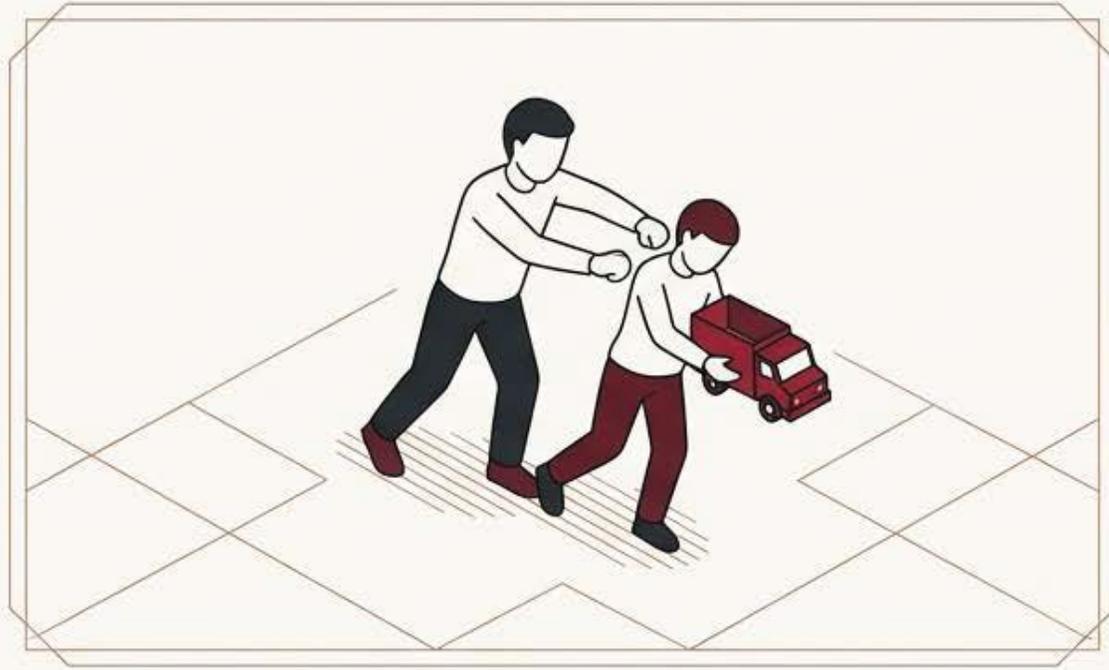
Law binds the will of the group.

Law is the referee enforcing the rules, not the coach deciding who plays.

"A republic is where power is exercised only through fixed, superior law." – Montesquieu

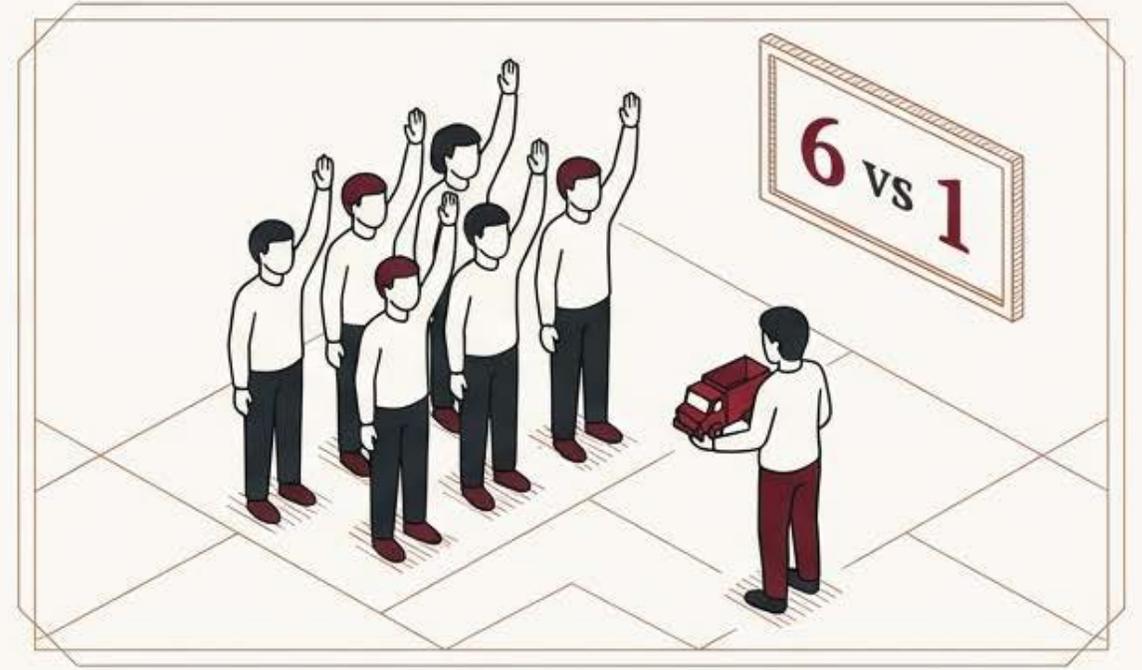
Democracy can be two wolves and a lamb voting on lunch

Scenario A: The Bully



Theft / Force. Everyone agrees this is wrong.

Scenario B: The Vote

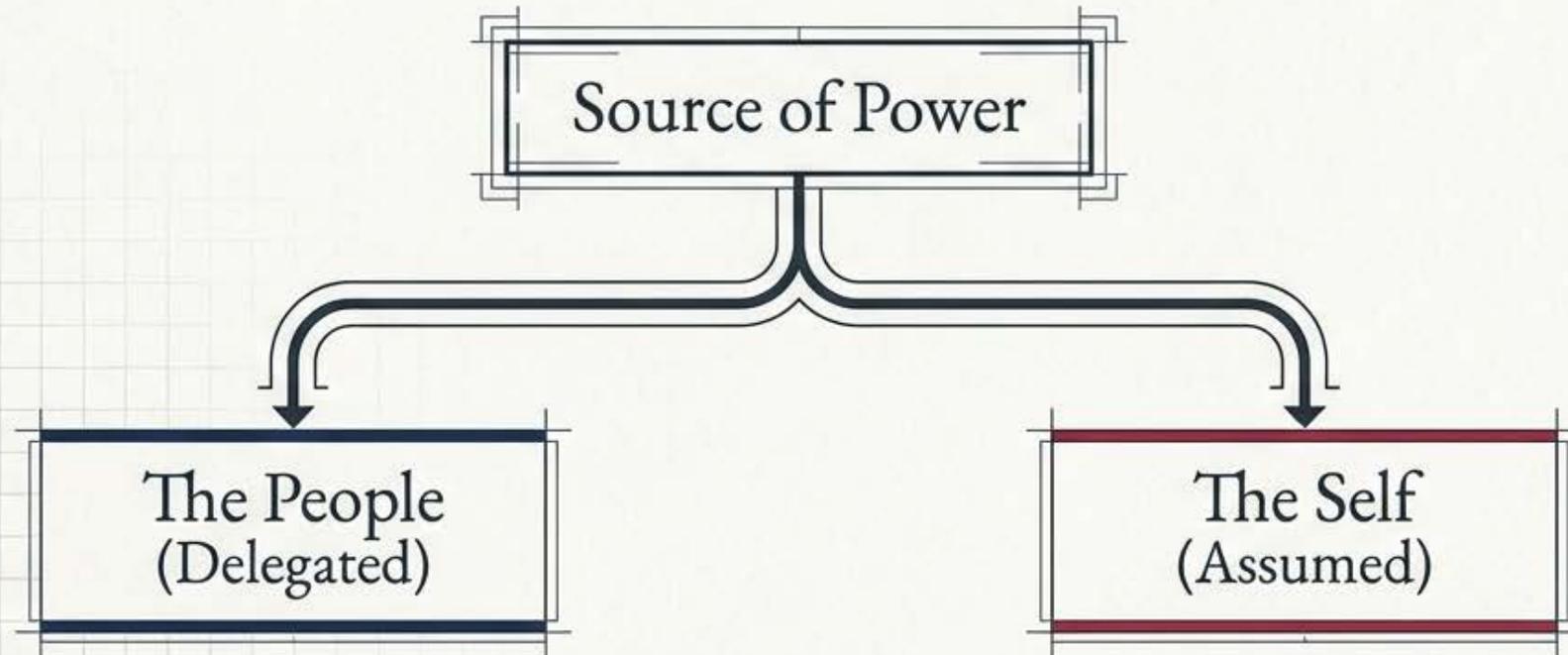


Democracy / Mob Rule. Process is 'fair', but the Right is still violated.

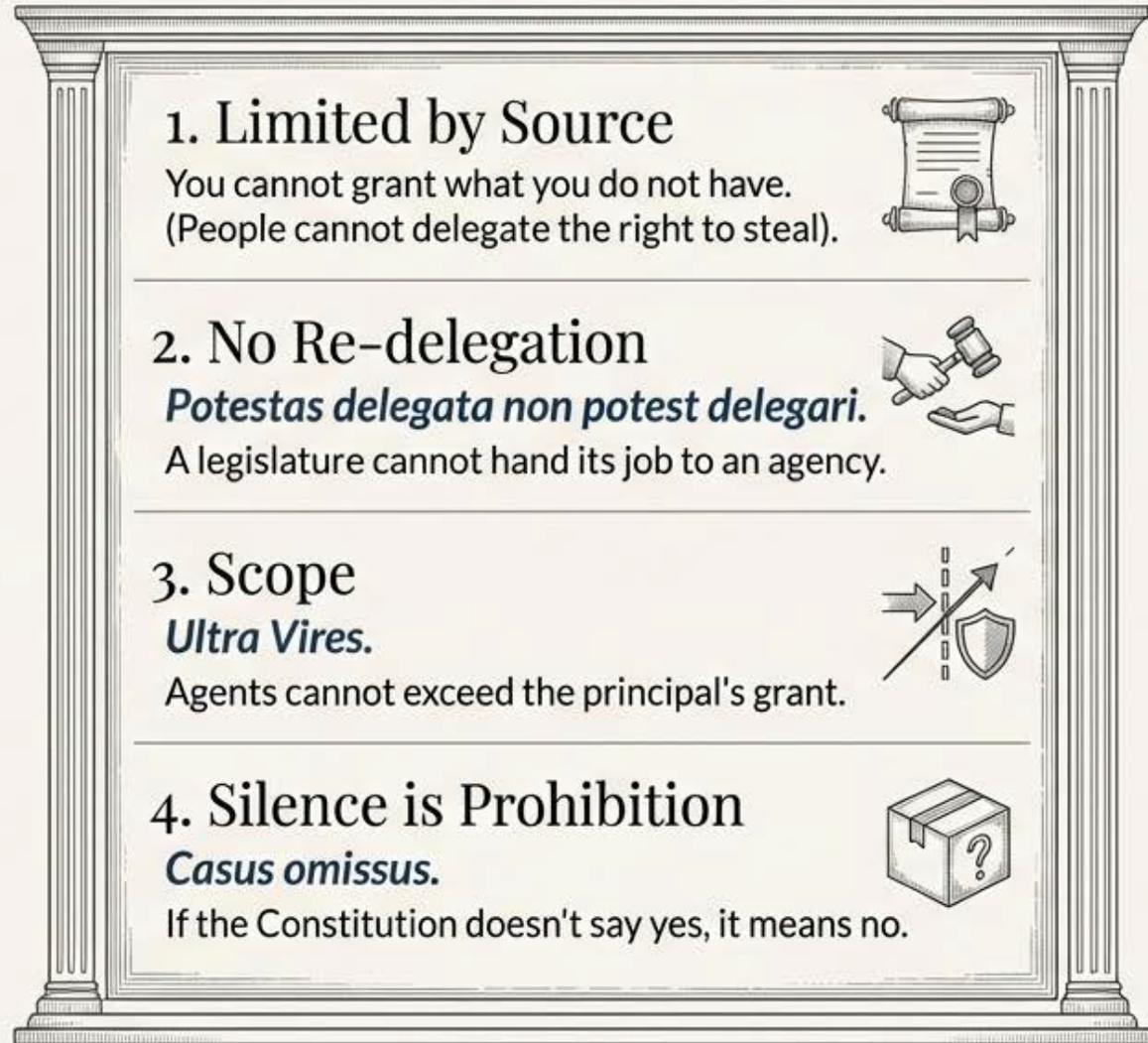
Key Insight: A majority vote is a method of decision-making, not a source of law. If the vote violates a right, it is **Force** dressed up as Law.

All power exercised over a nation must have a beginning.

“It must either be delegated or assumed.
There are no other sources.” – Thomas Paine



The closed system of delegated authority



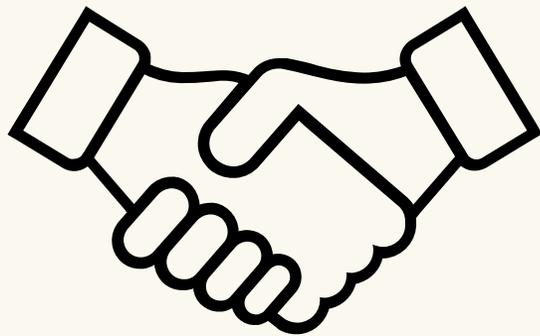
ULTRA VIRES: Beyond the powers.
Acts beyond delegation are void.

How does a government assume power over millions of people that was never delegated?

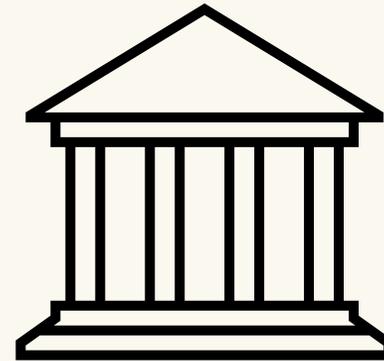
- **Habit is just inertia.** Well, we've always done it this way.
- **Silence.** We don't speak up. We might grumble about it in private at the dinner table, but we don't object in public. We don't challenge it formally. And the powers that be interpret that silence as agreement.
- **Fear of the consequences.** If I speak up, they'll audit me. If I resist this, they'll arrest me.

If assumed power relies on our silence, are we part of the mechanism?

**Consent Between
People:**



**Consent to
Government:**



Consent Between Men: Bound by Right and Contract

When one man or woman consents to another man or woman, we are usually talking about **private right**, contract, agreement, voluntary exchange. Consent here is a high bar. It must be **voluntary, informed, and intentional**. If I don't know what I'm agreeing to, I cannot truly consent. If I'm threatened or coerced, I cannot consent. If I didn't deliberately choose it, it isn't consent.

And when true consent exists between private parties, it creates a real obligation. If I consent to buy your house for \$200,000, I bind myself. I have created enforceable duties because I voluntarily agreed to them. That's man-to-man consent: it operates in the realm of **private right**.

“Consent” to Government: Bound by Delegation, Trust, and Agency

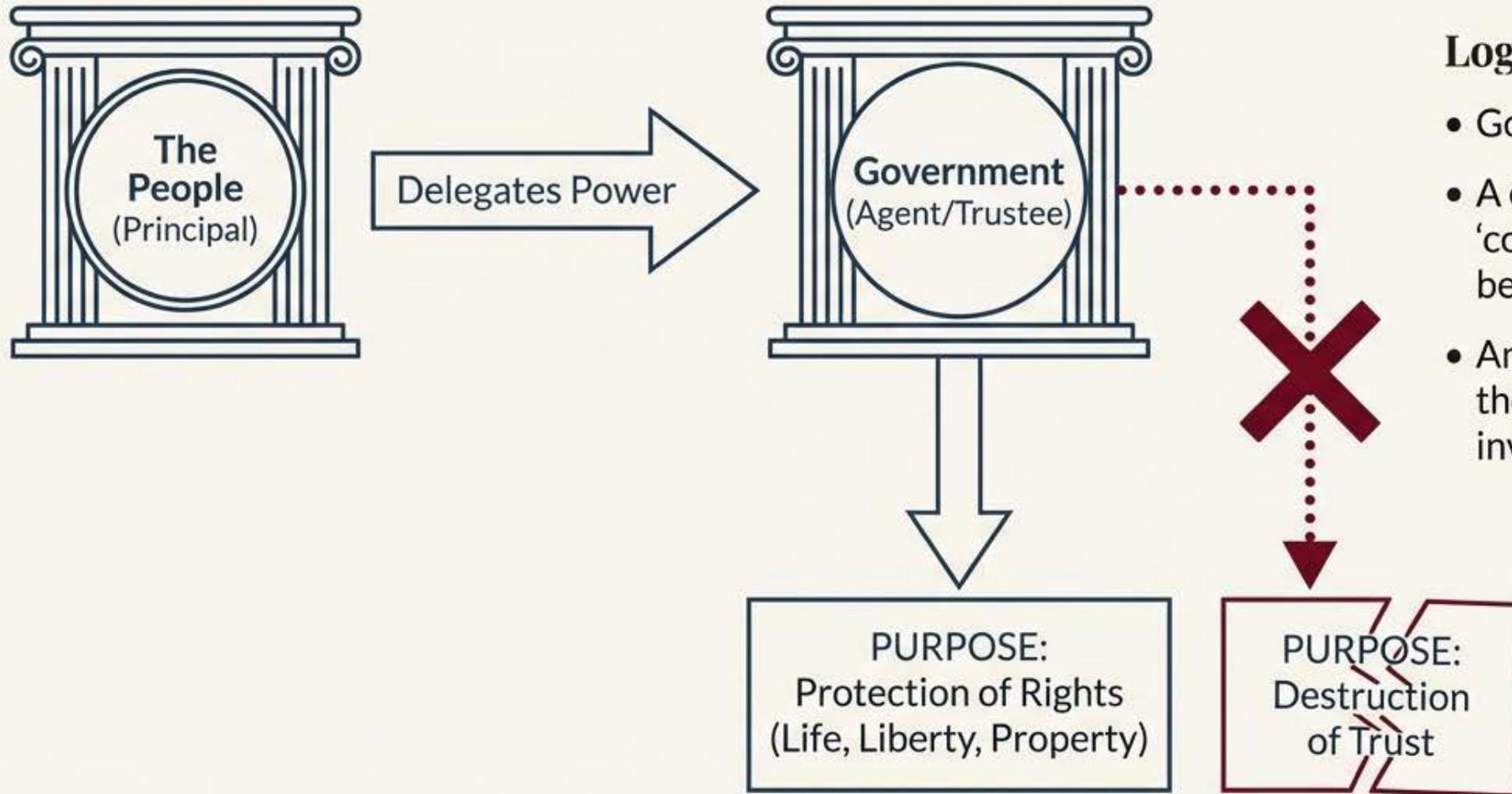
But government is not just another private party. Government claims to be an agent acting under a delegation of authority from the People. That means the relationship is not merely contractual, it is fiduciary. It is a trust.

So, the question is not, “Did I comply with a rule?” The question is, “Did the People delegate this power in the first place, and for what purpose?”

This changes everything, because in an agency relationship:

- the agent cannot exceed the scope of the delegation,
- the agent cannot convert trust into ownership,
- and the principal cannot “consent” in a way that destroys the trust’s purpose.

The Principal cannot consent to the destruction of the Trust



Logic of the Trust:

- Government is an Agent.
- A citizen cannot lawfully 'consent' to an officer becoming a robber.
- Any consent that destroys the purpose of the trust is invalid.

Compliance is behavior under pressure;
Consent is voluntary agreement.

Signature

CONSENT

Consent is informed,
intentional, and voluntary.
It creates obligation.



COMPLIANCE

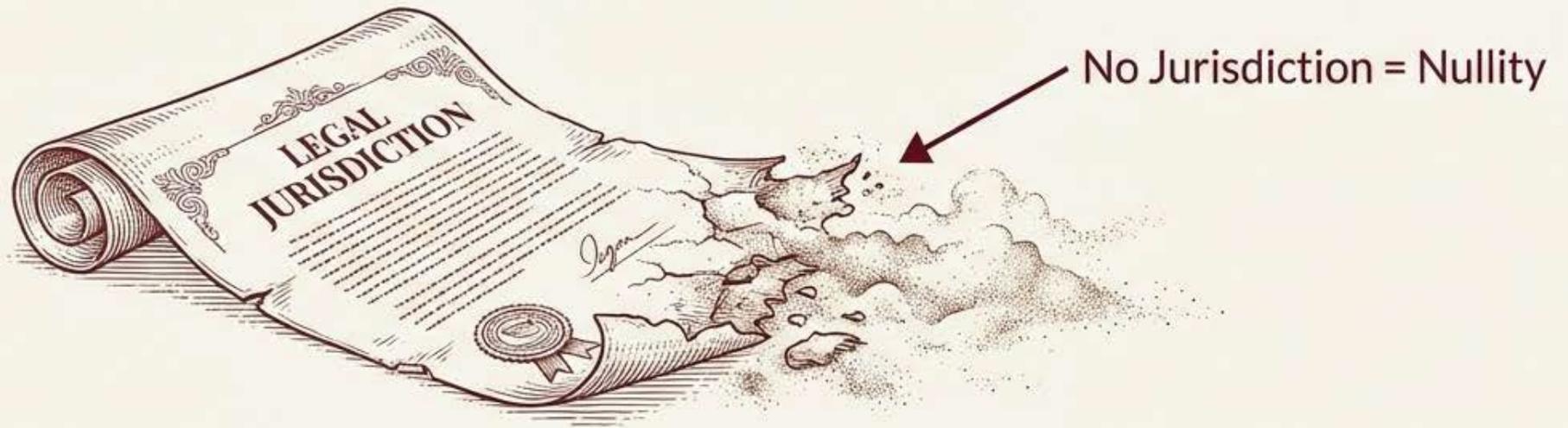
Compliance is behavior to
avoid pain or punishment.
It does not imply agreement.

Silence is not consent.
Compliance is not consent.

JURISDICTION

Jurisdiction is the authority to speak the law

JURIS + **DICTION** = **TO SPEAK**
(Law/Right) (To Speak) **THE RIGHT**



Acts without jurisdiction are not “bad laws”—they are *void ab initio* (void from the beginning).

“Where there is no jurisdiction, there is no law, only raw power.”

At this point, all the pieces are on the table.

- We have established that law is a rule of right, not a command of will.
- We have established that authority must be delegated, not assumed.
- We have established that consent to government is constrained by trust and agency, not mere acquiescence.
- We have established that jurisdiction must be expressed in words of right, or it does not exist.

Now we arrive at the final and unavoidable distinction:

- **Enforcement of law is not the same thing as violence.**

Force exercised against right is violence



ENFORCEMENT

Force in service of Right (Defensive).

VIOLENCE

Force without Authority (Offensive)

The Reality Check:

- If a man takes property at gunpoint = Violence.
- If a group votes to take property and sends an agent = Violence.
- Uniforms, titles, and seals do not change the nature of the act.

Agent acting beyond delegation = REBELLION

Systematic assumed power = USURPATION

And at the institutional level, that violence has names, none of them benign.

- **When agents act beyond delegation, it is rebellion against the principal.**
- **When institutions systematically assume undelegated power, it is usurpation.**
- **When force is organized and sustained against the rights of the People, it is insurrection.**
- **When those sworn to uphold the constitutional trust knowingly violate it, it is treason against sovereignty.**

Those are not emotional labels. They are jurisdictional descriptions.

Exercise: “Law or Fiat?”

Step 1: Identify One Everyday Rule or Charge

Step 2: Ask the Two Diagnostic Questions: Does this rule protect someone’s life, liberty, or property? Or does this rule merely take something from me (money, time, use of property) without protecting any identifiable right?

Step 3: Label the Rule; “This is law (a rule of right)” or “This is fiat / force (not law)”

Step 4: Authority Inquiry

If you are comfortable doing so, send a **calm, written inquiry** to the party imposing the charge. Do not argue. Do not accuse. Do not threaten. Simply ask:

“By what authority are you charging me this fee?

Please identify the statute or delegated authority that permits it.”

Exercise: “Law or Fiat?”

Step 5: Observe the Response (or Lack of One)

In many cases, you will receive:

- no response, or
- a policy document,
- a terms-of-service reference,
- a procedural explanation,
- or a restatement of “this is our rule.”

Within the law of agency, silence does not create new power. It merely exposes the absence of it.