LIBERTY TREE

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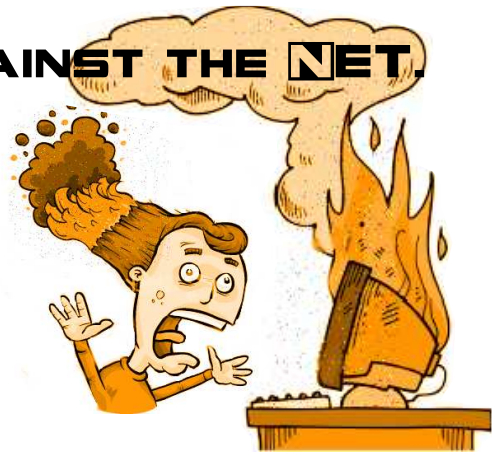
WAR Breaks Out Against the Net.



It's no mistake that the First Amendment to the Constitution is first. Dissent is an everpresent threat to those who attain power; therefore, the freedom to speak and to listen to others' speech is often denied, particularly in times of great stress.

As the economy fails and more people become homeless due to the predations of the Federal Reserve and the western world's fractional reserve cabal, this same cabal pushes the country into wars with Iran and Syria. They know (and many Americans are beginning to understand) that endless wars fuel endless debt, and the debtors remain their slaves.

At the same time, despite the media blackouts of Ron Paul's presidential candidacy race, a wind of knowledge is blowing via the alternative and social medium of the Internet. The knowledge that the Federal Reserve is our enemy, and that wars are based on lies, is catching on. More and more are even learning that the IRS, that great engine of oppression, fraudulently collects the income tax.

The money powers have an Internet problem. That's why they have set their lackeys in Congress to make war on the American people and anyone who would offer them the truth. The guarantee that the federal government will make no law "abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble" guards the Internet. So the fascist state must accomplish its censorship through underhanded attacks. And since controlling and dominating the marketplace is another goal of the 'big business' face of the money cabal — from the insurance to the recording to the pharmaceutical industries — attacks on the Internet come first in the guise of protecting public safety or copyrights.

On December 15, 2011, 83 prominent internet inventors and engineers sent an "open letter" to Congress, decrying two internet "blacklist" bills — "SOPA" and "PIPA" — then under consideration. They wrote:

> All censorship schemes impact speech beyond the category they were intended to restrict, but these bills are particularly egregious in that regard because they cause entire domains to vanish from the Web, not just infringing pages or files. Worse, an incredible range of useful, law-abiding sites can be blacklisted under these proposals.

The engineers went on to point out that censorship of Internet infrastructure would cause network errors and security problems, such as happen in China and Iran and other countries which censor the Web. The bills, they said, would even threaten engineers who build Internet systems that were not "readily and automatically compliant with censorship actions by the U.S. government."

SOPA — the Stop Online Piracy Act — was introduced in Congress by Lamar Smith and 12 cosponsors on

(Continued on page 2)

LWRN comes to iPhone

Finally, you can listen to LWRN everywhere you go via your iPhone. Currently streaming from 10 a.m. to 2 a.m. EST on weekdays, 10 a.m. to 7 p.m. EST on Saturdays, and all day Sunday, LWRN delivers must-hear Liberty-oriented news and information you won't get from mainstream radio.

Download the app today, and encourage your friends to do so also. Let's learn Liberty!

Here are three different ways to download the app from the internet:

ONE: Type http://itunes.apple.com/us/app/lwrn/id505586074?mt=8 into your browser, and the download page will appear. Or search "iphone app LWRN" in Google, and this page will be the first result..

TWO: Type http://iphoneapplicationlist.com into your browser, enter "LWRN" into the search feature, and click on the "get app" button, and it will take you to the itunes page for download.

THREE: Type http://www.iphoneappstorm.com into your browser, enter "LWRN" into the search feature, click on "LWRN" in the search result, and a screen for downloading will appear. Can't make it work? Call LWRN at 410-857-5444.

Copyright at Common Law by Save-A-Patriot Fellowship *Telephone 410.857.4441 Post Office Box 91, Westminster, Md. 21158*

(Continued from page 1)

October 26, 2011. Many perceived that this bill, and its companion in the Senate, PIPA (Protect IP Act), were introduced in part at the behest of RIAA, the Recording Industry Association of America, a trade group of U.S. recording industry distributors including EMI, Sony Music Entertainment, Universal Music Group, and Warner Music Group. In the age of easily transferred digital recordings, this association is eager to hang on to its profits and royalties from selling and licensing its copyrighted music and video. For a long while the RIAA prosecuted individuals for downloading and sharing digital music files. Their newest scheme appears to use the government to attack the websites instead.

Of course, SOPA begins with a "savings clause" stating that "Nothing in this Act shall be construed to impose a prior restraint on free speech or the press protected under the 1st Amendment to the Constitution." Yet much of the proposed bill consists of nothing but prior restraint, in the form of injunctions issued by a Court. How would those injunctions come about? Sections 102 and 103 explain how.

Attorney General gets free reign over Internet

Section 102 of SOPA is entitled "Action by Attorney General to protect U.S. customers and prevent U.S. support of foreign infringing sites." Suppose you are the Attorney General, and you decide that a certain site is a "U.S.-directed" foreign website, that is, a site, no matter where it is, that is used to conduct business with U.S. residents, and there is evidence that the operators of the site either deliver goods and services into the U.S. or its territories, *or* that they don't take "reasonable measures to prevent such goods and services from being … delivered to the United States," and where the prices are "indicated or billed in the currency of the United States." (H.R. 3261 § 101 (23))

Once you've determined that, you are free to decide if the Internet site in question is committing or facilitating the commission of such crimes as copyright infringement, unauthorized recording and distributing of performances, trafficking in counterfeit goods and services, or mislabeling goods and services.

Now that's decided, you as AG can commence a court action against the registrant of a domain name used by the site, or an owner or operator of the site. But even if you can't find them — highly likely with a foreign site — an *in rem* action against the website alone may be brought to court.

Once the court issues a temporary restraining order, a preliminary injunction, or an injunction, you the AG can serve U.S. ISPs (Internet Service Providers) with notices to take "technically feasible and reasonable measure" to "prevent access" by U.S. subscribers to the "foreign infringing site," including preventing the domain name from resolving to the site's IP address. Then you can serve Internet search engines with an order to prevent the website "from being served as a direct hypertext link." Next, you can forbid payment network providers and Internet advertising services to engage in any business with the alleged infringing website.

With SOPA, you are pretty powerful as AG: undoubtedly, many ways to abuse this power will come to mind, and you would be able to keep people in the U.S. from seeing all types of websites in other countries. What website owner with limited resources, even if falsely accused, would engage in a court action within the United States to defend themselves against an injunction?

RIAA and its ilk get free reign over Internet

Section 103 of the SOPA bill is entitled a "Market-based system to protect U.S. customers and prevent U.S. funding of sites dedicated to theft of U.S. property." Here's how that portion of the law would work:

Suppose you are the holder of a copyright-protected work, and you believe a website is either distributing or selling a copy of your work in violation of 17 U.S.C. § 501, which makes it a crime to infringe copyright, including transmissions over

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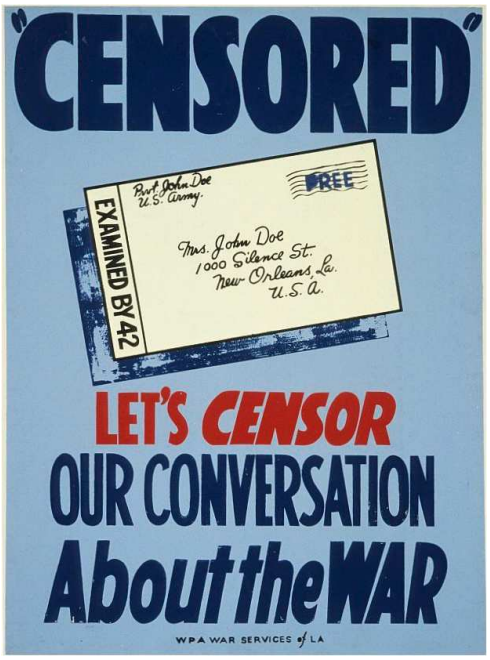

Spying on and censoring personal communications is nothing new. Since governments like to keep monopolies over the postal service, they have always engaged in spying on the mails and redacting or cutting out portions of letters, and wartime is always when it gets out of hand. During World War II, for example, the USA censor staff count rose to 14,462 by February 1943, with 21 censor stations from New York to Panama and Honolulu. (Source: Wikipedia).

Today, another world war threatens; while USA surveillance of email and social media is endemic; outright censorship is trickier in the Internet age.

Below is a 1943 photo from the Australian War Memorial Website, an extreme example of a censored letter.

Source: wwiiletters.blogspot.com

Their own worst enemy

Georgia plaintiffs beat themselves in court..

By Dick Greb

If you've been following the attempts to keep Obama off the presidential ballots in the upcoming elections, then you've no doubt heard of the cases recently decided in Georgia's Office of State Administrative Hearings. *Farrar, et al. v. Obama*[1] is the name under which four cases were consolidated. There was a good deal of hype about these cases back in January when the presiding judge, Michael M. Malihi, denied Obama's motion to dismiss and set a hearing date, thus necessitating an appearance by the deceiver-in-chief to defend his eligibility for the office of President of the United States.

As I discussed back in the aftermath of the 2008 elections, the question of eligibility comes down to one essential characteristic: being a *natural born citizen*.[2] And in the case of Obama, that characteristic depends on only one fact: whether or not he was born within the United States. If he was born in Hawaii as he claims, then he is a natural born citizen and is eligible to hold the office of President. If, on the other hand, he was born in Kenya as others claim, then he is not a natural born citizen, because his citizen mother was too young at the time to confer citizenship on him outside the United States. It really is that simple. And since we're talking only 50 years ago, reliable and verifiable proof of the facts surrounding his birth should be readily obtainable. Such proof was undoubtedly what the plaintiffs in the Georgia cases were hoping would be brought forward by Obama in order to qualify to be on the ballot in that state. But that was not to be.

Minor reliance a major mistake

A major problem in the case (and in my opinion, the most likely reason the case was allowed to move forward) is that the plaintiffs tried to establish a definition of "natural born citizen" that is more stringent than it really is. Relying on the following quote from the 1874 Supreme Court case *Minor v. Happersett* (88 U.S. 162), plaintiffs argued that *only* those born within the country of parents who were *both* citizens were natural born citizens, and no others.

> The Constitution does not, in words, say who shall be natural-born citizens. Resort must be had elsewhere to ascertain that. At common-law, with the nomenclature of which the framers of the Constitution were familiar, it was never doubted that *all children born in a country of parents who were its citizens became themselves, upon their birth, citizens also. These were natives, or* natural-born citizens, as distinguished from aliens or foreigners. Some authorities go further and include as citizens children born within the jurisdiction without reference to the citizenship of their parents. *As to this class there have been doubts, but never as to the first. For the purposes of this case it is not necessary to solve these doubts.* It is sufficient for everything we have now to consider that all children born of citizen parents within the jurisdiction are themselves citizens. (*Minor*, at 167)

As you can see from this quote, however, plaintiffs have used what they liked and disregarded the rest. Chief Justice Morrison Waite specifically says that while doubts have been expressed about whether or not children born within the United States, irregardless of the citizenship of their parents, are also natural born citizens, there is no reason to resolve any such doubts, because that is not the situation presented in *Minor*. In so doing, plaintiffs tried to make the citizenship status of Obama's father (unquestionably *not* a U.S. citizen) the relevant factor, rather than the place of his birth. This was a fatal mistake to their case.

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> **The Plaintiffs have shown, and the witnesses that testified here have shown, that not only there is a Constitutional problem with Mr. Obama's eligibility that his father was not a U.S. citizen …**
>
> **— Atty. Orly Taitz, closing argument to Judge Malihi on January 26, 2012.**

Image Source: FiredUpMissouri

1. Docket Number: OSAH-SECSTATE-CE-1215136-60-MALIHI
2. See "Is a Constitutional crisis looming?" December 2008 *Liberty Tree*: /www.libertyworksradionetwork.com/jml/images/pdfs/libtree_dec_2008.pdf

(Continued from page 2)
cable systems.

Alternatively, you believe that a website is engaged in violations of 17 U.S.C. § 1201, which makes it a crime to "circumvent a technological measure that effectively controls access to a work protected under this title." In other words, someone is distributing or selling a technology which allows people to copy your CDs or DVDs.

As long as it is a "U.S.-directed" website (see above) then you, the "qualifying plaintiff," — read, big music industry business — can crush their website. Just send a written notification to all the "payment network provider [s]" or "Internet advertising service[s]," accusing said "U.S.-directed" website of engaging in criminal copyright infringement.

Unless the payment providers receive a "counter notification" from the accused website, they will be required to "take technically feasible and reasonable measures ... within 5 days" after delivery of your notification, "to prevent, prohibit, or suspend [their] service from completing payment transactions" involving U.S. customers and the Internet site in question.

Similarly, unless the internet advertising services receive a similar "counter notification," they would be required to stop providing advertisements or sponsored search results for that website, or doing business with the accused website at all.

An accused website's "counter notification" would have to include a statement under penalty of perjury that the owner, operator, or registrant of the domain name has a good faith belief that it is not engaged in copyright violations. A foreign website would also be required to consent to the jurisdiction of the U.S. courts for its counter notification to be any good.

If a counter notification was sent, or the payment service providers and internet advertising services refused to obey your notification, you could take the matter to court and obtain an injunction to force the web providers to stop engaging with the foreign site.

It seems unlikely that many payment or advertising providers (think Paypal or Google) would welcome the onslaught of such "notifications" and "counter notifications." Although the bill appears to contain language requiring compliance with a notification within 5 days, internet providers wouldn't need to comply until the "qualifying plaintiff" obtained an order from a U.S. Court against the offending site. Still, how many would wait for the judicial process to play out to comply? As patriots have seen many times with businesses' response to the IRS, fear and compliance — without respect to the actual law — are generally the norm. This in turn would embolden the RIAA and its ilk to press forward with any little infringement they might imagine.

FIGHTING BACK

The extreme reach of the bill, which would cause all kinds of censorship activities on the part of ISPs, Internet search engines, payment providers, and advertising services, riled up this part of the Internet industry, and they began to communicate the danger of this bill to the public. On January 18, many websites went dark, and Google placed a black banner atop its website and encouraged users to contact their representatives. Americans made thousands of protest calls to Washington.

Representatives noticed citizens were upset, cosponsors of the bill began dropping out, and the votes on PIPA and SOPA were shelved. But the fight against the Internet — in truth, a fight against you — is far from over. Look for this type of bill to be reintroduced again and again. Internet surveillance is also increasing; for example, the Department of Homeland *Insecurity* currently monitors social media sites without any legislative authority to do so, and Congress is *still* looking to give that Internet kill switch to Obama.

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Pride comes before the fall

Perhaps even worse, plaintiffs requested that the case be decided on the merits, rather than as a default against Obama for failure to appear. According to Judge Malihi:

> ... neither Defendant [Obama] nor his counsel, Michael Jablonski, appeared or answered. Ordinarily, the Court would enter a default order against a party that fails to participate in any stage of a proceeding. [citations omitted] *Nonetheless, despite the Defendant's failure to appear, Plaintiffs asked this Court to decide the case on the merits of their arguments and evidence. The Court granted Plaintiffs' request.*

So, because of plaintiffs' misguided pride in the validity of their argument (already shown above to be defective), they managed to snatch defeat from the jaws of victory.

With the only issue in the case being that Obama was not a natural born citizen because his father was not a U.S. citizen, the only evidence needed to support their position was proof of his father's lack of citizenship. And yet, the testimony and evidence presented to the court dealt not only with extraneous matters, but matters that — even if true — could not affect the outcome of the case. It included, for example, testimony as to the validity of the birth certificates Obama posted on his website, and testimony claiming that he uses Social Security numbers not assigned to him. While these issues may have a bearing on whether or not Obama is *fit* to be President, they have no bearing whatsoever on whether or not he is *eligible* to be President.[3]

In the end, the plaintiffs in this case were their own worst enemy. They didn't even need a defendant in order to lose. They sabotaged their case from the beginning more effectively than any opposing party ever could.

3. For example, if it were proven beyond any doubt that Obama used an SSN assigned to someone else, that fact still would not prove that he was not a natural born citizen. After all, a natural born citizen can use someone else's SSN just like any other class of person.