Richard L Koenig

ILLITERACY
The tool of choice for white-collar criminals

ILLITERACY is one of the most valued tools that modern gangs of organized criminals wield. To the extent that this tool can be polished and enhanced, competent criminals certainly will make every effort to do so. Our public school system is actually under the influence of a vast criminal enterprise today, the effect of which is degrading educational standards, including the expectation that students will not be able to read with comprehension.

I want to talk to you about actual criminal activity that has been carefully planned and is being executed with amazing sophistication to target most Americans today. The criminal activity is being perpetrated everyday in plain sight. The criminals you will begin to get a glimpse of in this article, rely heavily on a general presumption that their victims do not and can not effectively use language, written or otherwise.

Before I try to tell you how you are being victimized, I owe it to you to prove my fundamental assertion about the high value of illiteracy to the criminal enterprise. Please forgive my specific reference to Oregon, but Oregon is my frame of reference. Be assured however, that there is general application to the people of all the union States of America. In 1923 the Oregon Legislative Assembly passed a law requiring schools to teach "courses" (distinctly NOT "classes") on the US and Oregon constitutions each year, commencing no later than the beginning of the eighth grade and continuing throughout a college career. In other words, to graduate from high school, every student shall have satisfactorily completed a course in constitutional studies each year for five years, and those with a four-year degree should be constitutional scholars with nine years of constitutional studies empowering their civic involvement. For verification, please see two paragraphs of Oregon Revised Statutes, "ORS", at 336.057 and 336.067. If you are reading this online, you are encouraged to pull up the ORS under Oregon State Legislature and keep the statutes just a click away for further reference while reading this article.

Now, if you are an Oregonian, ask your self, and if you are not, ask yourself anyway: Do you remember receiving the courses in constitutional studies required by law? Can you remember one important lesson you learned about the constitutions from each year of your studies? The answer cannot be "I don't know", you either do remember, or you do not. Do you know anyone who can answer "Yes" to either of these questions?

The constitutions were once considered fundamental premises on which our society is built, including those portions, which prescribe the proper crafting of laws our legislatures pass for our benefit. If we don't know what a proper law is, because we are constitutionally illiterate, how can we know whether laws are being properly enforced against us?

The last question is a trick question: Generally speaking, the things we call "laws" are "statutes" and are not created to be "enforced" against us. Can this assertion possibly be correct, you may legitimately ask? Let me refer you to Article I, Section 1 of the Oregon Constitution. There you will find that "all men (and women, because the reference was to the race of "men") are equal in right", so no one, or even a group, gets to tell another how to act, and further, "that all power is inherent in the people". In that very

first sentence, Section 1 goes on to say that the reason we, the people, instituted government, was for our peace, safety and happiness. It may come as a shock to some, but there is no mention in the entire Oregon Constitution of the people's intent to impose or enforce laws against our neighbors or ourselves.

Literacy begins with knowing the difference between "the people", in whom all power is inherent, and "persons" who are subject to statutory constraint.

Now that you have been introduced to "the people", it is time to contrast them with regulated "entities", referred to in the statutes as "persons". Fundamentally, "person" derives from the Greek performing arts term, "persona", or mask, used by actors to portray a character in a stage production. The term person is NEVER a linguistically appropriate term, unless accompanied by an adjective describing a characteristic possessed by a "human being" or an "entity", such as: a happy person, a red, black, or white person, corporate person, etc. In some communities, the term "natural person" is used to refer a human being, but it is the adjective preceding "person" that counts.

The Oregon Revised Statutes, and undoubtedly every other states' body of "encoded" statutes, has "a" definition of "person" which is applicable throughout the nearly three feet of books on a shelf, unless a section needs something special. Technically, "person" is not "defined", at ORS 174.100(5), but rather illustrated by a number of examples of entities that we, the people, allow to function and do business within our community, according to licensing agreements we have with them through our governmental "agencies" we created to control/regulate them. The key concept I hope that you will take away with you, is that the people come first, people institute governments, and governments regulate/police "persons", who might, in their excessive zeal to turn a profit, cause harm to the people if it weren't for the proper exercise of the regulatory "police powers" of state governments.

Every body of law properly regulates/compels the performance of "certain persons". Our state and federal constitutions uniformly dictate that in the process of making laws, which are later encoded into statutes, lawmakers will keep things simple by having only "one subject", or certain kind of person regulated by a particular body of law. To give you an extreme example: Barbers, who are subject to licensing and regulation, are not required under the barber shop laws, to conform their conduct with requirements imposed against real estate brokers. Neither can mothers, who are an essential part of "the people", be expected to conform with the laws regulating a barber, just because she saves precious household resources by cutting her own children's hair.

For those who have been given knowledge of "the two great purposes" of the constitution: to place limits on government and describe rights retained by the people, which shall NOT be transgressed (the constitutions do NOT GIVE rights to the people), the information just presented will come as no surprise. However, if you are someone who can not remember courses in constitutional studies, you may now begin to see how easy it is for criminals to take advantage of the resulting illiteracy, the effects of which, include an inability to sort out whether it is the people or persons who are to be policed.

Who is a “criminal”? Someone who deliberately, meaning with fore knowledge or planning, causes injury to another, usually with an intent to unlawfully gain a personal advantage. Even those who kill in the heat of passion are gaining the advantage, however temporary, of not having to deal with a lover who was the source of the killing rage, or a wife’s illicit lover.

Everybody makes mistakes and sometimes the consequences of mistakes can be serious or tragic.

When a mistake is the cause of injury, however severe, the event is properly called an “accident”. Lack of “intent”, or no provable “motive”, precludes someone from being charged or convicted for murder in the first degree, even when an accident causes death.

Intent to cause injury, when there is provable motive, must also be established in a criminal prosecution in order to convict. However, intent and motive are not enough if the defendant has an “alibi” defense: he was miles from the scene, when his girlfriend died. In other words the prosecutor also has to prove “opportunity”. Similarly, means to commit the crime is another important element in a criminal prosecution. If the victim died because of a gunshot to the heart and the defendant could not be proven to possess or to have handled a gun in the relevant time frame, there will be no conviction. In this article, “illiteracy” is being presented as the “means”, or the criminals’ tool that makes it possible for their victims to be exploited.

So then, we can conclude that a criminal is someone who has opportunity to do a bad thing, has a reason to do it, usually self serving, and has the means, or the tools. Most self aware people can acknowledge the human tendency to reach for the low hanging fruit, even though it may not belong to them, if its not going to have implications down the road. Alert criminals, or people who wish to live a lifestyle based on the low hanging fruit, know that the public service arena is an excellent place to get away with things that don’t belong to them. Too often we, the people, fail to conceive of going out of our way to do bad things, and therefore accord to those we think of as public servants, the same moral standards we hold for ourselves, maybe with a bit of tolerance for minor graft. Our willingness to trust, is the “opportunity”, interwoven with motive, that a criminal enjoys upon infiltrating public office.

Because most of us are subject to temptation from time to time, we could be “common criminals”, if we went with our impulses. Those who would live a lifestyle based on a pattern of grabbing low hanging fruit, regardless of the moral implications, are a special kind of criminal. They engage in long term planning and execution of illegal business plans, which, by definition, is “racketeering” (ORS 166.715). “Corruption in public office” will fit the definition of the “racketeering enterprise” of our generation. Corruption has certainly existed forever, but of late, the level of social organization that has been achieved in America has been fertile soil in which the dominant paradigm of “every man for himself”, accountability be damned, has rooted and grown to all encompassing proportions.

Corrupt public officials of today are standing on the shoulders of their racketeering predecessors. Each undetected, or successfully evading generation of corrupt public officers has encouraged subsequent generations of vipers to take a bigger bite out of the low hanging fruit. Every unwatched nickel that goes into the public coffer is the low hanging fruit.

In the post World War II decade, the Marshall plan offered lush opportunities for graft and corruption, but there were lots of good paying skilled labor positions fueling the fires of an igniting economy, so we could afford to ignore it. In that era, millions of young people were going to school on the GI Bill; Only one parent of the typical family had to work outside the home to make ends meet; We reveled in the secure knowledge that we were the most technologically advanced and highly productive workforce in the world; We had automobiles, innovative health care, power kitchen appliances, televisions and savings. Since WWII, each generation of Americans has seen their own economic prospects fall below the level of their parents in this so called "richest nation" in the world.

My hope, is that I can help develop the perception that comes when one steps back far enough for the bigger picture to come into focus. As the tool of illiteracy has been built into one generation after another of an increasingly disabled people, wealth has been stolen from a once productive society and pocketed or distributed, to a huge extent, by corrupt officials who foist off on us the notion that it is somehow right, or the moral thing to do, to give them our wealth, as a function of being regulated "persons".
Please do not be content to merely point a finger at "government", or the corrupt officers thereof, and think that the heart of the matter has been clearly identified. The "police powers of the state" were instituted to assure the health, safety and welfare of the public by the regulation of "persons" doing business. Keep in mind that regulatory fees and the costs of keeping public offices operating were to be collected from the "subject class" which is "licensed" and regulated by any given agency of government. Therefore, "government" targeting "the people" as payors is not only disappearing our wealth and putting it in the wrong pocket, but it is at the same time orchestrating the underwriting of corporate entities who would otherwise, or legitimately be, paying the regulatory fees and fines.

When you visualize "slave", what is the image that comes to your mind? I'll share mine, with the hope that we can view the same mental picture: Here is a human being, bent over the earth, pulling the natural resources from the soil for the master's benefit, instead of for herself or her family, and constrained from leaving in search of a better prospect. Now that we have a description identifying a business asset, we may properly refer to her as a "person" compelled to labor for the benefit of others (be sure to read the Oregon Revised Statutes at 163. 263, Involuntary Servitude). Many, if not most human beings are intuitively kind, generous, cooperative, and will go out of their way to help a neighbor in need. However, a slave, by definition, is not "free" to come and go or to offer assistance as her inclination might dictate. Compelled to labor for another, means that force may be used to prevent a slave from wandering off to pursue her own happiness. Accordingly, my image of a slave includes fences, chains, and other forms of constraint used by the master to retain possession and control of the labor resource.

The people who are the intended beneficiaries of the great American experiment were recognized as possessing "all the powers of the king of England, but with no one to rule but themselves". We were "free" to be and become whoever we might visualize our selves to be. And NO, death and taxes were not the inevitability that we have come to think of them being. The federal Constitution, which is to provide minimum standards for the constitutions of the sister states of the union, prohibits to this very day, a "direct tax", one levied against the people, unless based on a census, totaling the whole number of

people, and then "apportioning" the tax that is laid upon them, in the event that extraordinary circumstances should arise. Apportioning means an equal portion to each, as the road tax in Oregon was levied for many decades prior to the twentieth century. That tax was $2 per year, but what about the folks whose wealth was not measured in dollars, but perhaps eggs or animal pelts? In a free society people are not locked up in debtors prisons. They are not fined because they can not pay. The Territorial Government of Oregon assigned a value of $2 for a days labor, very respectable for the time, and anyone who didn't have the cash for the road tax could work on the road near his home. Note that the tax in this illustration was unchanged for approximately 60 years, largely due to the fact that currency was not subject to the destabilizing influence of a private corporate bank like President Wilson allowed to come into existence shortly after the turn of the twentieth century.

Okay, we all pay taxes, but the original plan was that taxes would be paid by "persons" in the transaction of commerce, upon imports and exports. "Persons" who are subject to constitutionally legitimate taxes pass their costs of doing business, including the taxes, on to the consumer. Thus, to be most appropriate, to the extent that we are not producing everything that we consume, it can be said that we pay "indirect" taxes every time we engage in transactions on the open market, or consume goods and commodities that were brought to our local stores.

Free people even trade among themselves. The federal constitution forbids laws "impairing the obligation of contracts". Two parties to an agreed trade are not obliged to visit the local government office and pay a tax for a privilege of trading two bushel of corn for a chair. They wouldn't even be liable to the government office if the chair was paid for by a day's labor.

That which distinguishes "persons" with "taxable income" from the people who have a constitutionally protected right to contract, is that "persons hold themselves out as doing[, or being in] business". The difference between the cost of a thing obtained by a business and the price for which it is sold, after handling and processing costs, equals "profit" and is, by definition, "taxable income". The people use "licensing" fees, collected by our agencies, to pay for the infrastructure upon which commerce is dependant, and for "policing" of the entities who have agreed that their commercial activity is on the up and up and will never cause harm to the people who have granted the license… without consequences. In other words, these "persons" who are "privileged" by the terms of their licensing agreement to do business among us, are subject to the police power of the state, our state government, that exists to assure our peace, safety and happiness.

The governmental function of "licensing", is a time honored practice, extending back in time hundreds, if not thousands of years. Basically, a license is permission to function within a context wherein a sovereign entity is looking out for his own interests, or the interests of constituents, and says, okay, as long as certain rules are obeyed and standards of quality, or maybe diligence met, the entity seeking licensing can play the pursuit of profit game. Typically a fee or some kind of consideration is paid as part of a licensing agreement.

Licenses come in all sorts, and provide authority to entities to do anything from selling hot dogs in a baseball park to building houses. In our American tradition, any

activity that is going to have a direct impact on the well being of society, or a significant portion of the community, will be permitted by license, with the intent of providing a basic means of accountability. We, the people, have instituted government for our peace, safety and happiness, including the function of licensing. We, the people, have created, and do maintain, policing bodies to enforce licensing agreements (theoretically). Literate people know what the term "police" means. Unfortunately, most in society today do not have any idea what "the police powers of the state" are, and that such powers can not infringe the rights of the people, for the whom, legitimate policing is performed. The people's basic rights include the right to be left alone unless and until a warrant, supported by oath or affirmation alleges a "crime" has, more likely than not, been committed by someone. A license is tantamount to acknowledging that the nature of one's commercial enterprise is such that it is in constant need of regulation and oversight, i.e. relinquishment of right to be left alone.

The "police powers of the state" is not an outdated or obscure notion embedded in dusty old documents called the US Constitution and the constitutions of the several sister states which are party to the treaty organization of the united States of America. In Oregon, this concept is encoded in current statutes prohibiting police, whether state, local, or municipal, from interfering with rights unless preventing a crime or arresting a known criminal. (suspect named in a warrant). The police powers are generally reserved for enforcement of the licensing agreements the people, through their public agencies, have with fictitious entities known in the statutes as "persons".

The police power that most people are familiar with today is the policing of "traffickers", those who move merchandise to, or toward a transaction with an end user. Those who haul for hire moving merchandise, as well as "passengers", on the "Public Right of Way" obviously have the potential to cause great harm, possibly disasters, as a result of their pursuit of profit. Therefore, the legitimate expression of the police powers extends to "traffic enforcement". Sadly, many of us comprehend the term "traffic" to be a "condition" encountered on the Public Right of Way, but are unfamiliar with the same word connoting the "activity" which can, and is therefore, subject to regulation.
Imagine a cop exercising the police powers of the state in an attempt to regulate the condition called "traffic" as it occurs on the Public Right of Way. At best, a team of cops might be able to slow and divert a "stream of traffic", and this is certainly a proper activity for loyal public servants to engage in order to keep the public out of harm's way. We're all glad they are there to do this helpful chore, thereby assuring our peace, safety and happiness.

However, it is a culturally normative response for people to experience an increase in heart beats per minute, sweaty palms and other symptoms of anxiety when we spot a cop car in out rear view mirrors. What we understand "traffic enforcement" to be, is what a cop does when he turns on the "emergency lights" or siren and commands us thereby to pull over for a "traffic ticket".
Cut to the chase, current Oregon Revised Statutes under the heading of "Traffic Procedure Generally" tell us with particularity, who traffic law enforcers are "authorized" to stop and issue "traffic tickets": "… any employee, agent or representative of a firm, corporation or other organization IF the officer has reasonable grounds to believe that a violation has been committed" (emphasis mine).

Being stopped on a pretext of "traffic enforcement" is commonly understood to be a citizen's most frequent form of contact with "government" today. However not one citizen in a hundred, or maybe a thousand, will stop to read the rules of procedure for traffic court before arriving there. We, as a whole people, are illiterate to the point of refusing to read what is there so that we can play by the rules that are written, or perhaps realize that the rules are not written for "people" in the first place. We seem to actually prefer to financially support and encourage the misapplication of "the police powers of the state", than to read what, in Oregon, is maybe the shortest chapter in the nearly three feet of books on a shelf, only thirteen pages, on traffic procedure.

There is a section of traffic procedure that describes "the role of the peace officer" when he gets to court. Sub section number 1, meaning the very first thing the officer is authorized to do, describes his role to include "arguing the application of the statutes and rules to the facts of the case". In other words he has to state for the record that he has ticketed the "person" to whom the statues and rules apply. But, and this is where illiteracy really pays off, only if the officer is formally challenged to do so.

Citizens are not the only ones to be short changed by professional criminals today. Traffic cops are deliberately not taught their duty to argue the proper application of the law. Their lessons at the police training academy give them a distinct picture of the traveling public as the bad guy who needs to be stopped and ticketed, along with, incidentally, those who haul for hire. Imagine how much harder it would be to corrupt our law enforcement officers if they were taught to respect the rights of their principals, the kings and queens of England.

An illiterate society, naive to the whys and wherefores of "law enforcement", do not know that among the rights of the king of England that were ceded to them, is the right to be presumed innocent until proved guilty. Neither do they commonly understand that a "license" is the exact opposite: Someone "operating" a business and driven by "profit motive" is, and has historically been understood to automatically be subject to a tendency to cut corners that could potentially have a negative impact on the people around them, thus "licensing agreements" that consist primarily of adhering to regulation and submissive to enforcement of those "regulations" by "the police powers of the state". "The people" commit no crimes when no victim can be identified. "Persons" commit "violations" of their "licensing agreements", which are the "regulations" encoded in statute that they have to obey to maintain the good standing of their license.

Trafficking court is not a place where the "due process of law", which is guaranteed to the people, can be found. An illiterate people have been deprived of their legacy of rights when they arrive at the ripe old age of majority without knowing what "due process of law" is, as described in the constitutions of the united States of America and the several states of that treaty organization.

Due process of law consists of several easily identified components, among which are: Right to trial by jury, or upon election, by an impartial judge; Right to competent counsel (not a bar attorney); Right to confront an accuser; Right to be found guilty only when such finding is beyond a "reasonable doubt". None of these rights belong to "persons" who are subject to "licensing agreements". Therefore, a literate citizen will naturally say, "Hey, you (the court) can't take my life, liberty or my wealth in a trafficking court, because due process of law is not on the menu".

Unfortunately, the criminals who have spent decades carefully engineering the scam, have instructed the "administrative hearings officers" or "aho"s, in other words NOT real "judges", to shout down the few who may have a vague recollection of our legacy of liberty and justice for all, and if necessary, threaten them with armed force to shut them up. If the "aho" has been given a clue prior to appearance, that someone is prepared to argue that the law does not apply to him or her, invariably the citizen will be held until the last "person" has been sentenced, so that the potential for an educational moment is minimized. The aho will also do whatever is in his power to protect the investment that the "racketeering enterprise" has in the officer's illiteracy

Illiteracy is not a particular problem for people who read. The World Wide Web is full of the collected knowledge of the centuries. But in the grand tradition of slave holding cultures everywhere, those who are to serve are not encouraged to read, at least not beyond the pretty flash card images of things offered as rewards for compliance, and the technical manuals which will instruct them as to proper performance of their duties.

The technology of communication and mind molding has been successfully employed to calm an entire society to a productive hum of willing slaves going about the business of enriching a tiny percentage who are the slave holding class. The slaveholders know how to read and you can too. However, reading is a willful act, and reading to overcome illiteracy is now considered an overt act of resistance (people found to be in possession of a copy of a constitution are now being branded "suspected terrorists" known as "Constitutionalists").

You are invited to join with those who are no longer content to believe that what they know is so. Check out the accompanying piece on "Crimes Cops Commit", which consists primarily of current statutes that most people can not begin to believe exist, not because they are fanciful, but because dutiful slaves are trained not to question authority, to hold perceived authority up for questioning.

See, you got this far; you're almost there.
Richard L. Koenig

Richard is a reader who was turned loose on books by the time he was four years old with nothing more than phonics and the normal human desire to learn. As someone who was busy learning, the years spent subject to the public school program were extremely traumatic. He was expelled from high school going into the final month before graduation with six "A s" and a "B" in physical education, for questioning authority.

Richard is now hoping to learn how to write a compelling invitation to freedom.
Your feedback is sought.