

## **Legal or Lawful?**

It is crucial to define the difference between "legal" and "lawful." The generic Constitution references genuine law. The present civil authorities and their courts use the word "legal." Is there a difference in the meanings? The following is quoted from A Dictionary of Law (1893):

**Lawful. In accordance with the law of the land;** according to the law; permitted, sanctioned, or justified by law. "Lawful" properly implies a thing conformable to or enjoined by law; "Legal," a thing in the form or after the manner of law or binding by law. A writ or warrant issuing from any court, under color of law, is a "legal" process however defective. See "legal."

**Legal. Latin legalis. Pertaining to the understanding, the exposition, the administration, the science and the practice of law: as, the legal profession, legal advice; legal blanks, newspaper. Implied or imputed in law. Opposed to actual "Legal" looks more to the letter [form/appearance], and "Lawful" to the spirit [substance/content], of the law. "Legal" is more appropriate for conformity to positive rules of law; "Lawful" for accord with ethical principle. "Legal" imports rather that the forms [appearances] of law are observed, that the proceeding is correct in method, that rules prescribed have been obeyed; "Lawful" that the right is act full in substance, that moral quality is secured. "Legal" is the antithesis of equitable, and the equivalent of constructive. [2 Abbott's Law Dictionary 24]**

**Legal matters administrate, conform to, and follow rules. They are equitable in nature and are implied (presumed) rather than actual (express). A legal process can be defective in law. This accords with the previous discussions of legal fictions and color of law. To be legal, a matter does not have to follow the law. Instead, it conforms to and follows the rules or form of law. This is why the Federal and State Rules of Civil and Criminal Procedure are cited in every court Petition so as to conform to legal requirements of the specific**

juristic persons named, e.g., "STATE OF GEORGIA" or the "U.S. FEDERAL GOVERNMENT" that rule the courts.

Lawful matters are ethically enjoined in the law of the land - the law of the people - and are actual in nature, not implied. This is why whatever true law was upheld by the organic Constitution has no bearing or authority in the present day legal courts. It is impossible for anyone in "authority" today to access, or even take cognizance of, true law since "authority" is the "law of necessity," 12 U.S.C. 95.

Therefore, it would appear that the meaning of the word "legal" is "color of law," a term which Black's Law Dictionary, Fifth Edition, defines as:

#### Color of law.

"The appearance or semblance, without the substance, of legal right."

"Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state, is action taken under "Color of law" [Black's Law Dictionary, 5th ed., Pg. 241]