Republic of Kanata Background Paper No. 1

The Basis for the Republic of Kanata and of England:

The History and Lawfulness of the Abolition of the "Crown" - A Brief Survey of Constitutional and Legal Precedents, and Applying them to our Work Today

The Commons of England assembled in Parliament declare that the people under God are the origin of all just power ... and have the supreme authority of the nation. Whatsoever is enacted and declared law by the Commons alone has the force of law, and all the people are included thereby, with or without the consent of the king.

– *An Act to Establish the High Court of Justice, House of Commons, London, January 4, 1649*

It has been found by experience that the office of a monarch in this nation holding such power in any single person is unnecessary, burdensome, and dangerous to the liberty, safety, and public interest of the people ... Be it therefore an Act ordained by the present Parliament, that the office of a king or other monarch in this nation shall not henceforth reside in or be exercised by any one single person and that monarchy be dispensed with in its entirety, as the chief threat to the people's well being.

– *An Act Abolishing the Office of King, House of Commons, London, March 17, 1649*

For it is clear both by scripture and the laws of England that monarchs are anathema to divine law. Kings are of man's creation, not God's, and therefore they stand under judgement and the common law.

- *John Cooke, public prosecutor of King Charles 1 (from "Monarchy: No Creature of God's Making", Waterford, 1651)*

Let the Chosen be joyful in glory; let the high Judgements of the Lord be in their mouths, and God's sword be in their hands, to execute justice against the rulers, and to bind their kings in chains, and their nobles with fetters of iron, so that they may execute upon them the judgement that is from God. This is the honour given to God's Chosen. (Psalm 149:5-9)

- Cited in the Judgement of the High Court's trial of Charles Stuart, 1649

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On January 30, 1649, the King of England, Charles Stuart, was executed in London after being lawfully convicted by a Parliamentary High Court of Justice for treason and conducting a war against the laws and people of England.

Weeks later, on March 17, 1649, the English Crown, including the Monarchy and the House of Lords, was legally and forever abolished and constitutionally prohibited in England. It was declared a treasonable act to attempt to re-establish monarchy and proclaim anyone King or Queen.

Eleven years later, this defunct royal power was reimposed on England and its colonies, fraudulently and illegally, by a military coup of Charles Stuart, son of the deposed King. The new regime that "restored" the monarchy was an illegal and de facto power, unlawfully created as an act of war against the laws of Parliament and the will of the people. *Thus, every British monarch*

since 1660 has ruled illegally and unconstitutionally.

For three and a half centuries, we have lived in the shadow of that imposed tyranny and its fraudulent and unlawful authority. In reality, the English Crown has no just or operable power, and never has had, since its legal abolition in the spring of 1649.

The aim of any patriot and adherent of the common law in England, Canada or any so-called "commonwealth" nation is to reclaim the lawful authority established by the Parliamentary Republic in England in 1649, and unseat the de facto corporate fiction known as the "crown of england" and its propaganda arm, the church of england and its master in Rome.

It is not only lawful and right to stand on the Republican constitution and laws of the original Commonwealth, but it is the requirement of God's law that monarchy, like papacy, be abolished. The rule of one man or woman is antithetical to God's authority, to natural law and the requirements of liberty, as enunciated in the First Commandment: "Thou shall have no other gods (authorities) before me" (1).

Monarchy, whether secular or religious, is idolatry, for it places one ruler, whether king or pope, as co-equal with God, beyond law or judgement. And when such a solitary ruler has also been found guilty of crimes against the people, their continued reign becomes intolerable.

In 1649, Charles I of England was lawfully convicted of waging a treasonous war against his own people. Elizabeth II of England has similarly been lawfully convicted of committing treason against her people and her coronation oath, and of participating personally in crimes against humanity. Accordingly, on February 25, 2013, Elizabeth Windsor was deposed from her office and ordered arrested by a lawful common law court of justice convened under the laws of England.

Because of this recent verdict, there exists no legal authority in Canada, England, or any Commonwealth nation. The laws of the "crown" are inoperative today, as are the oaths of allegiance taken to the Crown by every politician, judge, police officer and soldier in these nations. Therefore, in the absence of any authority, the opportunity has been created to re-establish the lawful and sovereign Republic constituted by the People in Parliament in 1649, whose laws have never lost their authority.

Despite this, out of fear or ignorance, many people raised under the fiction known as the "crown" still hesitate from seizing back their own power as sovereign men and women from the mistaken belief that the "crown" still is lawful and legitimate. The first task of any common law Republican movement is to educate the people through word and deed of their own God given natural liberty, and unite them in a new nation of equals.

This process has begun, through the rise of a common law movement to re-establish the rule of law and trial by jury in Canada, England, New Zealand and Australia. But common law courts now being formed in these countries lack a constitutional basis and thus, ultimate legitimacy, operating as they are in the present political vacuum of a discredited 田rown・ law that has not been replaced with a Republican constitution and nation. *And so to attempt to create common law courts without the overarching political authority to do so is to place the cart before the horse by setting up courts that have no constitutional authority, and whose judgements can therefore be considered*

invalid.

It is for this reason that the efforts today to create common law courts in Canada, England, South Africa, Australia and New Zealand must be accompanied by a similar movement to establish, and re-establish, a constitutional Republic in these lands. For without such legitimating power behind the courts, one cannot honesty answer the question, "Where do you get the authority to convene common law courts?".

In a nutshell, that authority derives from a Constitution established by free men and women gathered as equal sovereigns under God and the natural law: *not* under de facto rulers. This principle runs throughout centuries of common law verdicts in England, in which authority rests in the people gathered as "the Commons", meaning within free political assemblies such as Parliament.

The Parliamentary Act establishing the High Court Act of January 4, 1649 stated "the King can not challenge the legitimacy of a court established solely by the Commons ... for henceforth, monarchs may not preside over government according to divine ordainment or sovereign immunity". In short, as of that date, the people were under to be the source of law, not kings or rulers:

"the Commons of England assembled in Parliament declare that the people under God are the origin of all just power ... and have the supreme authority of the nation. Whatsoever is enacted and declared law by the Commons alone has the force of law ... with or without the consent of the king."

Applying this to today, no common law court we establish can be declared illegitimate by the "crown" as long as such courts rest on a Constitution ratified by the Commons: by the people in sovereign assembly. And it is such an Assembly that is gathering, in Canada, on October 27 in Winnipeg, to frame a new Constitution and Nation. And our colleagues in England, South Africa, Australia and New Zealand must take precisely the same step.

Future papers will discuss why the "Restoration" of the monarchy in England was fraudulent and invalid, and established a de facto government that has no operating or lawful authority, either then or now. Common law and Republican activists must be armed with this knowledge to re-educate the people once more in liberty, and fortify their efforts to actively reclaim the law and the land for a sovereign nation.

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