

## **THE GEORGIA LIBERTY AND ACCOUNTABILITY KEY**

*The legal basis for reclaiming freedom from all “lockdown” edicts and holding the perps accountable.*

1. [The Georgia Constitution](#) is the supreme law of the state, per its Preamble:

To perpetuate the principles of free government, insure justice to all, preserve peace, promote the interest and happiness of the citizen and of the family, and transmit to posterity the enjoyment of liberty, we the people of Georgia, relying upon the protection and guidance of Almighty God, do ordain and establish this Constitution.

2. Disharmony with the Constitution invalidates any purported act, pronouncement, edict, decree, order or law of any state officer(s) or agent(s):

The General rule is that an unconstitutional statute, though having the form and name of law is in reality no law, but is wholly void, and ineffective for any purpose; since unconstitutionality dates from the time of it's enactment and not merely from the date of the decision so branding it. An unconstitutional law, in legal contemplation, is as inoperative as if it had never been passed. Such a statute leaves the question that it purports to settle just as it would be had the statute not been enacted.

No repeal of an enactment is necessary, since an unconstitutional law is void. The general principles follow that it imposes no duties, confers no rights, creates no office, bestows no power or authority on anyone, affords no protection, and justifies no acts performed under it.

16 Am Jur 2d, Sec 256

3. Georgia's Constitution vests law-making (legislative) power-- that is, the power to impose enforceable requirements or prohibitions-- exclusively in the General Assembly, per Article III, Section I, Paragraph I:

Paragraph I. Power vested in General Assembly.

The legislative power of the state shall be vested in a General Assembly which shall consist of a Senate and a House of Representatives.

...and prohibits the exercise of that power by any other person or persons in Article I, Section II, Paragraph III other than as provided therein (emphasis added):

Paragraph III. Separation of legislative, judicial, and executive powers.

The legislative, judicial, and executive powers shall forever remain separate and distinct; and no person discharging the duties of one shall at the same time exercise the functions of either of the others except as herein provided.

4. Diligent search reveals only one provision for the exercise by the executive of what would normally be a power belonging to the General Assembly, in Article V, Section II:

Paragraph VII. Special sessions of the General Assembly.

(a) The Governor may convene the General Assembly in special session by proclamation which

maybe amended by the Governor prior to the convening of the special session or amended by the Governor with the approval of three-fifths of the members of each house after the special session has convened; but no laws shall be enacted at any such special session except those which relate to the purposes stated in the proclamation or in any amendment thereto.

Diligent search reveals no “emergency” or other exceptions in Georgia's Constitution to the foregoing provisions, limitations and prohibitions save only the following in Section VI of Article III (emphasis added):

Paragraph II. Specific powers.(a) Without limitation of the powers granted under Paragraph I, the General Assembly shall have the power to provide by law for:

...

(4) The continuity of state and local governments in periods of emergency **resulting from disasters caused by enemy attack** including but not limited to the suspension of all constitutional legislative rules during such emergency.

5. In law, "substance" always rules over "form". The devising and issuing of commands to the general public, disobedience of which can be punished by the state apparatus in any way whatsoever, is the making of laws, even if the products are called "executive orders". Executive branch officials are prohibited from such legislating, except as expressly authorized in the Constitutions to which they have sworn fidelity.

Any basis-- even an enactment of the legislature itself-- on which the governor (or any executive branch agency or official) claims the power to devise, issue and enforce commands directed at the general public-- whether such commands are labeled as "Executive Orders" or otherwise-- other than as spelled out in point 4, above, is manifestly unconstitutional and void, per the foregoing simple and straightforward legal facts. The governor and all other executive branch officials are prohibited from being given, having, or exercising any such power.

No commands so devised and issued can be lawfully enforced by anyone. No commands so devised and issued can be lawfully upheld by any court to which the foregoing points of law are presented.\*

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\*NOTE: The author has carefully examined [the Georgia Constitution](#) and made a serious effort to ensure accuracy in producing this document. Section language quoted above is taken verbatim from the Constitutional text at the preceding link.

However, the author leaves sole responsibility for acting in harmony with the reasoning and conclusions presented above to each person who chooses to so act. In other words, the conclusions on which you act must be your own.