

## THE KENTUCKY LIBERTY AND ACCOUNTABILITY KEY

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

1. [The Kentucky Constitution](#) is the supreme law of the state, per the People's declaration of sovereignty in Section 4 of that Constitution, its Preamble, and the fundamental principles of law:

Section 4. Power inherent in the people – Right to alter, reform, or abolish government. All power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety, happiness and the protection of property. For the advancement of these ends, they have at all times an inalienable and indefeasible right to alter, reform or abolish their government in such manner as they may deem proper.

Preamble: We, the people of the Commonwealth of Kentucky, grateful to Almighty God for the civil, political and religious liberties we enjoy, and invoking the continuance of these blessings, 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. Kentucky's Constitution vests law-making (legislative) power-- that is, the power to impose enforceable requirements or prohibitions-- exclusively in the General Assembly, in Sections 27 and 29:

Section 27. Powers of government divided among legislative, executive, and judicial departments. The powers of the government of the Commonwealth of Kentucky shall be divided into three distinct departments, and each of them be confined to a separate body of magistracy, to wit: Those which are legislative, to one; those which are executive, to another; and those which are judicial, to another.

Section 29. Legislative power vested in General Assembly. The legislative power shall be vested in a House of Representatives and a Senate, which, together, shall be styled the General Assembly of the Commonwealth of Kentucky.

...and prohibits the exercise of any power properly belonging to the General Assembly by any other person or persons in Section 28, except as expressly permitted in the Constitution (emphasis added):

Section 28. One department not to exercise power belonging to another. **No person or collection of persons, being of one of those departments, shall exercise any power properly belonging to either of the others**, except in the instances hereinafter expressly directed or permitted.

4. Diligent search reveals only one instance in the Kentucky Constitution expressly directing or permitting the exercise by the executive of what would normally be a power belonging to the legislature:

Section 80. Governor may call extraordinary session of General Assembly, adjourn General Assembly. He may, on extraordinary occasions, convene the General Assembly at the seat of government, or at a different place, if that should have become dangerous from an enemy or from contagious diseases. In case of disagreement between the two Houses with respect to the time of adjournment, he may adjourn them to such time as he shall think proper, not exceeding four months. When he shall convene the General Assembly it shall be by proclamation, stating the subjects to be considered, and no other shall be considered.

Diligent search reveals no “emergency” or other exceptions in Kentucky's Constitution to the foregoing provisions, limitations and prohibitions.

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 any or all of the general public-- whether such commands are labeled as "Executive Orders" or otherwise-- other than as spelled out in Section 80, 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 Kentucky 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.