

THE VIRGINIA LIBERTY AND ACCOUNTABILITY KEY

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

1. [The Virginia Constitution](#) is the supreme law of the state, per the People's declaration of sovereignty in Article I of that Constitution and the fundamental principles of law:

§ 2. That all power is vested in, and consequently derived from, the people, that magistrates are their trustees and servants, and at all times amenable to them.

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. Virginia's Constitution vests law-making (legislative) power-- that is, the power to impose enforceable requirements or prohibitions-- exclusively in the General Assembly, in Article IV, Sec. 1:

§ 1. The legislative power of the Commonwealth shall be vested in a General Assembly, which shall consist of a Senate and House of Delegates.

...and prohibits the exercise of that power by any other person or persons in Article III, Sec. 1, except as expressly permitted in the Constitution (emphasis added):

§ 1. The legislative, executive, and judicial departments shall be separate and distinct, **so that none exercise the powers properly belonging to the others, nor any person exercise the power of more than one of them at the same time**; provided, however, administrative agencies may be created by the General Assembly with such authority and duties as the General Assembly may prescribe. Provisions may be made for judicial review of any finding, order, or judgment of such administrative agencies.

The provision for the creation of administrative agencies charged with authority and duties by the General Assembly in the section above is plainly not the creation by the People of a second legislature. Nor can it be the delegation to the legislature of the power to delegate legislative power.

Were the authority granted to the General Assembly to create and endow administrative agencies construed as a power to create a lawmaking body within or under the control of the executive branch,

that provision would be in plain and irreconcilable conflict with the express prohibitions of any branch exercising the powers properly belonging to another, and any person exercising the power of more than one branch at the same time.

Thus, the authority granted to administrative agencies cannot be an authority to make laws (or to make orders with the effect of laws) of the same general character as those capable of promulgation by the legislature. Instead, it can only be an authority of a specialized character applicable only to persons who have elected to enter into special administrative relations with the state-- and then only insofar as those special relations are concerned.

4. Diligent search reveals no “emergency” or other exceptions in Virginia'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 or outside a special administrative relationship-- whether such commands are labeled as "Executive Orders" or otherwise-- 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.*

*NOTE: The author has carefully examined [the Virginia 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.