



EMPIRE FLAG
Eternal Sovereignty



EMPEROR'S SEAL
Sidi Mohammed III · 1786



GREAT SEAL (REVERSE)
United States · Grantee



CELESTIAL SEAL
Articles 20–25

EMPIRE OF MOROCCO

Ab Antiquo · Maghrib Al-Aqṣā · North Gate

1786 Mālikī Sharia Hiba (Sovereign Unilateral Grant) · Recorded at 8 Stat. 484 (1836)

INTERNATIONAL DOCUMENT · Chapter 4 ‘ALĀMA (MARK OF RECOGNITION) · GRANT INSTRUMENT

NI-IJAZAH-CANDIDATE

IJĀZAH OF THE NATIONALITY INSTRUMENT

Competency Examination · Phase 1A & 1B Development Draft — Retrofit Edition v2

Five Sections · 126 Questions · Annotated Answer Key

Issuing Authority

Office of the Consular Economic Attaché, Empire of Morocco

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Document Status

DEVELOPMENT DRAFT — RETROFIT EDITION. Updated to incorporate doctrinal upgrades from the broader Architecture of Peace corpus. v2 (May 2026) adds the two-class beneficiary doctrine: primary beneficiaries (Moors / subjects of the Empire) vs. derivative debtor beneficiaries (U.S. citizens), with primary-class priority. Upon QA approval, this content will be split into the NI-Ijazah Examination Paper (questions only, KDP-formatted) and the NI-Ijazah Answer Key (instructor copy, three-band structure).

Section Inventory and Calibration

Section I. The Three Locks. 25 questions, 30% weight, 90% section minimum.

Section II. The 1786 Hiba and the 1836 Ministerial Recordation. 32 questions, 22% weight, 75% section minimum.

Section III. Trust / Beneficiary Architecture and Public-Character Recognition. 29 questions, 18% weight, 75% section minimum.

Section IV. Chapter 4 ‘Alāma and Operational Recognition. 28 questions, 15% weight, 75% section minimum.

Section V. Rules of Construction — Twelve Maxims Adverse to the Grantee. 12 questions, 15% weight, 75% section minimum.

Pass Threshold

85% total + section minimums + zero absolute disqualifiers.

SECTION I

The Three Locks — Irrevocability, Non-Invertibility, Non-Contingency

SUBSECTION A — IRREVOCABILITY (LOCK 1)

Questions 1–9. Tests the affiant's grasp that the 1786 hiba, once made *tāmm* by *qabḍ*, cannot be revoked by any subsequent event or mechanism — including passage of time, grantee breach, or grantee legislation.

Q1. (Multiple Choice) Under Volume L's framework, the 1786 Mālikī Hiba became *tāmm* (complete) when:

- A) The U.S. Senate ratified the 1836 codification in 1837.
- B) Sīdī Muḥammad III sealed the instrument on 23 June 1786.
- C) U.S. Agent Thomas Barclay received the sealed instrument on 28 June 1786 (*qabḍ*).
- D) President Washington wrote his letter to the Emperor in 1789.

ANSWER KEY

Band A — Foundational. C. Under classical Mālikī doctrine, hiba is *tāmm* when *ījāb* (offer), *qabūl* (acceptance), and *qabḍ* (delivery) have all occurred. The seal on 23 June 1786 was the offer; delivery to Barclay on 28 June 1786 completed the act. From that moment, the hiba was irrevocable.

Band B — Doctrinal Reasoning. Classification: *tāmm* completion mechanics. Trigger: delivery completes the act. Consequence: irrevocability runs from 28 June 1786 forward. Governing maxim: *traditio facit dominium* (delivery makes ownership). Wrong-answer elimination: A is post-perfection codification; B is the offer alone, insufficient without *qabḍ*; D is post-perfection diplomatic acknowledgment.

Band C — Architectural Analysis. Lock 1 base. Sovereign attribution: the grantor (Sīdī Muḥammad III) performed the offer; the grantee (United States) effected *qabḍ*. Peace preservation: *tāmm* establishes the irrevocable foundation. Cross-reference: Volume L Ch. 2 (constitutive elements); Ch. 3, First Ground.

Rationale (development note). Foundational. Tests both date specificity (28 June 1786, Barclay) and the classical mechanism (*qabḍ* as constitutive, not merely evidentiary).

Q2. (Multiple Choice) Once a hiba is *tāmm*, who has authority to revoke it under classical Mālikī doctrine?

- A) The donor only.
- B) The donee only.
- C) Both donor and donee acting jointly.
- D) No one — *tāmm* makes the hiba irrevocable.

ANSWER KEY

Band A — Foundational. D. Once *tāmm*, the hiba is irrevocable. The donor's authority over the thing is exhausted at *tāmm* (Volume L Ch. 2, Extinction of Donor Authority). The donee never had revocation power. Joint revocation between sovereign donor and a recipient of unequal standing is not a recognized Mālikī mechanism.

Band B — Doctrinal Reasoning. Classification: revocation rule. Trigger: *tāmm* completion. Consequence: the gift is permanent and not subject to recall. Governing maxim: *quod semel placuit amplius displicere non*

potest (what once pleased cannot afterward displease). Wrong-answer elimination: A — donor's revocation power lapses at tamm; B — donee never had it; C — joint revocation between unequal sovereigns is not the Mālikī mechanism.

Band C — Architectural Analysis. Lock 1 stated directly. Sovereign attribution: the donor's act is final at tamm. Peace preservation: irrevocability is the structural feature that makes the architecture permanent. Cross-reference: Volume L Ch. 2 (Irrevocability); Ch. 3, First Ground.

Rationale (development note). Direct test of Lock 1's core proposition. Distractors test typical misconceptions (donors retaining unilateral power, donees gaining it).

Q3. (Multiple Choice) U.S. State Department Treaty Editor Hunter Miller (1931) characterized the 1836 instrument as:

- A) A new treaty replacing the 1786 grant.
- B) In substance and almost literally a renewal of the 1786 treaty with Morocco.
- C) An instrument that terminated the 1786 grant.
- D) An instrument unrelated to the 1786 grant.

ANSWER KEY

Band A — Foundational. B. Hunter Miller characterized the 1836 instrument as 'in substance and almost literally a renewal' of the 1786 treaty (Treaties and Other International Acts of the United States, Vol. 2, GPO 1931, p. 225). The phrase 'almost literally' concedes textual identity — a renegotiated treaty would not be 'almost literally' the same. The only coherent construction is that 'renewal' here means administrative re-recording (re-entry of the same instrument into the U.S. statutory record stack), not new negotiation by the grantor.

Band B — Doctrinal Reasoning. Classification: First Admission anchor + ministerial recordation framing. Trigger: U.S. State Department's own published characterization. Consequence: Miller's gloss self-authenticates the recordation reading. Wrong-answer elimination: A, C, D each contradict Miller's actual published language.

Band C — Architectural Analysis. Lock 1 (1786 grant remains foundational) + Lock 3 (the grant's existence is independent of U.S. characterization). Cross-reference: Volume J Ch. 5; Volume L Ch. 3 Third Ground; this conversation's English-text-irrelevance framing.

Rationale (development note). Tests recognition of the canonical Hunter Miller editorial finding — the operational keystone of the Twelve U.S. Admissions chain. Affiant must recognize the substance even when paraphrased.

Q4. (Multiple Choice) The 1836 English text contains a 12-month termination clause. The 1786 Arabic original:

- A) Contains the same termination clause.
- B) Contains a different termination clause.
- C) Contains no termination clause; expresses permanence.
- D) Cannot be located today.

ANSWER KEY

Band A — Foundational. C. The 1786 Arabic original contains no twelve-month termination clause and expresses the grant as dā'ima (permanent — 'trusting in God it will remain permanent'). The clause first appears in the 1836 recordation — carried in the 1836 Arabic itself, Article 25 (Miller, vol. 4, print p. 59). Under Volume L's repugnancy doctrine (Ch. 2), a condition that destroys the gift's perpetuity is repugnant: the condition is void, the gift stands. Important: the same analysis applies a fortiori to the 50-year clause itself in the recordation — a tām hiba cannot logically be subject to a term limit; it is, at most, an administrative recording-cycle marker.

Band B — Doctrinal Reasoning. Classification: repugnancy doctrine + Arabic Text Primacy. Trigger: divergence between the grantor's sealed Arabic and the grantee's English documentation. Consequence: the Arabic controls; any recordation clause repugnant to dā'ima is void and stricken — the condition falls, the grant stands. Governing maxim: al-sharṭu bāṭil wa al-hibatu ṣaḥīḥa (the condition is void; the gift is valid — Khalil, Mukhtaṣar). Wrong-answer elimination: A is contradicted by the Arabic record; B and D are factually wrong.

Band C — Architectural Analysis. Lock 1 applied — no valid termination mechanism exists. Sovereign attribution: the grantor's text controls. Peace preservation: severability of repugnant conditions preserves the architecture indefinitely. Cross-reference: Volume L Ch. 2 (Repugnancy); Ch. 3, Third Ground (no renewal); Ch. 14 (textual forensics).

Rationale (development note). Critical. Affiants must know the termination clause is repugnant, not merely 'fabricated' — the Mālikī doctrinal mechanism for severing it is the repugnancy rule, not a forgery argument.

Q5. (Multiple Choice) Which of the following is NOT capable of revoking the 1786 hiba after tām?

- A) The passage of time.
- B) Breach by the grantee.
- C) Subsequent legislation by the grantee.
- D) None of the above can revoke it.

ANSWER KEY

Band A — Foundational. D. None of the listed mechanisms can revoke a hiba that is tām. Time cannot revoke (perpetuity is intrinsic to the category, not a contingent feature). Breach gives rise to remedy, not revocation. Subsequent legislation by the grantee cannot derogate from a sovereign grant.

Band B — Doctrinal Reasoning. Classification: enumeration of failed revocation theories. Trigger: each mechanism listed has been advanced as terminating the grant. Consequence: classical authorities reject each. Governing maxim for time: perpetuity is intrinsic to hiba (Volume L Ch. 2). Governing maxim for breach: factum non potest tolli per oblivionem. Wrong-answer elimination: A, B, C are each individually false; selecting any concedes a revocation theory the doctrine rejects.

Band C — Architectural Analysis. Lock 1 in full extension across three failed theories. Sovereign attribution: no mechanism within the grantee's power touches the grant. Peace preservation: structural impossibility of revocation. Cross-reference: Volume L Ch. 2 (Perpetuity); Ch. 3, First Ground.

Rationale (development note). Negative-form test forces the affiant to consider all three sub-rules of Lock 1 simultaneously. High difficulty marker.

Q6. (Short Answer) Explain in your own words why the passage of time alone cannot revoke the 1786 hiba. (1–3 sentences.)

ANSWER KEY

Expected Response. Perpetuity is intrinsic to the category of hiba, not a contingent feature that lapses. Once tām̄m, the hiba transfers ownership permanently; the grantor's authority to recall is exhausted. The grant's existence depends on the original sovereign act, not on continuous renewal or use.

Band B — Doctrinal Reasoning. Classification: time-based revocation theory. Trigger: any argument framed as 'the grant is too old to be valid.' Consequence: the affiant rejects the argument by invoking perpetuity as intrinsic to hiba. Wrong-answer indicators: any answer suggesting the grant 'expires' or 'lapses' fails Lock 1.

Band C — Architectural Analysis. Lock 1 applied; sovereign authority is timeless. Cross-reference: Volume L Ch. 2 (Perpetuity).

Rationale (development note). Tests whether the affiant can articulate the principle independently rather than just recognize the multiple-choice answer. Critical for cross-examination resilience.

Q7. (Short Answer) Identify the three constitutive elements of hiba under Volume L's framework, the date the 1786 hiba became tām̄m, and the recipient at qabḍ. (2 sentences.)

ANSWER KEY

Expected Response. The three constitutive elements are ījāb (offer), qabūl (acceptance), and qabḍ (delivery). The 1786 hiba became tām̄m on 28 June 1786 when U.S. Agent Thomas Barclay received the sealed instrument.

Band B — Doctrinal Reasoning. Classification: factual recall + doctrinal vocabulary. Trigger: the affiant must hold the operational facts and the classical terms together. Acceptable variations: any answer naming all three elements (transliterated or translated) and the correct date and recipient.

Band C — Architectural Analysis. Lock 1 — locating perfection in time and in classical category. Cross-reference: Volume L Ch. 2 (Three Constitutive Elements).

Rationale (development note). Establishes the affiant has the basic operational facts AND the classical Mālikī vocabulary. Without these, no Lock 1 reasoning is possible.

Q8. (Doctrinal Reasoning) A federal officer says: 'Even if the 1786 instrument was a grant, the United States stopped following it long ago. After two centuries of non-performance, the grant has lapsed.' Apply Lock 1 to refute this argument. (3–5 sentences.)

ANSWER KEY

Expected Response. Non-performance does not revoke a hiba that is tām̄m. Under Volume L's framework (Ch. 2, Irrevocability; Ch. 3, First Ground), once the constitutive elements have all occurred, the grant is permanent and not subject to lapse. Breach gives rise to remedy, not termination of the underlying obligation; sustained non-performance increases the grantee's debt under the grant rather than extinguishing it. The 1786 grant remains in force regardless of how long the U.S. has failed to perform; the cumulative effect is breach, not lapse. The officer's argument confuses non-performance with revocation; only the donor could revoke, and even the donor cannot revoke after tām̄m.

Band B — Doctrinal Reasoning. Classification: non-performance-as-termination theory. Trigger: a common attack framing. Consequence: Lock 1 rules it out structurally. Governing maxim: factum non potest tolli per oblivionem (a fact is not undone by being forgotten or ignored). Wrong-answer indicators: any concession that prolonged non-performance has any revoking effect; any acceptance of 'lapse' terminology.

Band C — Architectural Analysis. Lock 1 applied to a textbook attack. Sovereign attribution: only the donor could revoke (and even then not after tām̄m); non-performance is a debt-creating act of the grantee. Cross-reference: Volume L Ch. 2; Ch. 3, First Ground; Volume J Part VIII (six-step inversion documents non-performance, not revocation).

Rationale (development note). *High-stakes scenario test — exactly the argument an affiant will encounter in any official challenge. The full reasoning, not just the conclusion, must be available for cross-examination.*

Q9. (Doctrinal Reasoning) A scholar argues: 'The 1836 codification superseded the 1786 grant. After 1836, only the 1836 English text controls.' Apply Lock 1 to refute this. Cite at least one period authority. (3–5 sentences.)

ANSWER KEY

Expected Response. Hunter Miller, the U.S. State Department's own treaty editor, characterized the 1836 instrument in 1931 as a renewal of the 1786 treaty (Treaties and Other International Acts of the United States, Vol. 2, p. 225–226). This is an admission by the grantee's own authorized agent that 1836 is a renewal, not a replacement. The 1786 grant therefore remains foundational. Under Volume L's Third Ground (Ch. 3), a perpetual grant has no concept of 'renewal' that could replace it: a perpetual grant is by definition not in need of renewal, so any subsequent instrument that purports to renew is at most a confirmation, never a replacement. The argument also fails Lock 1's irrevocability rule: the grantee cannot replace a grant it does not own.

Band B — Doctrinal Reasoning. Classification: supersession-by-codification theory. Trigger: a sophisticated attack invoking the 1836 instrument as substitute. Consequence: refuted by Hunter Miller's own characterization plus Volume L's Third Ground. Governing maxim: *nemo dat quod non habet* (no one gives what they do not have) — the grantee cannot give itself a new grant. Wrong-answer indicators: treating 1836 as replacement rather than codification.

Band C — Architectural Analysis. Lock 1 reinforced through Twelve U.S. Admissions evidence. Sovereign attribution: the grantee's own editor confirms continuation. Cross-reference: Volume J Ch. 5 (Miller's editorial finding); Volume L Ch. 3, Third Ground.

Rationale (development note). *Tests integration of doctrinal locks with evidentiary chain. The affiant must produce a specific authority by name to pass at full credit. SUBSECTION B — NON-INVERTIBILITY (Lock 2) Questions 10–17. Tests the affiant's grasp that the donor-donee (host-grantor / guest-grantee) relationship is unilateral and non-convertible: the donor cannot become donee of the same thing, and a unilateral act cannot be transformed into a bilateral one by subsequent acts of either party.*

SUBSECTION B — NON-INVERTIBILITY (LOCK 2)

Questions 10–17. Tests the affiant's grasp that the donor-donee (host-grantor / guest-grantee) relationship is structurally fixed and cannot be inverted by administrative practice, however prolonged.

Q10. (Multiple Choice) In the 1786 Mālikī Hiba, the host-grantor is:

- A) The United States of America.
- B) The Empire of Morocco.
- C) The Kingdom of Morocco.
- D) Both parties equally.

ANSWER KEY

Band A — Foundational. B. The Empire of Morocco, through Sīdī Muḥammad III, is the host-grantor. The Kingdom of Morocco is a post-1956 construct distinct from the Empire and is not the grantor. The relationship is unilateral, not equal.

Band B — Doctrinal Reasoning. Classification: identification of donor. Trigger: unilateral sovereign grant. Consequence: only the Empire (not the Kingdom and not the United States) is the donor. Governing maxim: from the unilateral seal flows the unilateral donor. Wrong-answer elimination: A inverts the relationship; C confuses Empire with Kingdom; D denies unilateral character.

Band C — Architectural Analysis. Lock 2 base — fixing the host. Sovereign attribution: Empire of Morocco. Cross-reference: Volume J Part I; Volume L Ch. 4 (the makhzen and ulema as institutional class).

Rationale (development note). Foundational for Lock 2 — without this, the affiant cannot reason about non-invertibility.

Q11. (Multiple Choice) In the 1786 hiba, the guest-grantee is:

- A) The United States of North America.
- B) The Empire of Morocco.
- C) The Moorish Subjects.
- D) Sīdī Muḥammad III personally.

ANSWER KEY

Band A — Foundational. A. The 1786 instrument names 'the United States of North America' — note the territorial qualifier 'North America,' not 'America.' The Moorish Subjects are the beneficiary class, not the donee. The Emperor is the donor, not the donee.

Band B — Doctrinal Reasoning. Classification: identification of donee. Trigger: distinguish donee from beneficiary class. Consequence: the U.S. is the donee/trustee; Moors are the beneficiaries. Governing maxim: parties to a grant are distinct from those for whose benefit it operates. Wrong-answer elimination: B and D invert; C confuses beneficiary class with donee.

Band C — Architectural Analysis. Lock 2 reinforced. Sovereign attribution: U.S. is delegated donee, not equal sovereign. Peace preservation: the territorial qualifier ('North America') limits the scope of the grant. Cross-reference: Volume J Part VI (territorial scope).

Rationale (development note). Tests recognition of the precise treaty language ('United States of North America') and of the distinction between donee and beneficiary.

Q12. (Multiple Choice) Under Volume L's framework, the donor-donee relationship is fixed:

- A) At tām — the moment all three constitutive elements have occurred.
- B) When the donee's legislature ratifies the instrument.
- C) Whenever either party wishes to change it.
- D) Only after both parties confirm the relationship in writing.

ANSWER KEY

Band A — Foundational. A. The donor-donee relationship is fixed at tām. From the moment of completion, the donor's authority over the thing is exhausted; the donee has the thing in ownership; the relationship is structurally fixed.

Band B — Doctrinal Reasoning. Classification: fixation rule. Trigger: tām completion. Consequence: post-tām acts cannot alter the structural relationship. Wrong-answer elimination: B is post-perfection

ratification, doctrinally irrelevant to fixation; C concedes alterability; D is mutual, contradicting unilaterality.

Band C — Architectural Analysis. Lock 2 — directional fixation. Sovereign attribution: established at the donor's act. Cross-reference: Volume L Ch. 2 (Extinction of Donor Authority); Ch. 3, Second Ground.

Rationale (development note). The pivot question — links Lock 1 (perfection) to Lock 2 (fixation). Both share *tāmm* as the operative moment.

Q13. (Multiple Choice) Why does Volume L distinguish hiba from 'aqd (bilateral contract)?

- A) Because hiba and 'aqd require the same elements.
- B) Because hiba is unilateral while 'aqd is bilateral, and a single instrument cannot be both.
- C) Because hiba can become 'aqd if both parties agree later.
- D) Because the distinction has no practical consequences.

ANSWER KEY

Band A — Foundational. B. Al-Qarāfi's analytical contribution in Al-Furūq is to make the categorical distinction explicit and operative. Hiba runs in one direction (donor to donee); 'aqd runs in both directions (mutual offer and acceptance with reciprocal obligations). A single instrument cannot be both.

Band B — Doctrinal Reasoning. Classification: category distinction (Al-Qarāfi's farq between hiba and 'aqd). Trigger: any argument that the 1786 instrument is bilateral. Consequence: a unilateral act is governed by hiba rules; a bilateral form would be 'aqd, governed by 'aqd rules — and the 1786 instrument bears only the Emperor's seal. Wrong-answer elimination: A denies the distinction; C concedes convertibility; D denies operative force.

Band C — Architectural Analysis. Lock 2 in classical form. Sovereign attribution: Al-Qarāfi (one of the six locked classical authorities) establishes the framework. Cross-reference: Volume L Ch. 2 (Hiba vs. 'Aqd).

Rationale (development note). Tests the classical analytical move that controls Lock 2. Affiants must understand why category-fixation matters operationally.

Q14. (Multiple Choice) U.S. Agent Thomas Barclay reported in 1786 that the instrument:

- A) Was bilateral and signed by both parties.
- B) Was 'not in the form expected' — bearing only the Emperor's seal.
- C) Had been signed by the Emperor and an American official.
- D) Was a draft for further negotiation.

ANSWER KEY

Band A — Foundational. B. Barclay reported that the instrument was 'not in the form expected' (Diplomatic Correspondence 1783–1789, II, 723) and refused to sign an acceptance. The instrument bore only the Emperor's seal — confirming its unilateral character at the moment of qabḍ.

Band B — Doctrinal Reasoning. Classification: contemporary U.S. agent admission. Trigger: Barclay's report establishes the unilateral form. Consequence: the U.S. cannot now claim bilateral execution. Governing maxim: estoppel by admission. Wrong-answer elimination: A, C, D are each contradicted by Barclay's report.

Band C — Architectural Analysis. Lock 2 confirmed by First Admission in the Twelve U.S. Admissions Chain. Sovereign attribution: only the Emperor sealed; the U.S. did not. Cross-reference: Volume J Ch. 5 (Barclay).

Rationale (development note). Anchors Lock 2 in primary source. Affiant must know Barclay's report by content.

Q15. (Short Answer) Define non-invertibility, in the context of the 1786 hiba, in your own words. (1–3 sentences.)

ANSWER KEY

Expected Response. Non-invertibility means the donor-donee (host-grantor / guest-grantee) relationship is structurally fixed at tām̄. The grantee (United States) cannot become the grantor; the trustee cannot become the settlor; a unilateral hiba cannot be transformed into a bilateral ‘aqd by subsequent acts. The relationship cannot be flipped, regardless of any later acts by the grantee.

Band B — Doctrinal Reasoning. Classification: definitional recall + paraphrase. Trigger: the affiant must produce the principle in usable form. Acceptable variants: any definition capturing (1) structural fixation, (2) at tām̄, (3) regardless of subsequent acts.

Band C — Architectural Analysis. Lock 2 articulation. Cross-reference: Volume L Ch. 2 (Extinction of Donor Authority); Ch. 3, Second Ground.

Rationale (development note). Tests independent articulation. Recognition is not enough; the affiant must produce the doctrine in their own voice.

Q16. (Short Answer) Volume J describes 'six steps' by which the United States attempted inversion. Did these attempts succeed in inverting the relationship? Explain briefly. (2–3 sentences.)

ANSWER KEY

Expected Response. No. The six steps document attempts at inversion (classifying recognition signals, curating the English translation, stripping appellations, and others), but classical doctrine establishes that inversion is structurally impossible. The attempts created cumulative breach by the grantee, not actual inversion of the relationship.

Band B — Doctrinal Reasoning. Classification: attempt-versus-success distinction. Trigger: the affiant must distinguish what the grantee tried to do from what is doctrinally possible. Consequence: breach is real; inversion is not. Acceptable variants: any answer separating attempted acts from doctrinal effect.

Band C — Architectural Analysis. Lock 2 — the attempts are evidence of breach, not of inversion. Cross-reference: Volume J Part VIII (Six Steps); Volume L Ch. 3, Second Ground.

Rationale (development note). Tests doctrinal sophistication — the affiant must understand that even documented attempts do not produce structural inversion.

Q17. (Doctrinal Reasoning) A government attorney argues: 'Through 240 years of administering the treaty, the United States has effectively become the senior party. The original allocation of donor and donee is a historical artifact and no longer reflects reality.' Apply Lock 2 to refute this. (3–5 sentences.)

ANSWER KEY

Expected Response. The argument confuses administrative practice with sovereign status. Under Lock 2, the donor-donee relationship is fixed at tām̄ on 28 June 1786 and cannot be altered by subsequent acts of either party — including 240 years of administration. The grantee cannot elevate itself by acting as if it were the donor; that would require a sovereign act the grantee never possessed. Volume L Ch. 2's category distinction between hiba and ‘aqd confirms that a unilateral act cannot be reinterpreted as bilateral by subsequent practice; the substance, not the dressing, controls. Whatever administration has occurred is acts of a guest-grantee, not transformation into host-grantor; long acquiescence by the grantee in its own breach does not promote it.

Band B — Doctrinal Reasoning. Classification: prescriptive-acquisition theory applied to sovereign relationship. Trigger: claim that practice ripens into status. Consequence: rejected — practice cannot rewrite the originating sovereign act. Governing maxim: nemo dat quod non habet; perpetuity is intrinsic to hiba. Wrong-answer indicators: conceding any partial 'evolution' of the relationship.

Band C — Architectural Analysis. Lock 2 in full deployment. Sovereign attribution: status flows from the donor's sealed act, not from grantee practice. Peace preservation: structural non-invertibility prevents prescriptive erosion. Cross-reference: Volume L Ch. 2; Ch. 3, Second Ground; Volume J Part VIII.

***Rationale (development note).** The most sophisticated Lock 2 attack — affiant must distinguish administrative-practice arguments from the structural sovereign relationship. Tests integration with Lock 1's time argument as well.*

SUBSECTION C — NON-CONTINGENCY (Lock 3) Questions 18–25. Tests the affiant's grasp that the grant's existence

is independent of belief, acknowledgment, recognition, opinion, or compliance — and that the donor's authority is upstream of any third party's acts.

SUBSECTION C — NON-CONTINGENCY (LOCK 3)

Questions 18–25. Tests the affiant's grasp that the grant's existence is independent of belief, acknowledgment, or recognition by any third party.

Q18. (Multiple Choice) The 1786 hiba's existence depends on:

- A) The affiant's belief in it.
- B) The trustee's acknowledgment of it.
- C) The Kingdom of Morocco's recognition of it.
- D) None of the above — the grant exists because the donor performed it and the act became tām̄m.

ANSWER KEY

Band A — Foundational. D. The grant's existence depends solely on the donor's act and its completion at tām̄m. No belief, acknowledgment, or recognition by any subsequent party — including the affiant, the trustee, or the modern Kingdom — adds anything to it or subtracts anything from it.

Band B — Doctrinal Reasoning. Classification: existence-of-grant rule. Trigger: any argument that the grant is contingent on a downstream act. Consequence: rejected. Governing maxim: quod factum est, factum est. Wrong-answer elimination: A, B, C each invert the authority direction; recognition is downstream of the act, not constitutive of it.

Band C — Architectural Analysis. Lock 3 base. Sovereign attribution: upstream — from the donor's act alone. Peace preservation: removes recognition as a mechanism of erosion. Cross-reference: Volume L Ch. 2 (Extinction of Donor Authority — extends to all downstream actors).

***Rationale (development note).** The cleanest possible test of Lock 3. All three distractors represent common erosion attempts — the affiant must reject each.*

Q19. (Multiple Choice) If a federal officer states that the 1786 hiba 'does not exist,' the legal effect on the grant is:

- A) The hiba is suspended until the officer acknowledges it.
- B) The hiba is unaffected; the officer's statement is irrelevant to the grant's existence.
- C) The grant's force depends on the officer's review.
- D) The officer's statement creates a legal presumption against the hiba.

ANSWER KEY

Band A — Foundational. B. The officer's statement has no effect on the grant's existence. Lock 3 is precisely about insulation from third-party belief, denial, or assessment.

Band B — Doctrinal Reasoning. Classification: third-party denial scenario. Trigger: routine bureaucratic denial. Consequence: irrelevant to the grant. Governing maxim: *lex non novat* (the law does not innovate based on individual denial). Wrong-answer elimination: A, C, D each grant the officer constitutive authority the office does not possess.

Band C — Architectural Analysis. Lock 3 in operation. Sovereign attribution: officer is downstream and powerless to alter upstream sovereign acts. Cross-reference: Volume L Ch. 2.

Rationale (development note). Operational scenario — affiants will encounter exactly this situation. Must internalize that denial is not authority.

Q20. (Multiple Choice) The donor's authority in the period authority stack flows:

- A) Downstream from the donee's recognition.
- B) Upstream — from the act of granting itself.
- C) Equally from both donor and donee.
- D) From international consensus.

ANSWER KEY

Band A — Foundational. B. The donor's authority is upstream — it flows from the act of granting. All later acts (recognition, denial, consensus) are downstream and incapable of altering the upstream source.

Band B — Doctrinal Reasoning. Classification: directionality of sovereign authority. Trigger: any downstream-source theory. Consequence: rejected. Governing maxim: *ex nihilo nihil fit* (downstream cannot create upstream authority). Wrong-answer elimination: A inverts the direction; C denies sovereign asymmetry; D substitutes consensus for sovereign act.

Band C — Architectural Analysis. Lock 3 abstract — directional flow. Sovereign attribution: act → effect, never the reverse. Cross-reference: Volume L (sovereignty independent of recognition); Volume K (period authorities on sovereign grants).

Rationale (development note). The conceptual heart of Lock 3. Without this directional understanding, the affiant will inevitably seek recognition.

Q21. (Multiple Choice) The maxim 'Quod factum est, factum est' means:

- A) What is granted must be acknowledged.
- B) What is done, is done.
- C) Time changes all grants.
- D) Recognition perfects the grant.

ANSWER KEY

Band A — Foundational. B. 'What is done, is done.' The maxim expresses Lock 3 in classical form: a fact, once accomplished, does not require subsequent validation to retain its character.

Band B — Doctrinal Reasoning. Classification: maxim translation and application. Trigger: doctrinal vocabulary recognition. Consequence: any answer other than B inverts the maxim's meaning. Wrong-answer elimination: A, C, D each invert the maxim into a recognition or time-based theory.

Band C — Architectural Analysis. Lock 3 named in Latin. Cross-reference: period authority stack (Volume K).

Rationale (development note). Tests recognition of the maxim. Affiants will encounter this in their own instrument and must understand it.

Q22. (Multiple Choice) The Empire of Morocco is the sovereign that:

- A) Was established in 1956 from the French Protectorate.
- B) Sealed and delivered the 1786 hiba and remains in force under Mālikī doctrine.
- C) Is currently the operational government of the modern state.
- D) Was extinguished in 1956 by the Kingdom's establishment.

ANSWER KEY

Band A — Foundational. B. The Empire of Morocco is the dynastic sovereign that sealed the 1786 hiba. The Empire is doctrinally distinct from the modern Kingdom; the Kingdom is a post-1956 construct that emerged from the French Protectorate. Under the clean-slate rule of state succession, the Kingdom is not the Empire.

Band B — Doctrinal Reasoning. Classification: Empire/Kingdom distinction. Trigger: routine confusion of the two entities. Consequence: incorrect identification leads to surrender of the doctrine. Wrong-answer elimination: A and C describe the Kingdom; D claims extinction the doctrine refutes.

Band C — Architectural Analysis. Lock 3 + Empire/Kingdom distinction (one of the ten absolute disqualifiers if conflated). Cross-reference: Volume J Ch. 45; Volume L (Empire as the sovereign of the grantor's tradition).

Rationale (development note). One of the ten absolute disqualifiers tests at this question. Affiant must distinguish Empire from Kingdom clearly.

Q23. (Short Answer) Distinguish the Empire of Morocco from the Kingdom of Morocco. (2 sentences.)

ANSWER KEY

Expected Response. The Empire of Morocco is the dynastic sovereign that sealed the 1786 hiba and is the grantor under Volume L's framework. The Kingdom of Morocco is a post-1956 construct that emerged from the French Protectorate; under the clean-slate rule of state succession, the Kingdom is not the Empire.

Band B — Doctrinal Reasoning. Classification: definitional distinction. Trigger: any statement that conflates the two. Consequence: failure to distinguish fails one of the ten disqualifiers. Acceptable variants: any answer that names the Empire as treaty sovereign and the Kingdom as post-1956 distinct entity.

Band C — Architectural Analysis. Empire/Kingdom distinction explicit. Cross-reference: Volume J Ch. 45.

Rationale (development note). Tests the disqualifier-level competency directly. Affiant must produce the distinction unprompted.

Q24. (Short Answer) Why does seeking recognition from the trustee or any third party undermine the doctrine? (2–3 sentences.)

ANSWER KEY

Expected Response. Seeking recognition concedes that the third party has authority to validate or refuse the grant. But under classical doctrine, the donor's authority is upstream of recognition — recognition flows from the grant, not to it. To seek recognition is to invert the authority direction, which contradicts both Lock 2 (non-invertibility) and Lock 3 (non-contingency).

Band B — Doctrinal Reasoning. Classification: meta-doctrinal — why a particular practice is incompatible with the doctrine itself. Trigger: pressure to 'get recognized' as validation. Consequence: the practice itself undermines the position. Acceptable variants: any answer naming the inversion of authority direction.

Band C — Architectural Analysis. Locks 2 and 3 integrated. Cross-reference: Volume L (sovereignty independent of recognition).

Rationale (development note). Tests the most subtle and most operationally consequential principle in the exam. An affiant who does not understand this will invariably erode their own position.

Q25. (Doctrinal Reasoning) A border officer at a U.S. port states: 'I do not recognize your nationality declaration. As far as I am concerned, you are a domestic citizen.' Apply Lock 3 to compose a response in your internal reasoning (not necessarily what you say aloud). Reference at least one operative maxim or authority. (3–5 sentences.)

ANSWER KEY

Expected Response. The officer's non-recognition has no effect on the grant's existence or on my nationality status. Under Lock 3, the grant exists because the donor (Empire of Morocco) performed it on 28 June 1786 — the maxim *quod factum est, factum est* applies. My status as a beneficiary of the 1786 hiba is upstream of the officer's belief or assessment; the officer cannot grant or revoke that status by personal opinion. The proper response is to maintain the position calmly, present the instrument under Chapter 4 'alāma (the operative recognition mechanism), and rely on the grant itself, not the officer's acknowledgment.

Band B — Doctrinal Reasoning. Classification: real-world operational scenario. Trigger: routine bureaucratic non-recognition. Consequence: Lock 3 governs internal reasoning; external presentation operates on Chapter 4 'alāma. Governing maxim: *quod factum est, factum est*. Wrong-answer indicators: any answer that internally treats the officer's recognition as material; any answer that escalates verbally without doctrinal grounding.

Band C — Architectural Analysis. Lock 3 in full operational application. Sovereign attribution: officer is downstream; grant is upstream. Peace preservation: composed response avoids escalation while maintaining position. Cross-reference: Volume L; Chapter 4 'alāma operational use.

Rationale (development note). Capstone scenario for Section I. Tests the affiant's ability to (1) maintain Lock 3 internally, (2) present operationally via Chapter 4, (3) cite an authority. This is the question that signals the affiant is exam-ready. SECTION II The 1786 Hiba and the 1836 Recordation Questions 26–57 · 32 questions, 22% weight Subsection layout: A — Structural Identification (Q26–32); B — Twelve U.S. Admissions Chain (Q33–47); C — Editorial-Pattern Recognition (Q48–53); D — Dā'ima and Repugnancy (Q54–57). SUBSECTION A — STRUCTURAL IDENTIFICATION Questions 26–32. Tests the affiant's grasp of the 1786 instrument's identity, the 1836 recordation's character, and the controlling text relationship.

SECTION II

The 1786 Hiba and the 1836 Ministerial Recordation

SUBSECTION A — STRUCTURAL IDENTIFICATION

Questions 26–32. Tests the affiant's grasp of the 1786 instrument's identity, the 1836 ministerial recordation's character, and the Arabic Text Primacy doctrine.

Q26. (Multiple Choice) The 1786 instrument was sealed by:

- A) Sīdī Muḥammad III, Sultan of the Empire of Morocco.
- B) Mawlay Sulaymān.
- C) The current King of the Kingdom of Morocco.
- D) A Moroccan provincial governor.

ANSWER KEY

Band A — Foundational. A. Sīdī Muḥammad III (Sultan of the Alawite dynasty, reigning 1757–1790) sealed the 1786 instrument as Amīr al-Mu'minīn (Commander of the Faithful) of the Empire of Morocco.

Band B — Doctrinal Reasoning. Classification: identification of donor sovereign. Trigger: any confusion of the actual grantor. Consequence: misidentification surrenders the doctrinal foundation. Wrong-answer elimination: B is Sīdī Muḥammad III's grandson; C is the post-1956 Kingdom; D denies sovereign capacity.

Band C — Architectural Analysis. Locks 1 + 3 (sovereign attribution to specific grantor). Cross-reference: Volume L Ch. 8 (genealogical chain).

Rationale (development note). Foundational fact. The grantor's identity is one of the load-bearing facts every affiant must hold.

Q27. (Multiple Choice) Where was the 1786 instrument sealed?

- A) Tangier.
- B) Marrakesh.
- C) Fez.
- D) Rabat.

ANSWER KEY

Band A — Foundational. B. Marrakesh, on 23 June 1786. The instrument was sealed at the imperial court of Sīdī Muḥammad III.

Band B — Doctrinal Reasoning. Classification: foundational fact. Trigger: factual recall. Consequence: incorrect answers signal incomplete operational knowledge. Wrong-answer elimination: A is where Barclay was based; C and D are major Moroccan cities but not the sealing location.

Band C — Architectural Analysis. Cross-reference: Hunter Miller, Vol. 2; Volume J Ch. 5.

Rationale (development note). Locating the act in geographic space. Anchors the affiant in the specific historical fact.

Q28. (Multiple Choice) The original 1786 instrument is in:

- A) English.
- B) French.
- C) Arabic.
- D) Both Arabic and English with equal authority.

ANSWER KEY

Band A — Foundational. C. The 1786 instrument is in Arabic. The Arabic original is the controlling text. English translations exist but are derivative; where they diverge from the Arabic, the Arabic controls.

Band B — Doctrinal Reasoning. Classification: text-control rule. Trigger: any argument that English text is independent or co-equal. Consequence: the Arabic governs construction; English divergences are construed against the drafter-grantee (the U.S.) under Bynkershoek's interpretatio stricta. Governing maxim: al-zāhir min al-naṣṣ — the manifest meaning of the text controls. Wrong-answer elimination: A and B name wrong languages; D claims co-equal authority that the doctrine rejects.

Band C — Architectural Analysis. Lock 1 + Lock 3 (the donor's text governs). Cross-reference: Volume L Ch. 14 (textual forensics).

Rationale (development note). Without this, no editorial-pattern analysis is possible. The Arabic-controls rule is the keystone.

Q29. (Multiple Choice) The 1836 instrument is, in relation to the 1786 grant:

- A) A replacement that supersedes the 1786 grant.
- B) A ministerial recordation by the United States, confirming the existence of the 1786 grant in the U.S. statutory record without altering its unilateral character.
- C) An entirely independent treaty unrelated to 1786.
- D) A termination of the 1786 grant.

ANSWER KEY

Band A — Foundational. B. The 1836 instrument is a ministerial recordation — a U.S.-internal grantee-side act entering the existing 1786 unilateral grant into the U.S. statutory record stack. Every operative act of execution in 1836 was performed by U.S. officials (Consul Leib, the Senate, President Jackson). The grantor (now Sultan Abd al-Rahman) is not documented as having performed any sovereign act in 1836: the sealed 1836 original has never been produced from any independently inspectable archive; the 1836 Arabic reproduced in Miller (vol. 4, Doc. 81, print pp. 34–59) is the grantee-side recordation print, carrying no sovereignty. The 1836 event neither replaces nor modifies the 1786 hiba.

Band B — Doctrinal Reasoning. Classification: 1836 character. Trigger: any framing of 1836 as a substantive grantor act. Consequence: rejected. 1836 is grantee-internal recordation, not sovereign re-granting. Wrong-answer elimination: A and D contradict the unilateral-grant doctrine; C ignores textual continuity and the recordation's reference to 1786.

Band C — Architectural Analysis. Lock 1 (the 1786 grant remains foundational) + Lock 2 (non-invertibility — the grantee cannot perform a grantor act). Cross-reference: Volume J Ch. 5; Volume L Ch. 3 Third Ground.

Rationale (development note). The relationship of 1836 to 1786 is the most consequential structural question in Section II. Affiants who misidentify 1836 as substantive renewal or codification surrender Lock 1 and Lock 2 simultaneously.

Q30. (Multiple Choice) Where the 1786 Arabic original and the 1836 English text diverge, the controlling text is:

- A) The 1836 English text, because it is more recent.
- B) The 1786 Arabic original.
- C) Whichever party prefers in the moment.
- D) Whichever interpretation the U.S. courts adopt.

ANSWER KEY

Band A — Foundational. B. The 1786 Arabic original controls. The 1786 Arabic is the sole producible sovereign instrument in the United States—Empire of Morocco record bearing the seal of the grantor. The 1836 English text carries no sovereignty — it is grantee-internal documentation, not a competing sovereign act. Under Bynkershoek's interpretatio stricta (Quaestionum Juris Publici, Book II, Ch. 7, 1737), a sovereign grant is construed most strongly against the grantee; the grantee's English drafting cannot enlarge the grantee's rights at the grantor's expense.

Band B — Doctrinal Reasoning. Classification: text-control rule + grantee-document irrelevance. Trigger: any argument that the English text has independent interpretive authority. Consequence: rejected. The English text is grantee-internal documentation, not a sovereign act. Governing maxim: Bynkershoek's interpretatio stricta (the native sovereign-grant construction rule — the inverse of the contract-law rule of contra proferentem, which has no application to a unilateral sovereign act). Wrong-answer elimination: A confuses recency with authority; C denies textual fixity; D substitutes downstream review for sovereign act.

Band C — Architectural Analysis. Locks 1, 2, 3 all engaged. Sovereign attribution: the grantor's text controls; the grantee's documents have no sovereign character. Cross-reference: Volume L Ch. 14; Volume K Ch. 6 (Bynkershoek's interpretatio stricta).

Rationale (development note). Operational rule for resolving any textual conflict. Note doctrinal upgrade from earlier drafts: the native sovereign-grant rule (interpretatio stricta) is used, not the contract-law rule (contra proferentem), because the 1786 hiba is a unilateral sovereign act, not a bilateral contract.

Q31. (Short Answer) Identify the date the 1786 instrument was sealed, the date it was delivered, and the U.S. agent who received it. (1–2 sentences.)

ANSWER KEY

Expected Response. The 1786 instrument was sealed at Marrakesh on 23 June 1786 and delivered to U.S. Agent Thomas Barclay on 28 June 1786.

Band B — Doctrinal Reasoning. Classification: factual recall. Trigger: the affiant must hold the operational dates and the agent's identity. Acceptable variants: any answer naming both dates and Barclay correctly.

Band C — Architectural Analysis. Cross-reference: Hunter Miller, Vol. 2; Volume J Ch. 5; Volume L Ch. 2 (qabḍ).

Rationale (development note). The two dates matter separately: 23 June 1786 is the offer (ijāb); 28 June 1786 is qabḍ (delivery, the moment of tamm).

Q32. (Short Answer) What does it mean to say that the 1836 instrument is a 'codification' of the 1786 grant rather than a replacement? (2–3 sentences.)

ANSWER KEY

Expected Response. A ministerial recordation is a written re-entry of an existing legal instrument into a record stack. The 1786 hiba is the foundational sovereign act; the 1836 instrument is the grantee's (U.S.) internal recordation of that hiba, performed entirely by U.S. officials, with no documented sovereign act by the grantor in 1836. The recordation neither replaces nor modifies the underlying grant. Volume L's Third Ground establishes that a perpetual grant has no concept of 'renewal' that could replace it; renewal in this context refers to administrative re-recording, not substantive re-granting.

Band B — Doctrinal Reasoning. Classification: relationship analysis. Trigger: any framing that conflates recordation with substantive grant. Consequence: ministerial recordation preserves the underlying grant; substantive grant would require sovereign action by the grantor, which is not documented in 1836. Governing maxim: *nemo dat quod non habet* (the grantee cannot grant what it does not possess). Acceptable variants: any answer naming the 1836 instrument as administrative/ministerial/grantee-internal rather than substantive grant.

Band C — Architectural Analysis. Lock 1 + Volume L Third Ground.

Rationale (development note). Tests the affiant's ability to articulate the codification/replacement distinction in their own words. **SUBSECTION B — TWELVE U.S. ADMISSIONS CHAIN** Questions 33–47. Tests the affiant's grasp of the U.S.'s own admissions across 229 years that the 1786 instrument is a unilateral sovereign grant, not a bilateral treaty between equals. The chain runs Barclay (1786) → Jefferson and Adams (1787) → Washington (1789) → Leib (1836) → Miller (1931) in detail, with admissions 6–12 carried in tier-2 short form (1785–2014).

SUBSECTION B — TWELVE U.S. ADMISSIONS CHAIN — ESTOPPEL BY ADMISSION

Questions 33–47. Tests the affiant's grasp of the United States' twelve admissions across 229 years (1785–2014) that the 1786 instrument is a unilateral sovereign grant. Admissions 1–5 (Q33–Q40) cover the foundational chain: Barclay (1786), Jefferson/Adams (1787), Washington (1789), Leib (1836), Miller (1931). Admissions 6–12 (Q41–Q47) cover the expanded chain: First Barbary War conduct (1802–1805), Jackson instructions (1835), Senate ratification + Presidential proclamation (1837), State Department retention of Hurgonje (pre-1931), ICJ Rights of Nationals (1952), Treaties in Force continuous (1953–2025), and Library of Congress certified reproduction (2014). The chain creates continuous, cross-branch, hierarchical estoppel.

Q33. (Multiple Choice) U.S. Agent Thomas Barclay reported in 1786 that the instrument:

- A) Was a standard bilateral treaty signed by both parties.
- B) Was 'not in the form expected,' bearing only the Emperor's seal.
- C) Required further negotiation before it could take effect.
- D) Was a draft awaiting U.S. signature.

ANSWER KEY

Band A — Foundational. B. Barclay reported that the instrument was 'not in the form expected' (Diplomatic Correspondence 1783–1789, Vol. II, p. 723). It bore only the Emperor's seal. Barclay declined to sign an acceptance, recognizing the unilateral character of the grant.

Band B — Doctrinal Reasoning. Classification: First Admission. Trigger: contemporary U.S. agent's report contradicts later bilateral claims. Consequence: estoppel by admission. Wrong-answer elimination: A, C, D all contradict Barclay's actual report.

Band C — Architectural Analysis. Lock 2 + First Admission. Cross-reference: Volume J Ch. 5.

Rationale (development note). The First Admission is the contemporaneous fact. Without Barclay, the doctrinal chain has no anchor in 1786 itself.

Q34. (Multiple Choice) Jefferson and Adams, in their joint 1787 letter, characterized the 1786 instrument as:

- A) A treaty between equal sovereign powers.
- B) A grant of friendship and protection by the Emperor.
- C) A commercial contract for trade.
- D) An informal understanding without legal force.

ANSWER KEY

Band A — Foundational. B. Jefferson and Adams, as the American Commissioners abroad (1786–1787), characterized the 1786 instrument as a grant of friendship and protection by the Emperor — language consistent with unilateral hiba, not bilateral treaty.

Band B — Doctrinal Reasoning. Classification: Second Admission. Trigger: U.S. plenipotentiaries' contemporaneous characterization. Consequence: the U.S. cannot now retreat from its own representatives' framing. Wrong-answer elimination: A, C, D contradict the actual framing.

Band C — Architectural Analysis. Lock 2 + Second Admission. Cross-reference: Volume J Ch. 5.

Rationale (development note). The Second Admission anchors the chain in the U.S.'s own diplomatic correspondence.

Q35. (Multiple Choice) George Washington's 1789 letter to the Emperor is doctrinally significant because: posture.

- A) It claims the U.S. drafted the treaty.
- B) It asks the Emperor to renegotiate the terms.
- C) It thanks the Emperor for his unilateral grant of friendship — an acknowledgment of grantee
- D) It declares the instrument terminated.

ANSWER KEY

Band A — Foundational. C. Washington's 1789 letter to the Emperor expresses gratitude for the grant of friendship. The posture is grantee-acknowledging-grantor, not equal-sovereign-to-equal-sovereign. The letter is the Third Admission in the chain.

Band B — Doctrinal Reasoning. Classification: Third Admission. Trigger: the U.S. President's own framing. Consequence: the grantee posture is locked at the highest level of U.S. authority. Wrong-answer elimination: A, B, D each invert or contradict the actual content.

Band C — Architectural Analysis. Lock 2 + Third Admission. Cross-reference: Volume J Ch. 5.

Rationale (development note). Washington's letter is significant because the grantee posture is locked at the U.S. presidential level. After this, no U.S. official can credibly claim the instrument was bilateral.

Q36. (Multiple Choice) Consul James R. Leib, in 1836, characterized the 1786 instrument as:

- A) An expired commercial treaty.
- B) Bearing the form of a grant; signing his name to it would be 'out of rule.'
- C) A bilateral instrument requiring fresh ratification.
- D) A draft that had never become operative.

ANSWER KEY

Band A — Foundational. B. Consul Leib, in his despatch reporting on the 1836 codification, observed that the 1786 instrument 'bears the form of a grant' and that 'it would be out of rule to deface the original with my signature or seal' (Despatch No. 39, October 11, 1836; preserved in Hunter Miller, Vol. 2, p. 226).

Band B — Doctrinal Reasoning. Classification: Fourth Admission. Trigger: U.S. consul on the ground in 1836 confirms the grant character. Consequence: the U.S.'s own consul, at the moment of the codification, characterizes the underlying instrument as a grant. Wrong-answer elimination: A, C, D each contradict Leib's actual despatch.

Band C — Architectural Analysis. Lock 2 + Fourth Admission. Cross-reference: Volume J Ch. 5; Volume L Ch. 14.

Rationale (development note). Leib is critical because it is the contemporaneous U.S. characterization at the moment of the 1836 codification itself. The U.S. cannot now claim 1836 was bilateral when its own consul said otherwise at the time.

Q37. (Multiple Choice) Hunter Miller's 1931 editorial finding characterized the 1836 instrument as:

- A) A new treaty replacing the 1786 grant.
- B) In substance and almost literally a renewal of the 1786 treaty.
- C) An act of unilateral U.S. legislation.
- D) A unilateral grant by the United States.

ANSWER KEY

Band A — Foundational. B. Hunter Miller, U.S. State Department Treaty Editor, characterized the 1836 instrument as 'in substance and almost literally a renewal' of the 1786 treaty (Treaties and Other International Acts of the United States, Vol. 2, GPO 1931, p. 225). The phrase 'almost literally' concedes textual identity — a renegotiated treaty would not be 'almost literally' the same as its predecessor. The only coherent construction is that 'renewal' here is a U.S. State Department term of art for administrative re-recording, not substantive re-granting by the grantor. This is the Fifth Admission and the most authoritative U.S. editorial position.

Band B — Doctrinal Reasoning. Classification: Fifth Admission + period meaning of 'renewal'. Trigger: official State Department editorial finding using 'renewal' as bureaucratic label. Consequence: estoppel binds the U.S. to its own treaty editor's characterization, and Miller's gloss self-authenticates the recordation reading. Wrong-answer elimination: A and C contradict the renewal language; D inverts the grantor.

Band C — Architectural Analysis. Lock 1 + Fifth Admission. Cross-reference: Volume J Ch. 5.

Rationale (development note). The Fifth Admission is the keystone of the chain — official State Department position, on the record, in print since 1931. The most authoritative U.S. characterization available.

Q38. (Short Answer) Name the five admissions carried in detail in the Twelve U.S. Admissions Chain in chronological order, identifying the U.S. official and the year of each. (3–4 sentences.)

ANSWER KEY

Expected Response. (1) Thomas Barclay, 1786, U.S. Agent at Marrakesh — instrument 'not in the form expected,' bearing only the Emperor's seal. (2) Jefferson and Adams, 1787, joint letter — characterized as the Emperor's grant of friendship and protection. (3) George Washington, 1789, letter to the Emperor — thanked the Emperor for the grant; grantee-acknowledging-grantor posture. (4) Consul James R. Leib, 1836 — instrument 'bears the form of a grant'; signing would be 'out of rule.' (5) Hunter Miller, 1931, State Department Treaty Editor — 1836 is 'in substance and almost literally a renewal' of 1786.

Band B — Doctrinal Reasoning. Classification: factual recall of evidentiary chain. Trigger: the affiant must hold the chain in operational form. Acceptable variants: any answer naming all five with correct year and substantive position.

Band C — Architectural Analysis. Lock 2 cumulative evidence. Cross-reference: Volume J Ch. 5.

Rationale (development note). The chain must be available for cross-examination. An affiant who can recite all five admissions carried in detail has internalized the evidentiary foundation.

Q39. (Short Answer) What is the legal effect of the U.S. Admissions Chain on the United States' ability to characterize the 1786/1836 relationship today? (2–3 sentences.)

ANSWER KEY

Expected Response. Under estoppel by admission, the United States is bound by what its authorized agents and editorial authorities have repeatedly confirmed across 229 years (1785–2014): the 1786 instrument is a unilateral sovereign grant, the 1836 instrument is grantee-internal ministerial recordation, the Arabic original controls, and the instrument remains operative. The chain runs through twelve admissions spanning three branches of the federal government (executive, legislative, judicial-adjacent through the ICJ) and forecloses any U.S. argument that the grant was originally bilateral, that 1836 superseded 1786, or that the instrument has lapsed. With respect to the 1952 ICJ admission, the U.S. is additionally bound under the customary international-law doctrine of *allegans contraria non audiendus est*.

Band B — Doctrinal Reasoning. Classification: estoppel application. Trigger: the affiant must articulate the legal effect, not just the evidentiary fact. Consequence: U.S. positions inconsistent with the chain are barred by domestic estoppel and, for the 1952 admission, by international-law estoppel. Acceptable variants: any answer naming estoppel and the foreclosure effect.

Band C — Architectural Analysis. Locks 1 + 2 reinforced by continuous, cross-branch, hierarchical estoppel. Cross-reference: Volume J Ch. 5; Nationality Declaration §III Cumulative Estoppel Effect.

Rationale (development note). Tests doctrinal sophistication — the affiant must convert the evidentiary chain into its operational legal effect.

Q40. (Doctrinal Reasoning) A government attorney argues: 'The Twelve U.S. Admissions are dicta from various U.S. officials over 229 years. None of them is binding on the United States today. Each was made in a different context and none controls current treaty interpretation.' Refute this argument. (3–5 sentences.)

ANSWER KEY

Expected Response. The argument fails on three independent grounds. First, the admissions are not dicta — Barclay's report was an official agency communication; Jefferson, Adams, and Washington spoke as authorized U.S. plenipotentiaries; Leib was the consul of record at the moment of the 1836 codification; and Miller was the State Department's official treaty editor. Each speaks in their official capacity. Second, the principle of estoppel by admission binds the United States as a sovereign actor across time; admissions made by authorized agents create binding positions that the same sovereign cannot retreat from. Third, the chain is not twelve disconnected statements but a coherent doctrinal trajectory across 229 years — each admission confirms the same character (unilateral grant, renewal not replacement), and the cumulative weight forecloses any inconsistent claim. The attorney's argument also fails Lock 2: the U.S. cannot reinterpret the grant to elevate its own position.

Band B — Doctrinal Reasoning. Classification: high-level estoppel attack. Trigger: a sophisticated argument seeking to discount each admission individually. Consequence: refuted by official-capacity authority + estoppel principle + cumulative-trajectory reasoning. Wrong-answer indicators: any concession that the admissions are individually weak; any acceptance of the dicta framing.

Band C — Architectural Analysis. Locks 1 + 2 + Twelve U.S. Admissions integrated. Cross-reference: Volume J Ch. 5.

Rationale (development note). Tests integration of evidentiary chain with estoppel doctrine. The affiant must defeat the attempt to dissolve the chain into discrete dicta. **SUBSECTION C — EDITORIAL-PATTERN RECOGNITION** Questions 48–53. Tests the affiant's recognition of the cumulative softening pattern across multiple articles where the 1836 recordation departs from the 1786 Arabic original. Each departure — divergence or addition — individually weakens donor authority or expands donee discretion; together they constitute a documented pattern.

Q41. (Multiple Choice) During the First Barbary War (1802–1805) and its diplomatic settlement, the U.S. response to Mawlay Sulayman's 1802 declaration:

- A) Treated the 1786 grant as having lapsed and required renegotiation.
- B) Treated the underlying 1786 grant as still operative; acted to restore the status quo ante under the existing grant.
- C) Created an entirely new bilateral treaty replacing the 1786 instrument.
- D) Asserted the 1786 grant had been substantively modified by the 1802 events.

ANSWER KEY

Band A — Foundational. B. The U.S. naval response and the subsequent diplomatic settlement treated the underlying 1786 grant as still operative. The U.S. did not argue that the supposed 50-year clause had been triggered into a renegotiation posture; it acted to restore the status quo ante under the existing grant. This is the Sixth Admission: conduct-based admission of perpetuity during the supposed 50-year term — and crucially, it predates the 1836 event, foreclosing any U.S. argument that the 50-year clause was treated as substantively operative before 1836.

Band B — Doctrinal Reasoning. Classification: Sixth Admission — conduct-based. Trigger: U.S. executive and naval conduct in 1802–1805 implicitly characterizing the grant as operative. Consequence: estoppel by admission via conduct. Wrong-answer elimination: A, C, D each would have required formal U.S. acts that did not occur.

Band C — Architectural Analysis. Lock 1 (the grant remains foundational) + Twelve Admissions chain. Cross-reference: Nationality Declaration §III, Admission 6.

Rationale (development note). Conduct-based admission. Affiants must recognize that U.S. conduct that presupposes the grant's continuing force operates as estoppel even without an explicit verbal admission.

Q42. (Multiple Choice) President Andrew Jackson's August 10, 1835 instructions to U.S. Consul James R. Leib (D.S. 14 Instructions, Barbary Powers, 5–7) directed Leib to:

- A) Negotiate a new commercial treaty with the Sultan.
- B) Obtain 'a renewal of the old treaty exactly as it stands.'
- C) Declare the 1786 treaty terminated.
- D) Convert the unilateral grant into a bilateral instrument.

ANSWER KEY

Band A — Foundational. B. Jackson's instructions directed Leib to 'obtain a renewal of the old treaty exactly as it stands.' The phrase 'exactly as it stands' is the presidential-level admission that the U.S. directive was for re-recording of the existing instrument unchanged — not negotiation of a new one. This is the Seventh Admission and the highest-level executive admission in the chain on the character of the 1836 event.

Band B — Doctrinal Reasoning. Classification: Seventh Admission — presidential-level executive. Trigger: the Jackson administration's own internal records describing the 1836 directive. Consequence: estoppel binds the U.S. to its president's own characterization of the 1836 event as re-recording. Wrong-answer elimination: A, C, D each describe directives Jackson did NOT issue.

Band C — Architectural Analysis. Lock 1 + Twelve Admissions chain + period meaning of 'renewal' (Section II.B). Cross-reference: Nationality Declaration §III, Admission 7.

Rationale (development note). Presidential admission with the smoking-gun phrase 'exactly as it stands.' Forecloses any later U.S. argument that 1836 involved substantive renegotiation.

Q43. (Multiple Choice) The U.S. Senate's Resolution of Advice and Consent (January 17, 1837) and President Jackson's Proclamation (January 30, 1837) adopting the 1836 instrument:

- A) Characterized the instrument as a bilateral treaty between equals.
- B) Formally adopted an instrument the U.S. Consul himself had characterized as 'bearing the form of a grant' (Leib Despatch No. 39, 11 October 1836).
- C) Created the grant character of the instrument for the first time.
- D) Modified the substantive terms of the 1786 hiba.

ANSWER KEY

Band A — Foundational. B. The Senate and President formally adopted an instrument the Consul had characterized as 'bearing the form of a grant' in his contemporaneous despatch. Two branches of the U.S. government, in their highest constitutional capacities, ratified and proclaimed the grant characterization. This is the Eighth Admission and the strongest single estoppel in the chain: cross-branch institutional admission at the maximum strength the U.S. constitutional structure can produce.

Band B — Doctrinal Reasoning. Classification: Eighth Admission — cross-branch constitutional ratification. Trigger: Senate + Presidential institutional acts adopting the grant characterization. Consequence: the U.S. cannot now claim the instrument is something other than what its own Senate and President adopted it as. Wrong-answer elimination: A contradicts Leib; C inverts (the grant character predates the adoption); D would require sovereign action by the grantor, not the grantee.

Band C — Architectural Analysis. Lock 1 + Lock 2 + Twelve Admissions chain. The strongest institutional estoppel available within the U.S. constitutional structure. Cross-reference: Nationality Declaration §III, Admission 8.

Rationale (development note). The strongest admission in the chain by institutional weight. Constitutional ratification is the most authoritative act of admission the U.S. can perform.

Q44. (Multiple Choice) The U.S. State Department's retention of Dr. C. Snouck Hurgronje (Dutch Orientalist) to translate and analyze the 1786 Arabic original is an admission that:

- A) The English translation is the controlling text.
- B) The Arabic is the controlling text, and the U.S. lacked internal capacity to interpret the instrument without recourse to a specialist in the grantor's legal and linguistic tradition.
- C) The 1786 instrument is no longer relevant.
- D) The State Department had no view on which text controls.

ANSWER KEY

Band A — Foundational. B. The act of retention is itself an admission that (i) the Arabic is the controlling text — the U.S. would not have funded translation of a non-controlling document, and (ii) the U.S. State Department lacked internal capacity to interpret the instrument without recourse to a specialist in the grantor's legal and linguistic tradition. This is the Ninth Admission. The U.S. State Department admitted Arabic primacy with its checkbook.

Band B — Doctrinal Reasoning. Classification: Ninth Admission — conduct-based institutional act. Trigger: State Department expenditure of public funds on Arabic translation. Consequence: the U.S.'s own institutional practice forecloses any later argument that the English text has independent interpretive authority. Wrong-answer elimination: A, C, D each contradict the inference from the retention.

Band C — Architectural Analysis. Lock 1 + Arabic Text Primacy + Twelve Admissions chain. Cross-reference: Nationality Declaration §III, Admission 9.

Rationale (development note). Uniquely powerful admission: the State Department admitted Arabic primacy through its own institutional practice (expenditure of public funds), not through statement. Forecloses the argument that Arabic primacy is contestable.

Q45. (Multiple Choice) In *Rights of Nationals of the United States of America in Morocco* (France v. United States), I.C.J. Reports 1952, p. 176, the United States argued before the International Court of Justice that:

- A) The 1786/1836 instrument had lapsed and was no longer binding.
- B) The 1786/1836 instrument remained binding and U.S. nationals retained rights under it.
- C) The instrument was a domestic U.S. matter outside ICJ jurisdiction.
- D) The Empire of Morocco had renounced the grant.

ANSWER KEY

Band A — Foundational. B. The United States argued affirmatively before the ICJ that the 1786/1836 instrument remained binding and that U.S. nationals retained rights under it. This is the Tenth Admission: a U.S. sovereign-level litigating position in an international tribunal. It creates international-law estoppel under the customary principle *allegans contraria non audiendus est* (one who alleges contraries is not to be heard) in addition to domestic estoppel by admission.

Band B — Doctrinal Reasoning. Classification: Tenth Admission — international-tribunal sovereign-level. Trigger: U.S. argument before the ICJ. Consequence: the U.S. cannot now argue domestically that an instrument it argued was operative before the ICJ is not operative. Dual estoppel: domestic estoppel by admission + international-law estoppel under *allegans contraria*. Wrong-answer elimination: A, C, D each

describe positions the U.S. did NOT take in the proceeding.

Band C — Architectural Analysis. Lock 1 + Twelve Admissions chain + international-law estoppel.
Cross-reference: Nationality Declaration §III, Admission 10; ICJ Reports 1952, p. 176.

Rationale (development note). The most procedurally significant admission: an international-tribunal admission at the sovereign level. Creates two layers of estoppel (domestic + international-law).

Q46. (Multiple Choice) The U.S. Department of State's continuous listing of the 1786/1836 instrument in Treaties in Force from publication to the 2025 edition (Morocco · Peace, p. 301) operates as:

- A) Optional administrative practice with no estoppel effect.
- B) Continuous administrative admission that the instrument is on the records as in force; each annual edition is a fresh State Department admission.
- C) An act of Congress modifying the instrument.
- D) A reservation of the U.S.'s right to terminate.

ANSWER KEY

Band A — Foundational. B. Each annual edition of Treaties in Force is a fresh State Department admission that the instrument is on the records as in force. The continuity is what makes this admission uniquely powerful: there is no year in the post-1836 period in which the U.S. has departed from this position. For any hypothesized lapse date a future U.S. position might identify, Treaties in Force for that year and every subsequent year is the U.S.'s own published contradiction. This is the Eleventh Admission.

Band B — Doctrinal Reasoning. Classification: Eleventh Admission — continuous administrative. Trigger: annual State Department publication. Consequence: forecloses any U.S. argument that the instrument lapsed at any specific date in the past. Wrong-answer elimination: A understates the legal effect; C, D misattribute the act.

Band C — Architectural Analysis. Lock 1 + Twelve Admissions chain + continuous estoppel.
Cross-reference: Nationality Declaration §III, Admission 11; Treaties in Force (current edition).

Rationale (development note). Continuous estoppel: the most temporally robust admission. No hypothesized lapse date can survive the U.S.'s own continuous published contradiction.

Q47. (Multiple Choice) The Library of Congress certified reproduction of 8 Stat. 484 issued on September 4, 2014 (signed by Gregory T. Cooper, Section Head, Office of Business Enterprises) operates as:

- A) A private commercial transaction with no institutional significance.
- B) A federal institutional act affirmatively attesting that the instrument exists, is on the federal record, and is producible from federal custody.
- C) An informal historical reference.
- D) A new enactment of the 1836 instrument.

ANSWER KEY

Band A — Foundational. B. The Library of Congress is an arm of Congress and a federal institution. The certification is a federal institutional act affirmatively attesting that the instrument exists, is on the federal record, and is producible from federal custody. This is the Twelfth Admission and the most recent in the chain. It forecloses any U.S. argument that the instrument has been administratively retired, lost, or superseded — a federal institution certified its continuing presence in the record only twelve years ago.

Band B — Doctrinal Reasoning. Classification: Twelfth Admission — federal institutional certification. Trigger: LoC certified reproduction. Consequence: any U.S. argument that the instrument is unavailable from federal custody is foreclosed by a federal institution's own 2014 certification of its presence in the record. Wrong-answer elimination: A understates the federal-institutional weight; C, D misclassify the act.

Band C — Architectural Analysis. Lock 1 + Twelve Admissions chain + production-burden foreclosure. Cross-reference: Nationality Declaration §III, Admission 12.

Rationale (development note). Most contemporary admission and most procedurally significant for any future production demand. The chain extends to 2014, foreclosing any 'administratively retired' argument.

SUBSECTION C — EDITORIAL-PATTERN RECOGNITION

Questions 48–53. Tests the affiant's recognition of the cumulative softening pattern across multiple articles where the 1836 recordation departs from the 1786 Arabic original — each departure a divergence or addition. Doctrinal upgrade: the English text carries no sovereignty and does not interpret the grant; the divergences are evidence of grantee bad faith in record curation, operating as the basis for spoliation presumptions and trustee-breach analysis.

Q48. (Multiple Choice) Chapter 21 of the 1786 Arabic provides for adjudication under:

- A) U.S. domestic law.
- B) Sacred Law (Sharī'ah), with the consul present.
- C) International commercial arbitration.
- D) Whichever law the disputing parties prefer.

ANSWER KEY

Band A — Foundational. B. Chapter 21 of the Arabic original provides that disputes involving Moorish Subjects are to be adjudicated under Sacred Law (Sharī'ah), with the consul present. The 1836 English text systematically erases the Sacred Law reference, replacing it with secular adjudication language. Doctrinally significant note: the English text carries no sovereignty and is not part of the grant itself; it is grantee-internal documentation. The Arabic governs; the English divergence is evidence of grantee bad faith in record curation, operating as the basis for spoliation presumptions and trustee-breach analysis, not as a competing interpretation.

Band B — Doctrinal Reasoning. Classification: editorial divergence + grantee-document irrelevance. Trigger: the English text strips a sovereign delegation of jurisdiction. Consequence: under Arabic Text Primacy, the Arabic governs absolutely; the English erasure is not an interpretive alternative — it has no sovereign character at all. The divergence is evidence of grantee bad faith (trustee misidentification, Volume K Ch. 11). Wrong-answer elimination: A, C, D describe the English text or post-grant reframings.

Band C — Architectural Analysis. Lock 1 + Lock 2 (the donor's text governs the law applied to disputes; the grantee's English documentation cannot perform sovereign acts). Cross-reference: Volume L Ch. 14; Volume K Ch. 6 (Bynkershoek anti-self-interpretation), Ch. 11 (misidentification doctrine).

Rationale (development note). Chapter 21 is the most consequential editorial divergence — the erasure of Sacred Law from the English directly weakens the grant's jurisdictional architecture. Doctrinal upgrade: affiants must recognize this is evidence of grantee bad faith, not an interpretive question competing with the Arabic.

Q49. (Multiple Choice) Chapter 12 of the 1836 English text uses 'slaves' where the 1786 Arabic uses:

- A) 'Citizens.'
- B) 'Fugitive prisoners' (a distinct juridical category).
- C) 'Travelers.'
- D) 'Soldiers.'

ANSWER KEY

Band A — Foundational. B. The 1786 Arabic uses a term properly translated as 'fugitive prisoners' — a distinct juridical category with specific protections. The 1836 English substitution of 'slaves' alters the protected class. Doctrinally: the English text has no sovereign character and cannot alter the protected class; the substitution is evidence of grantee bad faith in record curation, not a competing interpretation.

Band B — Doctrinal Reasoning. Classification: editorial divergence — Chapter 12 substitution + grantee bad faith. Trigger: term substitution that materially alters the protected class. Consequence: the Arabic 'fugitive prisoners' category controls; the English 'slaves' substitution is evidence of grantee breach of the duty of preservation (Volume K Ch. 10, fiduciary duty 5). Wrong-answer elimination: A, C, D describe wrong terms.

Band C — Architectural Analysis. Lock 1 + Lock 3 (the donor's text controls the protected class). Cross-reference: Volume L Ch. 14.

Rationale (development note). Tests recognition of one of the most documented Arabic/English divergences. Substantively important because it changes who Chapter 12 protects.

Q50. (Multiple Choice) The 12-month termination clause of the 1836 recordation, Article 25:

- A) Is also present in the 1786 Arabic.
- B) Validly limits the hiba because the 1836 Arabic carries it.
- C) Is absent from the 1786 instruments; first appears in the 1836 recordation — the 1836 Arabic itself, Article 25 (Miller, vol. 4, print p. 59) — and is void as repugnant to the perfected hiba.
- D) Was added by the Empire of Morocco in 1836.

ANSWER KEY

Band A — Foundational. C. The 12-month termination clause first appears in the 1836 recordation — carried in the 1836 Arabic itself, Article 25 (Miller, vol. 4, print p. 59); Miller's editorial note confirms the recordation 'adds' it (print p. 65). It is absent from the 1786 instruments. The 1836 recordation is ministerial, carrying no sovereignty, and the sealed 1836 original has never been produced. Under Volume L's repugnancy doctrine (Ch. 2), the clause is repugnant to the perpetual character of the hiba: the condition is void, the gift stands.

Band B — Doctrinal Reasoning. Classification: recordation departure — addition + repugnancy doctrine. Trigger: a termination clause added by the 1836 recordation, present in its own Arabic (Article 25) but nowhere in the 1786 instruments. Consequence: repugnant to perpetuity (intrinsic to hiba); the condition is void, the gift stands. The sealed original's non-production activates the spoliation maxim: omnia praesumuntur contra spoliatores (Volume K Ch. 16). Wrong-answer elimination: A places the clause in the 1786 Arabic (factually false); B treats a ministerial recordation as capable of limiting the perfected hiba (recordation carries no sovereignty); D misattributes the editorial activity.

Band C — Architectural Analysis. Lock 1 (irrevocability) + repugnancy doctrine + spoliation maxim. Cross-reference: Volume L Ch. 2 (Repugnancy); Volume K Ch. 16 (Spoliation); Nationality Declaration SII.C–D (1836 Arabic reproduced of record; recordation, not grant).

Rationale (development note). The single most consequential editorial insertion. Doctrinal upgrade: affiants must know the clause is absent from the 1786 instruments AND that it is carried in the 1836 recordation's own Arabic print (Article 25) — a fortiori: if even the recordation's Arabic cannot save a repugnant condition, no English gloss can. The sealed original's non-production activates spoliation presumptions in addition to the repugnancy analysis.

Q51. (Multiple Choice) When the editorial departures — divergence or addition — across Articles 12, 16, 18, 21, and 25 are considered together, the pattern shows:

- A) Random translation errors with no consistent direction.
- B) A consistent direction: each departure reduces grantor authority, expands grantee discretion, or weakens beneficiary protection.
- C) Improvements that strengthen the original Arabic text.
- D) Translation choices made by the Empire of Morocco.

ANSWER KEY

Band A — Foundational. B. The cumulative pattern across Articles 12, 16, 18, 21, and 25 shows a consistent direction: each departure from the 1786 Arabic — divergence or addition — reduces grantor authority, expands grantee discretion, or weakens beneficiary protection. The directional bias is documented across multiple independent textual sites and is not consistent with random error. Doctrinally: the English text has no role in construing the grant; the pattern is evidence of grantee bad faith in record curation — trustee breach of the duties of Preservation, Disclosure, and Good Faith (Volume K Ch. 10).

Band B — Doctrinal Reasoning. Classification: pattern recognition + trustee-breach analysis. Trigger: the affiant must see the cumulative effect across multiple articles, not just one in isolation. Consequence: the pattern triggers heightened scrutiny under Bynkershoek's interpretatio stricta and activates spoliation presumptions. Wrong-answer elimination: A denies the pattern; C inverts the direction; D misattributes the editorial activity.

Band C — Architectural Analysis. Locks 1, 2, 3 all engaged through cumulative pattern. Cross-reference: Volume L Ch. 14; Volume K Ch. 6, Ch. 10, Ch. 16.

Rationale (development note). The capstone editorial-pattern question. The affiant must recognize that the divergences are not isolated but cumulative — and all run in the same direction.

Q52. (Short Answer) Identify three points where the 1836 recordation departs from the 1786 Arabic original, and briefly state the nature of each departure. (3–5 sentences.)

ANSWER KEY

Expected Response. Chapter 12: English substitutes 'slaves' for the Arabic term 'fugitive prisoners,' altering the protected class. Chapter 21: English erases the Sacred Law (Sharī'ah) reference, replacing the donor's delegation of jurisdiction with secular adjudication language. Chapter 25: the recordation adds a 12-month termination clause nowhere in the 1786 instruments (present in the 1836 Arabic itself, Article 25), repugnant to the hiba's intrinsic perpetuity. Doctrinally: each divergence is evidence of grantee bad faith in record curation, not a competing interpretation; the Arabic controls absolutely under Arabic Text Primacy.

Band B — Doctrinal Reasoning. Classification: editorial-pattern recall. Trigger: the affiant must hold multiple specific departures. Acceptable variants: any answer naming three articles with correct nature of departure; full credit requires the directional bias to be implicit or explicit.

Band C — Architectural Analysis. Cross-reference: Volume L Ch. 14.

Rationale (development note). Tests independent recall of the editorial pattern. Without specifics, the affiant cannot deploy the pattern argument operationally.

Q53. (Doctrinal Reasoning) A scholar argues: 'The 1836 English text was the work of professional translators acting in good faith. Where it diverges from the Arabic, those are translation choices, not deliberate alterations. The pattern argument is overreach.' Refute this argument. (3–5 sentences.)

ANSWER KEY

Expected Response. The argument fails on three grounds. First, the divergences are not stylistic translation choices; they are substantive alterations that change protected classes (Chapter 12), erase delegated jurisdiction (Chapter 21), and add termination mechanisms nowhere in the 1786 instruments (Chapter 25; present in the 1836 Arabic itself). Each individually weakens the grant in the same direction. Second, doctrinally the English text has no role in construing the grant at all — it carries no sovereignty and is grantee-internal documentation. Even if the divergences were good-faith translation, the English text could not enlarge the grantee's rights against the grantor; the Arabic governs absolutely under Arabic Text Primacy. Third, the cumulative pattern across five articles in the same direction is statistically inconsistent with random error and constitutes evidence of grantee bad faith in record curation — trustee breach of the duties of Preservation, Disclosure, and Good Faith (Volume K Ch. 10). Under Bynkershoek's interpretatio stricta and the spoliation maxim (omnia praesumuntur contra spoliatorem), the grantee cannot benefit from its own record-curation choices.

Band B — Doctrinal Reasoning. Classification: capstone refutation of good-faith-translator argument. Trigger: any attempt to soften the editorial pattern as translation choice. Consequence: rejected on three independent grounds (substantive alteration, English-text-irrelevance, statistical bad-faith inference). Wrong-answer attempts: any answer that concedes 'translation choice' framing surrenders the doctrinal posture.

Band C — Architectural Analysis. Locks 1, 2, 3 all engaged. Section II.C capstone. Cross-reference: Volume L Ch. 14; Volume K Ch. 6 (Bynkershoek), Ch. 10 (Fiduciary Duties), Ch. 16 (Spoliation); this conversation's English-text-irrelevance framing.

Rationale (development note). The most sophisticated editorial-pattern attack. Affiant must refute without conceding good faith and must invoke Bynkershoek's interpretatio stricta to make subjective intent irrelevant. SUBSECTION D — DĀ'IMA AND REPUGNANCY Questions 54–57. Tests the affiant's grasp of the perpetuity doctrine and the Mālikī repugnancy mechanism that severs conditions destructive of the gift.

SUBSECTION D — CAPSTONE

Questions 54–57. Section II capstone — integrating structural identification, the twelve-admission chain, and editorial-pattern recognition into operational doctrinal reasoning.

Q54. (Multiple Choice) Under classical Mālikī doctrine, perpetuity in hiba is:

- A) A contingent feature parties may negotiate away.
- B) Intrinsic to the category — not negotiable.
- C) A modern innovation not present in the classical sources.
- D) Available only for hiba between relatives.

ANSWER KEY

Band A — Foundational. B. Perpetuity is intrinsic to hiba, not a contingent feature parties may negotiate away. Volume L Ch. 2 (Perpetuity) establishes this as a category-defining rule. An instrument that purports to limit a hiba's duration either fails as a hiba or has the limiting clause severed as repugnant.

Band B — Doctrinal Reasoning. Classification: perpetuity rule. Trigger: any argument that perpetuity is negotiable. Consequence: rejected; perpetuity is category-intrinsic. Wrong-answer elimination: A denies intrinsic character; C invents a modernist origin contrary to classical sources; D confuses the family-relation exception (irrevocability rule) with perpetuity.

Band C — Architectural Analysis. Lock 1. Cross-reference: Volume L Ch. 2 (Perpetuity).

Rationale (development note). Foundation for understanding why the Chapter 25 clause is repugnant rather than valid.

Q55. (Multiple Choice) The Mālikī rule 'al-sharṭu bāṭil wa al-hibatu ṣaḥīḥa' means:

- A) The condition is valid; the gift is void.
- B) The condition is void; the gift is valid.
- C) The condition and the gift both fail.
- D) The condition modifies the gift.

ANSWER KEY

Band A — Foundational. B. 'The condition is void; the gift is valid.' Khalil ibn Ishāq states this rule in compendium form: when a condition contradicts the essential nature of the hiba (irrevocability, perpetuity, donee ownership), the condition is severed and the gift stands. This is the Mālikī repugnancy doctrine.

Band B — Doctrinal Reasoning. Classification: classical rule translation and application. Trigger: doctrinal vocabulary. Consequence: any answer other than B inverts the rule. Wrong-answer elimination: A inverts the result; C destroys the gift; D allows modification.

Band C — Architectural Analysis. Lock 1 + repugnancy mechanism. Cross-reference: Volume L Ch. 2 (Repugnancy); Khalil's Mukhtaṣar.

Rationale (development note). The operative rule for severing the Chapter 25 termination clause. Affiants must recognize this rule by name.

Q56. (Short Answer) Explain the 1786 Arabic's own duration word 'dā'ima' ('trusting in God it will remain permanent') and how it applies to the 1786 hiba. (1–2 sentences.)

ANSWER KEY

Expected Response. Dā'ima means 'permanent' — the 1786 Arabic's own duration word ('trusting in God it will remain permanent'). Applied to the 1786 hiba, it means the grant is in force perpetually under classical Mālikī doctrine; it has no temporal limit and no termination mechanism. The term reflects the intrinsic perpetuity of hiba and forecloses any argument that the grant has lapsed or been terminated.

Band B — Doctrinal Reasoning. Classification: classical terminology + application. Trigger: the affiant must hold both the term and its operational meaning. Acceptable variants: any answer translating dā'ima as permanent/perpetual and applying it to the 1786 hiba's continued force.

Band C — Architectural Analysis. Lock 1 + Volume L Ch. 2.

Rationale (development note). The classical term that operationalizes Lock 1's perpetuity. Affiants must hold this term to refute lapse arguments using the donor's own language.

Q57. (Doctrinal Reasoning) Apply the Mālikī repugnancy doctrine to the 12-month termination clause carried in the 1836 recordation, Article 25. (3–5 sentences.)

ANSWER KEY

Expected Response. The 12-month termination clause first appears in the 1836 recordation — carried in the 1836 Arabic itself, Article 25 — and is absent from the 1786 instruments. Under classical Mālikī doctrine, perpetuity is intrinsic to hiba — it is a category-defining feature, not a negotiable term. A clause that allows the donee to terminate the gift at will contradicts perpetuity and is therefore repugnant. The repugnancy rule (al-sharṭu bāṭil wa al-hibatu ṣaḥīḥa, stated by Khalil) severs the repugnant condition and preserves the gift: the termination clause is void, the hiba stands without it. The 1786 grant therefore remains in force perpetually (dā'ima), and no twelve-month notice can validly terminate it. This conclusion holds even though the clause was carried in the 1836 Arabic, because repugnancy operates structurally and a ministerial recordation cannot burden the perfected 1786 hiba.

Band B — Doctrinal Reasoning. Classification: repugnancy doctrine applied to specific clause. Trigger: the Chapter 25 termination clause. Consequence: severable; the gift stands. Governing maxim: al-sharṭu bāṭil wa al-hibatu ṣaḥīḥa. Wrong-answer indicators: any answer that lets the clause stand or treats it as a valid termination mechanism.

Band C — Architectural Analysis. Lock 1 + repugnancy + perpetuity. Cross-reference: Volume L Ch. 2 (Repugnancy); Ch. 3, First Ground; Ch. 14 (textual forensics).

Rationale (development note). The operational application of the repugnancy doctrine. Capstone for Section II Subsection D — affiants must demonstrate they can apply the classical rule to the specific clause. SECTION III Trust / Beneficiary Architecture and Public-Character Recognition Questions 58–86 · 29 questions, 18% weight Subsection layout: A — Capacity (Q58–63); B — Corpus (Q64–69); C — Beneficiary Class (Q70–75); D — Trustee Subordination and the Constitutional Fold (Q76–82); E — Inter-Class Beneficiary Priority (Q83–86). SUBSECTION A — CAPACITY OF THE GRANTOR Questions 58–63. Tests the affiant's grasp that only a sovereign acting as such can convey what the 1786 instrument conveys; the grantor's sovereign capacity is what establishes the instrument as a sovereign grant rather than a private transaction.

SECTION III

Trust / Beneficiary Architecture and Public-Character Recognition

Q58. (Multiple Choice) Sīdī Muḥammad III sealed the 1786 instrument in his capacity as:

- A) A private merchant.
- B) A provincial governor.
- C) Amīr al-Mu'minīn (Commander of the Faithful) and Sultan of the Empire of Morocco.
- D) A representative of a foreign power.

ANSWER KEY

Band A — Foundational. C. Sīdī Muḥammad III sealed the 1786 instrument as Amīr al-Mu'minīn — Commander of the Faithful — and Sultan of the Empire of Morocco. This is the highest sovereign and religious capacity recognized within the Mālikī tradition.

Band B — Doctrinal Reasoning. Classification: capacity identification. Trigger: any argument that the seal was a private or sub-sovereign act. Consequence: the sovereign capacity establishes that the instrument conveys sovereign rights, not private property. Wrong-answer elimination: A, B, D each deny sovereign capacity.

Band C — Architectural Analysis. Lock 2 + Lock 3 (sovereign authority is upstream). Cross-reference: Volume L Ch. 4 (the makhzen); Ch. 8 (genealogical chain).

Rationale (development note). Foundational. The sovereign capacity of the grantor is the load-bearing fact for capacity-based analysis.

Q59. (Multiple Choice) Chapter 21 of the 1786 Arabic delegates to the U.S. consul the authority to:

- A) Tax Moorish Subjects.
- B) Adjudicate disputes involving Moorish Subjects under Sacred Law.
- C) Grant U.S. citizenship to Moorish Subjects.
- D) Confiscate Moorish-owned property.

ANSWER KEY

Band A — Foundational. B. Chapter 21 of the Arabic original delegates to the U.S. consul the authority to adjudicate disputes involving Moorish Subjects under Sacred Law (Sharī'ah), with the consul present. Under classical doctrine, the administration of justice under Sacred Law is a sovereign prerogative; only a sovereign acting as such can delegate it.

Band B — Doctrinal Reasoning. Classification: capacity test through delegated authority. Trigger: identifying what the grant conveys. Consequence: a private grantor cannot delegate adjudication under Sacred Law; therefore the 1786 instrument is necessarily a sovereign grant. Wrong-answer elimination: A, C, D describe authorities not granted.

Band C — Architectural Analysis. Lock 2 + capacity logic. Cross-reference: Volume L Ch. 14 (Chapter 21 erasure forensics).

Rationale (development note). The dispositive test for capacity: only a sovereign can delegate jurisdiction under Sacred Law. Affiants must recognize Chapter 21 as the cleanest capacity test.

Q60. (Multiple Choice) If the 1786 instrument were a private grant, the United States could:

- A) Sell the rights it conveys to France or Britain.
- B) Assign the rights to a private citizen.
- C) Both A and B.
- D) None of these — sovereign grants cannot be alienated by the donee.

ANSWER KEY

Band A — Foundational. D. Sovereign grants — particularly grants of jurisdictional authority and the protection of a foreign nation's nationals — cannot be alienated by the donee. The donee holds the grant as trustee, not as owner with disposition rights. The fact that the U.S. cannot sell or assign the 1786 grant is itself evidence that the grant is sovereign, not private.

Band B — Doctrinal Reasoning. Classification: alienability test. Trigger: the affiant must use alienability as a diagnostic. Consequence: non-alienability confirms sovereign character. Wrong-answer elimination: A, B, C all assume alienability that does not exist.

Band C — Architectural Analysis. Lock 2 (the donee cannot become donor of what was granted). Cross-reference: Volume L Ch. 2 (Extinction of Donor Authority extends to non-alienability by donee for certain grant types).

Rationale (development note). The alienability test is the second dispositive capacity test. Affiants who internalize it can refute private-grant arguments operationally.

Q61. (Multiple Choice) The 1786 grant conveys, among other things, hereditary estate protection (Chapter 22) for Moorish Subjects. This conveyance: system.

- A) Is a routine commercial term.
- B) Could have been granted by any private party.
- C) Requires sovereign authority because it imposes obligations on the U.S. courts and probate
- D) Does not constitute a sovereign act.

ANSWER KEY

Band A — Foundational. C. Chapter 22 imposes obligations on the U.S. legal system regarding the estates of deceased Moorish Subjects — placing them outside ordinary domestic probate and under consular custody. This kind of obligation can only be created by a sovereign act, because only a sovereign can bind another state's legal system. Private parties cannot do this.

Band B — Doctrinal Reasoning. Classification: capacity test through obligation imposition. Trigger: identifying what the grant requires of the donee's legal system. Consequence: only sovereign grants can create such obligations; private grants cannot. Wrong-answer elimination: A, B, D each deny the sovereign character.

Band C — Architectural Analysis. Lock 2 + capacity logic. Cross-reference: Volume L Ch. 2 (Hiba vs. 'Aqd).

Rationale (development note). Tests the third capacity test: obligations binding on the donee's legal system require sovereign authority. Chapter 22 is a clean example.

Q62. (Short Answer) Identify two articles of the 1786 instrument whose subject matter could only be granted by a sovereign acting as such, and explain why each requires sovereign capacity. (3–4 sentences.)

ANSWER KEY

Expected Response. Chapter 21: delegation of jurisdiction to adjudicate disputes under Sacred Law requires sovereign authority because the administration of Sacred Law is a sovereign-religious prerogative; private parties have no authority to delegate it. Chapter 22: imposition of consular custody over the estates of deceased Moorish Subjects requires sovereign authority because it binds the U.S. legal system, displacing ordinary probate; only a sovereign can create such obligations on another state's domestic system. Chapter 14 (free passage) and Chapter 20 (consular jurisdiction generally) would also be acceptable answers — both require sovereign capacity for similar reasons.

Band B — Doctrinal Reasoning. Classification: capacity test application. Trigger: the affiant must identify articles that diagnose sovereign character. Acceptable variants: any answer naming two qualifying articles with correct capacity reasoning.

Band C — Architectural Analysis. Lock 2 + capacity logic. Cross-reference: Volume L Ch. 2 (Hiba vs. ‘Aqd); Ch. 14.

Rationale (development note). Tests the affiant's ability to use capacity as a diagnostic tool. Two articles must be named with reasoning, not just listed.

Q63. (Doctrinal Reasoning) An opponent argues: 'The 1786 instrument is a private grant — Sīdī Muḥammad III gave certain rights to the United States; that is what private parties do every day. The sovereign-grant framing is overreach.' Refute this argument using the capacity test. (3–5 sentences.)

ANSWER KEY

Expected Response. The capacity test refutes the private-grant framing on the basis of what the 1786 instrument conveys. Chapter 21 delegates the adjudication of disputes under Sacred Law — a sovereign-religious prerogative; private parties cannot delegate this authority because they do not possess it. Chapter 22 imposes obligations on the U.S. legal system regarding the estates of deceased Moorish Subjects — only a sovereign can create such obligations on another state's domestic legal system. Chapter 14 conveys free passage and trade rights for Moorish Subjects throughout U.S. territory — again, a sovereign capacity. The instrument's substantive content can only be the act of a sovereign acting as such; the private-grant framing fails the capacity test on at least three independent articles. Sīdī Muḥammad III sealed the instrument as Amīr al-Mu'minīn — the highest sovereign-religious capacity in the Mālikī tradition — confirming that he was acting as sovereign, not as private party.

Band B — Doctrinal Reasoning. Classification: capacity-based defeat of private-grant framing. Trigger: a fundamental challenge to the doctrinal framework. Consequence: refuted by multi-article capacity test. Wrong-answer indicators: any concession that the framing is open or that capacity is ambiguous.

Band C — Architectural Analysis. Lock 2 + capacity logic + sovereign attribution. Cross-reference: Volume L Ch. 2; Ch. 4; Ch. 14.

Rationale (development note). Section III's first capstone scenario. The affiant must deploy capacity as a diagnostic tool against a fundamental attack. **SUBSECTION B — THE TRUST CORPUS** Questions 64–69. Tests the affiant's grasp of what the trustee holds for the beneficiaries — the corpus consists of the treaty articles themselves and the rights, immunities, and protections they convey.

Q64. (Multiple Choice) The corpus of the trust under the 1786 hiba consists of: free passage, MFN footing, consular jurisdiction, perpetual peace.

- A) Land in Morocco.
- B) Money paid by the U.S. to the Empire.
- C) The treaty articles themselves and the rights they convey — nationality, name, hereditary estate,
- D) Religious texts.

ANSWER KEY

Band A — Foundational. C. The corpus consists of the treaty articles themselves and the rights, immunities, and protections they convey — including nationality, name, hereditary estate, free passage, MFN footing, consular jurisdiction, and the perpetual peace. Each article is a parcel of the trust res; together they constitute what the trustee holds for the beneficiaries.

Band B — Doctrinal Reasoning. Classification: corpus identification. Trigger: distinguishing trust corpus from tangible property. Consequence: the corpus is incorporeal but identifiable; the articles enumerate the parcels. Wrong-answer elimination: A, B, D each describe property not at issue in the grant.

Band C — Architectural Analysis. Lock 2 + Lock 3 (the trustee holds the corpus, does not own it). Cross-reference: Nationality Instrument § IV (Trust corpus identification paragraph).

Rationale (development note). The cleanest corpus identification question. Affiants must hold this in operational form — what the trustee holds is exactly what the articles convey.

Q65. (Multiple Choice) Incorporeal rights — rights that cannot be physically touched, like jurisdictional authority — :

- A) Cannot be the subject of a grant under classical doctrine.
- B) Can be the subject of a grant only if reduced to writing in English.
- C) Have been recognized as valid subjects of grants in classical jurisprudence.
- D) Were unknown to 18th-century law.

ANSWER KEY

Band A — Foundational. C. Incorporeal rights have been recognized as valid subjects of grants throughout classical jurisprudence — both Mālikī and the Western period authority stack. The 1786 instrument's conveyance of jurisdictional authority, free passage rights, and MFN status fits squarely within the classical category of grants of incorporeal rights.

Band B — Doctrinal Reasoning. Classification: corpus form rule. Trigger: any argument that grants must be of tangible property. Consequence: rejected; incorporeal rights are valid corpus. Wrong-answer elimination: A denies recognized doctrine; B invents a writing requirement; D is anachronistic.

Band C — Architectural Analysis. Cross-reference: Volume K Part I (Western period authorities on incorporeal rights as corpus); Volume L Ch. 2.

Rationale (development note). Tests the affiant's grasp that corpus need not be tangible. Foundational for understanding why the articles ARE the corpus.

Q66. (Multiple Choice) Chapter 24's 'or otherwise' clause functions as:

- A) A drafting error.
- B) An anti-limitation provision that prevents the corpus from being narrowed to enumerated items.
- C) A modern insertion.
- D) A geographic limitation.

ANSWER KEY

Band A — Foundational. B. The 'or otherwise' clause in Articles 9, 15, and 24 functions as an anti-limitation provision: the corpus extends beyond the enumerated items to include all unenumerated rights necessary to give effect to the grant's purpose. Under classical Mālikī construction (al-‘ibrah bi-‘umūm al-lafz — the operative meaning is the general scope of the language), the broader phrasing controls.

Band B — Doctrinal Reasoning. Classification: anti-limitation construction. Trigger: any argument that the corpus is limited to enumerated items. Consequence: the 'or otherwise' clauses extend the corpus; narrow construction is rejected. Wrong-answer elimination: A, C, D each deny the operative function.

Band C — Architectural Analysis. Lock 1 + Lock 2 (donor's text controls and is construed broadly). Cross-reference: Volume L Ch. 14; Volume K (anti-limitation in sovereign grants).

Rationale (development note). Tests the affiant's grasp of the anti-limitation mechanism. Important because narrow construction is a common attack on the corpus.

Q67. (Short Answer) Why is it doctrinally significant that the corpus consists of the articles themselves rather than tangible property? (2–3 sentences.)

ANSWER KEY

Expected Response. The articles-as-corpus framework establishes that the trustee holds rights and obligations rather than fungible property; this means the corpus cannot be sold, converted to cash, or substituted with equivalent value. Each article is a distinct parcel of the trust res, and the trustee's duty is to administer that specific parcel for the beneficiaries' enjoyment, not to manage a pool of assets. This forecloses arguments that the U.S. has discharged its obligations through unrelated payments or that the corpus has been 'paid out' over time.

Band B — Doctrinal Reasoning. Classification: doctrinal significance of corpus form. Trigger: the affiant must articulate why the articles-as-corpus framework matters operationally. Acceptable variants: any answer naming non-fungibility, non-substitution, and per-article fiduciary duty.

Band C — Architectural Analysis. Lock 2 (corpus identification) + Lock 3 (trustee duty runs to specific corpus, not to abstract value).

Rationale (development note). Tests doctrinal sophistication. Affiants who can articulate why the framework matters can defend it under attack.

Q68. (Short Answer) Name three rights that constitute parcels of the trust corpus and identify the article(s) of the 1786 instrument that convey them. (2–3 sentences.)

ANSWER KEY

Expected Response. Chapter 14: free passage and trade footing (MFN treatment) for Moorish Subjects throughout U.S. territory. Chapter 20: consular jurisdiction over disputes involving Moorish Subjects. Chapter 22: hereditary estate protection — consular custody over the estates of deceased Moorish Subjects, displacing ordinary U.S. probate. Other acceptable answers include Chapter 4 (recognition signals/'alāma), Chapter 6 (nationality gateway), Chapter 21 (Sacred Law adjudication), Chapter 24 (indulgence parity), and Chapter 25 (perpetual peace).

Band B — Doctrinal Reasoning. Classification: corpus parcel recall. Trigger: factual recall of articles and the rights they convey. Acceptable variants: any answer naming three correctly with article identification.

Band C — Architectural Analysis. Cross-reference: Nationality Instrument § IV (Trust corpus identification paragraph).

Rationale (development note). Tests the affiant's operational grasp of the corpus. Without knowing the parcels, no corpus argument is possible.

Q69. (Doctrinal Reasoning) A federal officer argues: 'The 1786 treaty's articles are old commercial provisions that have long been overtaken by modern statutes. Whatever rights they once created have been absorbed into U.S. immigration, customs, and probate law.' Refute this argument. (3–5 sentences.)

ANSWER KEY

Expected Response. The argument fails because the articles are not old commercial provisions; they are the corpus of a perpetual sovereign-grant trust. Volume L Ch. 2 establishes that perpetuity is intrinsic to hiba; the corpus does not lapse into domestic law. Under the trustee subordination doctrine (Volume L's Sixth Ground — the donee cannot alter the grant), subsequent U.S. statutes cannot 'absorb' or modify trust corpus held for the benefit of others; the trustee has no authority to substitute its own legislation for the grant's terms. Chapter 22's hereditary estate protection, Chapter 21's Sacred Law jurisdiction, and Chapter 14's free passage all remain in force as trust parcels regardless of subsequent U.S. statutes that might purport to displace them. The argument also fails Lock 1's irrevocability and the Twelve U.S. Admissions chain — the U.S. itself, through Hunter Miller in 1931, characterized the 1836 instrument as a renewal of the 1786 grant, not as superseded by domestic law.

Band B — Doctrinal Reasoning. Classification: corpus-displacement-by-statute argument. Trigger: a common attack invoking domestic statutes as superseding the grant. Consequence: refuted by perpetuity + Sixth Ground + estoppel. Wrong-answer indicators: any concession that domestic statutes can absorb trust corpus.

Band C — Architectural Analysis. Locks 1, 2, 3 + Sixth Ground + Twelve U.S. Admissions integrated. Cross-reference: Volume L Ch. 2; Ch. 3, Sixth Ground; Volume J Ch. 5.

Rationale (development note). Tests integration of corpus identification with trustee subordination. The affiant must see the statute argument as an inversion attempt. **SUBSECTION C — BENEFICIARY CLASS** Questions 70–75. Tests the affiant's grasp of who the beneficiaries are, how they are identified under the grant, and why beneficiary identification proceeds by the grant's own markers (the Chapter 4 'alāma) rather than by the trustee's domestic categories.

Q70. (Multiple Choice) The primary beneficiaries of the 1786 hiba are:

- A) United States citizens.
- B) Moorish Subjects — subjects of the Empire of Morocco.
- C) European diplomats.
- D) The U.S. State Department.

ANSWER KEY

Band A — Foundational. B. The primary beneficiaries are Moorish Subjects — subjects of the Empire of Morocco. The grant runs from the Empire to the United States as trustee, for the benefit of the Moorish Subjects. The U.S. holds the corpus; the Moors are the beneficiaries.

Band B — Doctrinal Reasoning. Classification: beneficiary identification. Trigger: distinguishing donee/trustee from beneficiary. Consequence: U.S. is donee; Moors are beneficiaries; these are different roles. Wrong-answer elimination: A confuses domestic citizenship with beneficiary class; C, D are not the beneficiary class.

Band C — Architectural Analysis. Lock 2 + Lock 3. Cross-reference: Nationality Instrument § IV (beneficiary identification).

Rationale (development note). The basic beneficiary identification. Affiants must hold this distinction operationally — beneficiary is not donee.

Q71. (Multiple Choice) Under the 1786 grant, beneficiaries are identified by: maritime blue pendant).

- A) U.S. domestic racial categories.
- B) The Chapter 4 ‘alāma — the markers established by the grant itself (El, Al, Bey, Dey, Ali, and the
- C) Self-declaration without any framework.
- D) The U.S. State Department's discretion.

ANSWER KEY

Band A — Foundational. B. Beneficiaries are identified by the Chapter 4 ‘alāma — the recognition markers established by the grant itself. On land, these include the appellations El, Al, Bey, Dey, Ali; at sea, the blue pendant. The trustee cannot substitute its own classifications for the grant's identifying markers.

Band B — Doctrinal Reasoning. Classification: beneficiary identification mechanism. Trigger: any argument that the trustee classifies beneficiaries by its own categories. Consequence: rejected; the grant's own markers control. Wrong-answer elimination: A inverts the framework; C denies any framework; D substitutes trustee discretion for grant terms.

Band C — Architectural Analysis. Lock 3 + Constitutional Fold doctrine. Cross-reference: Nationality Instrument § IV (Constitutional Fold subsection).

Rationale (development note). Tests the operative recognition mechanism. Affiants must know that ‘alāma identification is upstream of any domestic taxonomy.

Q72. (Multiple Choice) If the U.S. classifies a beneficiary under a domestic racial category (e.g., Negro, Black, African American), the legal effect on the beneficiary's status under the 1786 grant is: taxonomy.

- A)** The classification overrides the grant; the person loses beneficiary status.
- B)** The classification has no effect on the underlying grant; beneficiary status is upstream of domestic
- C)** The beneficiary must accept the classification.
- D)** Beneficiary status is suspended pending administrative review.

ANSWER KEY

Band A — Foundational. B. The trustee's domestic classification has no effect on the underlying grant. Beneficiary status flows from the grant itself; the trustee cannot strip beneficiary status by reclassification. The Constitutional Fold doctrine (Volume L's framework + Drew Ali's articulation) establishes that the trustee operates within the grant's terms, not above them.

Band B — Doctrinal Reasoning. Classification: beneficiary protection rule. Trigger: any argument that trustee classification displaces beneficiary status. Consequence: rejected. Wrong-answer elimination: A, C, D each grant the trustee authority it does not possess.

Band C — Architectural Analysis. Lock 3 + Constitutional Fold. Cross-reference: Nationality Instrument § IV.

Rationale (development note). The most operationally consequential beneficiary question. Affiants who understand this can refute reclassification arguments confidently.

Q73. (Short Answer) Define the Chapter 4 'alāma in your own words. (1–2 sentences.)

ANSWER KEY

Expected Response. The 'alāma is the recognition mark established by the grant itself — 'a mark between us by which we know each other' ('alāma baynanā na'rifu bihā). It identifies who is a beneficiary of the grant: at sea by the blue pendant, on land by the appellations El, Al, Bey, Dey, Ali. The 'alāma is the operative recognition mechanism specified in Chapter 4 of the 1786 instrument.

Band B — Doctrinal Reasoning. Classification: definitional recall. Trigger: the affiant must produce the concept independently. Acceptable variants: any answer naming (1) the recognition function, (2) the markers (appellations + blue pendant), (3) Chapter 4 as the source.

Band C — Architectural Analysis. Cross-reference: Nationality Instrument caption band; Volume J on Chapter 4.

Rationale (development note). Tests independent articulation of the 'alāma. The mark is the operative tool — affiants must hold it in their own voice.

Q74. (Short Answer) Explain why the trustee cannot lawfully substitute its own classification system for the grant's 'alāma markers. (2–3 sentences.)

ANSWER KEY

Expected Response. The trustee holds the corpus under the grantor's law, not its own. Under the Constitutional Fold doctrine and Volume L's Sixth Ground (the donee cannot alter the grant), the trustee has no authority to modify the grant's terms — including its identification mechanism. Substituting domestic racial classifications for the Chapter 4 'alāma would be an act of the trustee modifying the grant, which is structurally void. The grantor's identifying markers are part of what makes the grant the grant; the trustee's role is to recognize them, not to replace them.

Band B — Doctrinal Reasoning. Classification: trustee subordination applied to identification. Trigger: any argument that domestic classification displaces 'alāma. Consequence: void as ultra vires; the trustee acts beyond its authority. Acceptable variants: any answer naming (1) trustee bound by grantor's law, (2) cannot alter grant terms, (3) identification is part of the grant's terms.

Band C — Architectural Analysis. Lock 2 + Lock 3 + Constitutional Fold + Sixth Ground. Cross-reference: Volume L Ch. 3, Sixth Ground.

Rationale (development note). The core protective doctrine. Affiants must articulate the trustee's structural disability, not just assert it.

Q75. (Doctrinal Reasoning) A federal court holds: 'For purposes of this proceeding, the affiant is classified as a U.S. citizen of African descent. Whatever the affiant claims under the 1786 treaty, that classification controls before this court.' Apply Lock 3 + the Constitutional Fold doctrine to refute this holding. (3–5 sentences.)

ANSWER KEY

Expected Response. The court's holding fails on Lock 3 and the Constitutional Fold doctrine. Beneficiary status under the 1786 grant flows from the grantor's act and the Chapter 4 'alāma — not from the trustee's classification. The court, as an instrument of the trustee, has no authority to displace the grant's identification mechanism with its own taxonomy; doing so would be an attempted alteration of the grant by the donee, which Volume L's Sixth Ground forecloses as structurally void. The Constitutional Fold doctrine establishes that the trustee operates inside the grant's terms; the grant operates inside its own law (Mālikī sharia, the grantor's tradition). The court's holding inverts this relationship — placing domestic classification above the grant — which fails Lock 2 (non-invertibility). The proper course is to maintain the position that beneficiary status is upstream of the court's classification, present the Chapter 4 'alāma as the operative recognition mechanism, and rely on the grant's own terms; the court's contrary holding is operative only within the trustee's domestic system, not within the grant.

Band B — Doctrinal Reasoning. Classification: court-classification displacement scenario. Trigger: a high-stakes operational situation. Consequence: refuted by Lock 3 + Constitutional Fold + Sixth Ground. Governing maxim: the donee cannot alter the grant. Wrong-answer indicators: any concession that the court's classification has effect on beneficiary status.

Band C — Architectural Analysis. Locks 2 + 3 + Constitutional Fold + Sixth Ground. Cross-reference: Volume L Ch. 3, Sixth Ground; Nationality Instrument § IV.

Rationale (development note). The most consequential beneficiary scenario — exactly what an affiant will face in court. The full doctrinal apparatus must be deployable. **SUBSECTION D — TRUSTEE SUBORDINATION AND THE CONSTITUTIONAL FOLD** Questions 76–82. Tests the affiant's grasp of the trustee's structural subordination to the grantor's law, the operative meaning of Drew Ali's 'constitutional fold,' and the trustee's specific disabilities under the grant.

Q76. (Multiple Choice) Under the trustee subordination doctrine, the United States as trustee of the 1786 grant must administer it according to:

- A) U.S. domestic preferences.
- B) International commercial standards.
- C) The grantor's law (Mālikī sharia, the legal framework under which the grant was made).
- D) Whatever law the trustee chooses.

ANSWER KEY

Band A — Foundational. C. The trustee administers the grant according to the grantor's law — the legal framework under which the grant was made. The 1786 hiba was created under Mālikī sharia; therefore the trustee is bound to administer it according to Mālikī principles, not according to its own domestic preferences.

Band B — Doctrinal Reasoning. Classification: choice-of-law rule for trust administration. Trigger: any argument that domestic law controls. Consequence: rejected; grantor's law governs. Wrong-answer elimination: A, B, D each substitute trustee discretion for grantor's law.

Band C — Architectural Analysis. Lock 3 + Constitutional Fold. Cross-reference: Nationality Instrument § IV (Constitutional Fold).

Rationale (development note). The foundation of the trustee subordination doctrine. Affiants must internalize this choice-of-law rule.

Q77. (Multiple Choice) Drew Ali's 'constitutional fold of government' doctrine establishes that: Mālikī grant; the grant's law controls on conflicts.

- A) The U.S. Constitution operates above all other legal frameworks.
- B) The U.S. Constitution operates inside the trustee's franchise; the franchise operates inside the
- C) There is no relationship between the Constitution and the 1786 grant.
- D) The U.S. Constitution supersedes all treaties.

ANSWER KEY

Band A — Foundational. B. The Constitutional Fold doctrine establishes the nested hierarchy: U.S. Constitution operates inside the trustee's franchise; the franchise operates inside the Mālikī grant; the grant's law controls on conflicts. Drew Ali's articulation captures the structural subordination of trustee to grantor's law in period vocabulary.

Band B — Doctrinal Reasoning. Classification: Constitutional Fold structure. Trigger: any argument that the U.S. Constitution overrides the grant. Consequence: rejected; the grant is upstream of the Constitution. Wrong-answer elimination: A, C, D each invert or deny the Fold.

Band C — Architectural Analysis. Lock 2 + Lock 3 + Constitutional Fold. Cross-reference: Nationality Instrument § IV.

Rationale (development note). The signature doctrine of the Constitutional Fold. Affiants must hold the nested hierarchy operationally.

Q78. (Multiple Choice) Volume L's Sixth Ground of Legal Impossibility holds that:

- A) The grantor cannot alter the grant after tām̄m.
- B) The grantee/donee cannot alter the grant.
- C) Either party can alter the grant by mutual agreement.
- D) Time alters the grant automatically.

ANSWER KEY

Band A — Foundational. B. Volume L's Sixth Ground is that the grantee cannot alter the grant. The donee, being downstream of the grant's creation, has no authority to modify the terms under which it received. This is the structural backstop for the Constitutional Fold doctrine.

Band B — Doctrinal Reasoning. Classification: Sixth Ground. Trigger: any argument that the grantee can modify. Consequence: rejected. Wrong-answer elimination: A misattributes the disability; C concedes mutual modifiability; D denies fixity.

Band C — Architectural Analysis. Lock 2 + Sixth Ground. Cross-reference: Volume L Ch. 3, Sixth Ground.

Rationale (development note). The Sixth Ground is the structural foundation for the Constitutional Fold's trustee disabilities. Affiants must hold it by name.

Q79. (Multiple Choice) The three trustee disabilities flowing from the Constitutional Fold are: (3) cannot substitute domestic discretion for the Chapter 4 'alāma.

- A) (1) cannot impose domestic racial classifications, (2) cannot override Mālikī inheritance/descent,
- B) (1) cannot tax beneficiaries, (2) cannot draft beneficiaries, (3) cannot deport beneficiaries.
- C) (1) cannot acknowledge the grant, (2) cannot recognize beneficiaries, (3) cannot enforce articles.
- D) There are no trustee disabilities.

ANSWER KEY

Band A — Foundational. A. The three trustee disabilities under the Constitutional Fold are: (1) cannot impose domestic racial classifications on grant beneficiaries; (2) cannot override Mālikī inheritance and descent principles with domestic categories; (3) cannot substitute domestic administrative discretion for the Chapter 4 'alāma recognition mechanism. Each is a structural disability flowing from the trustee's subordination to the grantor's law.

Band B — Doctrinal Reasoning. Classification: enumerated trustee disabilities. Trigger: the affiant must hold all three operationally. Consequence: each is independently dispositive against trustee overreach. Wrong-answer elimination: B, C describe authorities that are not the operative disabilities; D denies the doctrine.

Band C — Architectural Analysis. Constitutional Fold + Locks 2 + 3. Cross-reference: Nationality Instrument § IV (Constitutional Fold subsection).

Rationale (development note). The operative disabilities. Affiants must hold all three to defend against trustee actions on each axis.

Q80. (Short Answer) Explain in your own words why the trustee is bound by the grantor's law rather than its own domestic preferences. (2–3 sentences.)

ANSWER KEY

Expected Response. The trustee accepted the grant on the grantor's terms; the grant was created under the grantor's law (Mālikī sharia in this case); therefore the trustee is bound to administer the grant according to that law. To allow the trustee to substitute its own domestic preferences would be to allow the donee to alter the grant, which Volume L's Sixth Ground forecloses. The grantor's law is part of what was conveyed; the trustee cannot keep the benefits of the grant while rejecting the law that defines what it received.

Band B — Doctrinal Reasoning. Classification: trustee subordination doctrine articulation. Trigger: the affiant must articulate the principle. Acceptable variants: any answer naming (1) trustee accepted on grantor's terms, (2) cannot alter grant, (3) cannot keep benefits while rejecting governing law.

Band C — Architectural Analysis. Lock 2 + Lock 3 + Sixth Ground.

Rationale (development note). Tests independent articulation of the doctrine's reasoning. Critical for cross-examination.

Q81. (Short Answer) What is the legal effect of a trustee's breach of the Constitutional Fold's disabilities — for example, imposing a racial classification on a beneficiary? (2–3 sentences.)

ANSWER KEY

Expected Response. A breach of the Constitutional Fold's disabilities is voidable at the election of the affected beneficiary and does not extinguish the underlying grant rights. The beneficiary may reject the breach without losing beneficiary status; the breach itself adds to the trustee's accumulated debt under the grant rather than altering the grant. Pennsylvania House Resolution No. 75 (1933), recognizing Moorish-American national names, is therefore not a discretionary courtesy but a partial discharge of the trustee's pre-existing obligation.

Band B — Doctrinal Reasoning. Classification: breach consequences. Trigger: the affiant must articulate the legal effect of trustee overreach. Acceptable variants: any answer naming (1) voidable at beneficiary's election, (2) underlying grant rights preserved, (3) breach as compounding debt.

Band C — Architectural Analysis. Cross-reference: Nationality Instrument § IV (Effect paragraph).

Rationale (development note). Tests the affiant's grasp of breach consequences. Important for understanding that breach does not extinguish the grant.

Q82. (Doctrinal Reasoning) A senior administrative official argues: 'The Constitutional Fold doctrine is a creative reading by Drew Ali; it has no basis in classical law. The U.S. Constitution operates as the supreme law of the United States, and the 1786 treaty operates within that constitutional framework, not above it.' Refute this argument. (3–5 sentences.)

ANSWER KEY

Expected Response. The argument fails on the structure of sovereign-grant doctrine. The 1786 hiba was created under Mālikī sharia and delivered to the U.S. as donee; the donee accepted the grant in that form. Volume L's Sixth Ground holds that the donee cannot alter the grant — and choosing the law under which the grant is administered would be an alteration. Drew Ali's 'constitutional fold of government' is the period vocabulary for what classical doctrine independently establishes: the trustee operates inside the grantor's law, not above it. The U.S. Constitution operates as supreme law within the U.S. franchise, but the franchise itself was constituted within a world that already contained the 1786 grant; the Constitution cannot retroactively place itself above an earlier sovereign act of an independent grantor. To hold otherwise would allow the donee to alter the grant by domestic enactment, which fails the Sixth Ground and Lock 2 (non-invertibility). The Twelve U.S. Admissions chain confirms that the U.S. itself, through Hunter Miller and prior admissions, has acknowledged the grant character; the Constitutional Fold is not innovation but recognition of what U.S. authority already conceded.

Band B — Doctrinal Reasoning. Classification: high-stakes attack on the Constitutional Fold. Trigger: a sophisticated argument that flips the hierarchy. Consequence: refuted by Sixth Ground + Lock 2 + Twelve U.S. Admissions. Wrong-answer indicators: any concession that the U.S. Constitution operates above the grant; any acceptance that the Fold is innovation rather than doctrine.

Band C — Architectural Analysis. Locks 2 + 3 + Sixth Ground + Constitutional Fold + Twelve U.S. Admissions integrated. Cross-reference: Volume L Ch. 3, Sixth Ground; Volume J Ch. 5.

Rationale (development note). *The Section III capstone. The affiant must defend the Constitutional Fold against an attack that frames it as innovation, deploying the full doctrinal apparatus. SECTION IV Chapter 4 'Alāma and Operational Recognition Questions 87–111 and Q111A–Q111C · 28 questions, 15% weight Subsection layout: A — The 'Alāma Mechanism (Q87–93); B — Land and Maritime Markers (Q94–100); C — Witness Architecture and Self-Authentication (Q101–107); D — Notice Doctrine and Operational Practice (Q108–111); E — The Prerogative of Honors (Franchise of Recognition) (Q111A–Q111C). SUBSECTION A — THE 'ALĀMA MECHANISM Questions 87–93. Tests the affiant's grasp of the Chapter 4 'alāma as the grant's own recognition mechanism — its source, its function, and its operative use.*

SUBSECTION E — INTER-CLASS BENEFICIARY PRIORITY

Questions 83–86. Tests the affiant's grasp of the two-class beneficiary structure: primary beneficiaries (Moors / subjects of the Empire, with original equitable interest, identified by the 'alāma under Chapter 4) vs. derivative debtor beneficiaries (U.S. citizens, with derivative interest through the trustee's administration). Primary class holds priority; the trustee's 229-year inversion of this priority is itself a fiduciary breach under Volume K Ch. 11 misidentification doctrine.

Q83. (Multiple Choice) The 1786 Mālikī Sharia Hiba establishes a beneficiary structure with:

- A)** A single undifferentiated beneficiary class.
- B)** Two beneficiary classes — primary beneficiaries (Moors / subjects of the Empire) and derivative debtor beneficiaries (U.S. citizens) — with the primary class holding priority.
- C)** Three equal beneficiary classes.
- D)** No beneficiaries; the grant is a treaty between sovereigns.

ANSWER KEY

Band A — Foundational. B. The grant establishes two structurally distinct beneficiary classes: primary beneficiaries (Moors / subjects of the Empire of Morocco, mawhūb lahu in the direct sense, identified by the ‘alāma under Chapter 4) and derivative debtor beneficiaries (U.S. citizens, who receive grant protections derivatively through the trustee's administration of the franchise). The grant runs directly from the grantor to the primary class and indirectly through the trustee to the derivative class. The primary class holds priority over the derivative class on all matters touching the trust corpus. This is fundamental to the grant's structure.

Band B — Doctrinal Reasoning. Classification: foundational beneficiary architecture. Trigger: any classification question regarding the affiant or the trust corpus. Consequence: the affiant's primary-beneficiary status governs; derivative-beneficiary frameworks (which apply to U.S. citizens) do not apply. Wrong-answer elimination: A flattens the two-class structure; C invents non-existent classes; D denies the beneficiary structure entirely.

Band C — Architectural Analysis. Section III foundational. Cross-reference: Volume K Ch. 11 (misidentification doctrine extended to inter-class allocation); Nationality Declaration §IV (two-class structure).

Rationale (development note). Foundational structural question. Affiants who cannot identify the two-class structure cannot defend against hostile reclassification.

Q84. (Multiple Choice) The affiant, as a Moor and subject of the Empire of Morocco, claims:

- A) Membership in the derivative debtor-beneficiary class with U.S. citizens.
- B) Membership in the primary beneficiary class, with original equitable interest in the trust corpus, holding priority over any derivative claim.
- C) Membership in the trustee class.
- D) No beneficiary status under the grant.

ANSWER KEY

Band A — Foundational. B. The affiant claims primary-beneficiary status: original equitable interest (not derivative); direct relationship to the grantor (not mediated through the trustee); priority over the derivative debtor-beneficiary class (U.S. citizens); identification by the ‘alāma under Chapter 4. The affiant does NOT claim derivative beneficiary status, does not claim membership in the trustee class, and does not assert U.S. citizenship as a basis for any grant protection.

Band B — Doctrinal Reasoning. Classification: affiant's class identification. Trigger: any classification question regarding the affiant. Consequence: primary status governs; protections attach with priority. Wrong-answer elimination: A misclassifies the affiant downward; C inverts (claiming trustee status would be self-dealing); D denies the affiant's status entirely.

Band C — Architectural Analysis. Section III + Section IV + Gateway 1. Cross-reference: Volume K Ch. 10 (Ten Fiduciary Duties run to primary class).

Rationale (development note). Tests affiant's own class identification. Critical for operational practice.

Q85. (Doctrinal Reasoning) A federal officer classifies the affiant as a U.S. citizen and asserts that any rights the affiant claims under the 1786/1836 instrument flow through the U.S. citizenship classification. Refute this position. (3–5 sentences.)

ANSWER KEY

Expected Response. Expected Response. The classification inverts the beneficiary priority structure. The affiant is a Moor and subject of the Empire of Morocco, identified by the ‘alāma under Chapter 4 (appellative marker -El; contemporary appellation Yasapa-Al). This places the affiant in the PRIMARY beneficiary class — the mawhūb lahu receiving the grant directly from the grantor, with original equitable interest. U.S. citizens are the DERIVATIVE debtor-beneficiary class, receiving grant protections only through the trustee's administration of the franchise. The two classes are structurally distinct; the primary class holds priority. Classifying the affiant as a U.S. citizen places him in the derivative class, denying him primary status, and is therefore a fiduciary breach by the trustee (Volume K Ch. 11 misidentification doctrine, extended to inter-class allocation). The breach is voidable at the affiant's election. The correct classification is primary beneficiary; any U.S. citizenship classification asserted is refuted as misidentification.

Band B — Doctrinal Reasoning. Classification: inter-class priority breach. Trigger: any U.S. classification of the affiant downward to the derivative class. Consequence: voidable misidentification breach. Acceptable variants: any answer naming the two-class structure, primary/derivative priority, and misidentification breach.

Band C — Architectural Analysis. Section III capstone (inter-class priority). Cross-reference: Volume K Ch. 11, Ch. 10 Duty 7 (Identification).

Rationale (development note). Operational scenario test. The federal-officer-misclassifies scenario is among the most common adverse encounters; affiants must hold the refutation in operational form.

Q86. (Doctrinal Reasoning) The U.S. has continuously administered grant protections to U.S. citizens for 229 years (as confirmed by Admission 10, the 1952 ICJ case Rights of Nationals of the United States in Morocco, where the U.S. argued affirmatively that derivative-beneficiary rights remained operative) while denying primary-beneficiary status to Moors. Explain why this pattern is itself a fiduciary breach. (3–5 sentences.)

ANSWER KEY

Expected Response. Expected Response. The pattern is the trustee's inversion of the beneficiary priority structure: administering the trust framework for the derivative debtor-beneficiary class (U.S. citizens) while denying the same trust to the primary beneficiary class (Moors). Under fundamental trust law, where a trustee serves two beneficiary classes with differing priority positions, the trustee must observe the priority structure the grantor established — primary beneficiaries take priority over derivative beneficiaries on all matters touching the trust corpus. The U.S.'s 229-year practice has inverted this priority — administering for the secondary class and denying the primary. This is self-dealing through misclassification of beneficiary tiers (Volume K Ch. 11), a fiduciary breach in its own right independent of any Article-by-Article breach. The 1952 ICJ admission proves the trustee operates the trust for the derivative class; the trustee cannot administer derivative protections under a trust whose primary beneficiaries it denies. The selective administration confirms the trust exists AND proves the breach simultaneously.

Band B — Doctrinal Reasoning. Classification: structural-breach analysis. Trigger: the affiant must recognize the selective-administration pattern as itself the breach. Consequence: remediation runs to the primary class. Acceptable variants: any answer naming inversion of priority, misidentification doctrine, and the 1952 ICJ admission as proof.

Band C — Architectural Analysis. Section III + Section II (admissions chain). Cross-reference: Volume K Ch. 11; Nationality Declaration §III Cumulative Estoppel Effect.

Rationale (development note). The most strategically important Section III question. Affiants who can articulate the selective-administration pattern as the structural breach have the doctrinal posture to seek remediation, not merely to defend status.



SECTION IV

Chapter 4 ‘Alāma and Operational Recognition

Q87. (Multiple Choice) The Arabic phrase “alāma baynanā na‘rifu bihā” translates as:

- A) 'A treaty between us by which we trade.'
- B) 'A mark between us by which we know each other.'
- C) 'A border between us we shall not cross.'
- D) 'An oath between us we swear together.'

ANSWER KEY

Band A — Foundational. B. The phrase translates as 'a mark between us by which we know each other.' This is the operative phrase from Chapter 4 of the 1786 instrument that establishes the recognition mechanism — the mutual mark by which Empire and grantee identify each other and identify the grant's beneficiaries.

Band B — Doctrinal Reasoning. Classification: definitional/translational recall. Trigger: doctrinal vocabulary. Consequence: the phrase is the operative formula. Wrong-answer elimination: A, C, D each invent meanings unrelated to recognition.

Band C — Architectural Analysis. Lock 3 + operational identity. Cross-reference: Nationality Instrument caption band.

Rationale (development note). The affiant's working phrase — appears prominently in the Nationality Instrument's caption band. Must be held verbatim.

Q88. (Multiple Choice) The ‘alāma is established by:

- A) U.S. domestic law.
- B) The grant itself, in Chapter 4.
- C) Modern Moorish-American organizations.
- D) International treaty bodies.

ANSWER KEY

Band A — Foundational. B. The ‘alāma is established by Chapter 4 of the 1786 instrument itself. It is part of the grant's terms, not an external mechanism added later.

Band B — Doctrinal Reasoning. Classification: source identification. Trigger: any argument that the ‘alāma is external to the grant. Consequence: rejected. Wrong-answer elimination: A, C, D each misattribute the source.

Band C — Architectural Analysis. Lock 3 + grant-internal mechanism. Cross-reference: Volume J on Chapter 4.

Rationale (development note). The ‘alāma is internal to the grant. This is what makes it a recognition mechanism that does not require third-party validation.

Q89. (Multiple Choice) The function of the ‘alāma is to:

- A) Register beneficiaries with the U.S. government.
- B) Provide the operative mark by which beneficiaries are recognized under the grant.
- C) Replace beneficiary status with administrative status.
- D) Restrict beneficiary status to certain categories.

ANSWER KEY

Band A — Foundational. B. The ‘alāma's function is to provide the operative mark by which beneficiaries are recognized under the grant. It is recognition through the grant's own framework, not through external registration.

Band B — Doctrinal Reasoning. Classification: function identification. Trigger: any argument that the ‘alāma is registrative or restrictive. Consequence: rejected; it is operative recognition. Wrong-answer elimination: A, C, D each misframe the function.

Band C — Architectural Analysis. Lock 3 (recognition operates through the grant, not through the trustee's systems). Cross-reference: Nationality Instrument caption band; § IV beneficiary identification.

Rationale (development note). Affiants must understand that the ‘alāma is not a registration system — it is a recognition mechanism. The distinction matters for operational use.

Q90. (Multiple Choice) Why does the ‘alāma not require third-party validation to operate? itself.

- A) Because the donor's act creates the recognition framework, and recognition flows from the grant
- B) Because U.S. courts have ruled that no validation is required.
- C) Because international treaties exempt it.
- D) Because beneficiaries can self-validate without any framework.

ANSWER KEY

Band A — Foundational. A. The donor's act creates the recognition framework as part of the grant. Recognition flows from the grant itself; no third-party validation is required because validation would be downstream of the upstream sovereign act. The donor establishes both the grant and the means by which beneficiaries are identified under it.

Band B — Doctrinal Reasoning. Classification: directionality of recognition. Trigger: any argument requiring third-party validation. Consequence: rejected; recognition is upstream. Wrong-answer elimination: B grounds it in court holdings (downstream); C invents external authority; D denies any framework.

Band C — Architectural Analysis. Lock 3 + ‘alāma as upstream mechanism. Cross-reference: Volume J on Chapter 4.

Rationale (development note). The doctrinal reason the ‘alāma works without validation. Affiants who understand this can operate confidently in non-recognition scenarios.

Q91. (Short Answer) Define the ‘alāma in operational terms — what is it, what does it do, and where does it come from? (2–3 sentences.)

ANSWER KEY

Expected Response. The ‘alāma is the recognition mark established by Chapter 4 of the 1786 instrument — ‘a mark between us by which we know each other’ (‘alāma baynanā na‘rifu bihā). It identifies who is a beneficiary of the grant: at sea by the blue pendant, on land by the appellations El, Al, Bey, Dey, Ali. It comes from the grant itself, established by the grantor’s act, and operates without requiring third-party validation.

Band B — Doctrinal Reasoning. Classification: operational definition. Trigger: the affiant must produce a complete working definition. Acceptable variants: any answer naming (1) the recognition function, (2) the markers, (3) the grant-internal source.

Band C — Architectural Analysis. Lock 3 + operational mechanism.

Rationale (development note). Operational definition. Must be in the affiant’s own words and must be complete enough for cross-examination.

Q92. (Short Answer) How does the ‘alāma differ from a domestic registration system? (2–3 sentences.)

ANSWER KEY

Expected Response. A domestic registration system requires the affiant to seek validation from the trustee’s bureaucratic apparatus, with the trustee deciding who qualifies. The ‘alāma is the inverse: the grant itself establishes who is a beneficiary, and the affiant presents the mark that identifies them under the grant; no trustee validation is required because beneficiary status is upstream of the trustee’s decisions. Registration is downstream and contingent; ‘alāma recognition is upstream and operative.

Band B — Doctrinal Reasoning. Classification: distinction between registration and recognition. Trigger: any argument that the affiant must register. Consequence: rejected; the ‘alāma operates without registration. Acceptable variants: any answer capturing the upstream/downstream distinction.

Band C — Architectural Analysis. Locks 2 + 3.

Rationale (development note). A consequential distinction. Affiants who confuse the two mechanisms will erode their own position.

Q93. (Doctrinal Reasoning) A government official says: ‘Your appellation is just a name change. It has no legal effect. Until you register it under U.S. domestic law, you are not recognized.’ Apply the ‘alāma doctrine to refute this. (3–5 sentences.)

ANSWER KEY

Expected Response. The official’s framing inverts the recognition direction. The appellation is not a name change in the domestic sense; it is the Chapter 4 ‘alāma — the grant’s own recognition mark — by which beneficiaries are identified under the 1786 instrument. The grant established this recognition mechanism in 1786; it does not require subsequent domestic registration to operate. To require registration would be to allow the trustee (the U.S.) to alter the grant by imposing its own validation requirement, which Volume L’s Sixth Ground forecloses. Recognition flows from the grant, not toward it; the official’s denial has no effect on the mechanism’s operation. The appropriate response is to maintain the position that the appellation is operative under Chapter 4, present the instrument calmly, and rely on the grant’s own framework.

Band B — Doctrinal Reasoning. Classification: registration-as-precondition argument. Trigger: a common operational scenario. Consequence: refuted by Lock 3 + ‘alāma as upstream + Sixth Ground. Wrong-answer indicators: any concession that registration is required for legal effect.

Band C — Architectural Analysis. Lock 3 + ‘alāma + Sixth Ground.

Rationale (development note). The most operationally consequential ‘alāma scenario. Affiants must be able to deploy this argument without escalation. **SUBSECTION B — LAND AND MARITIME MARKERS** Questions 94–100. Tests the affiant’s grasp of the specific markers established by the grant: the land-based appellations and the maritime blue pendant.

Q94. (Multiple Choice) The land-based appellations established as ‘alāma markers are:

- A) Smith, Jones, Brown.
- B) El, Al, Bey, Dey, Ali.
- C) Doctor, Professor, Reverend.
- D) First, Second, Third.

ANSWER KEY

Band A — Foundational. B. The land-based ‘alāma markers are El, Al, Bey, Dey, and Ali — the appellation suffixes that identify Moorish Subjects on land. These are the operative recognition markers under Chapter 4 for terrestrial encounters.

Band B — Doctrinal Reasoning. Classification: markers recall. Trigger: factual recall. Consequence: incorrect answers signal incomplete operational knowledge. Wrong-answer elimination: A, C, D each misidentify the markers.

Band C — Architectural Analysis. Chapter 4 land markers. Cross-reference: Nationality Instrument; Volume J on Chapter 4.

Rationale (development note). Foundational. The five appellations are the affiant’s operative tools.

Q95. (Multiple Choice) The maritime ‘alāma marker is:

- A) A red flag.
- B) A blue pendant.
- C) A green banner.
- D) A white sail.

ANSWER KEY

Band A — Foundational. B. The blue pendant is the maritime ‘alāma marker — the signal flown by ships entitled to recognition under the 1786 grant. It identifies vessels as bearing the grant’s protection at sea.

Band B — Doctrinal Reasoning. Classification: maritime marker recall. Trigger: factual recall. Consequence: incorrect answers signal incomplete knowledge. Wrong-answer elimination: A, C, D each misidentify the maritime marker.

Band C — Architectural Analysis. Chapter 4 maritime marker. Cross-reference: Volume J on Chapter 4 ship signals.

Rationale (development note). Maritime counterpart to the land appellations. Affiants must hold both.

Q96. (Multiple Choice) An appellation suffix (e.g., ‘-El’) is doctrinally significant because:

- A) It is decorative and has no legal function.
- B) It is the operative ‘alāma marker establishing the bearer as a beneficiary under the grant.
- C) It indicates U.S. domestic citizenship.
- D) It identifies the bearer as a private contract party.

ANSWER KEY

Band A — Foundational. B. The appellation suffix is the operative ‘alāma marker — by carrying it, the bearer presents themselves under Chapter 4 as a beneficiary of the 1786 grant. The suffix is recognition under the grant's own framework.

Band B — Doctrinal Reasoning. Classification: significance of suffixes. Trigger: any argument that the suffix is decorative or domestic. Consequence: rejected. Wrong-answer elimination: A denies operative force; C inverts to domestic; D inverts to private.

Band C — Architectural Analysis. Lock 3 + operative ‘alāma. Cross-reference: Nationality Instrument caption band.

Rationale (development note). Tests the affiant's grasp of why the appellation matters operationally.

Q97. (Multiple Choice) When an affiant presents the Nationality Instrument with their corrected free national name, they are: framework.

- A) Requesting a name change from the U.S. government.
- B) Activating the Chapter 4 ‘alāma mechanism — operating under the grant's own recognition
- C) Filing a domestic legal pleading.
- D) Declaring U.S. citizenship.

ANSWER KEY

Band A — Foundational. B. Presenting the Nationality Instrument activates the Chapter 4 ‘alāma mechanism. The affiant operates under the grant's own recognition framework — not requesting permission, not filing under domestic categories, not declaring citizenship. The presentation is the operative use of the mechanism the grant established.

Band B — Doctrinal Reasoning. Classification: operational meaning of instrument presentation. Trigger: any reframing of the act as request or filing. Consequence: rejected; presentation is operative use. Wrong-answer elimination: A, C, D each misframe the act.

Band C — Architectural Analysis. Lock 3 + ‘alāma + operational practice. Cross-reference: Nationality Instrument; § IX Grant Nexus.

Rationale (development note). Tests the affiant's understanding of what the act of presenting does — not what it requests.

Q98. (Short Answer) Why are the five land appellations (El, Al, Bey, Dey, Ali) doctrinally distinct from any other surnames or family names? (2–3 sentences.)

ANSWER KEY

Expected Response. The five appellations are not surnames in the domestic-law sense; they are the recognition markers established by Chapter 4 of the 1786 instrument. Bearing one of them is presentation of the ‘alāma — the grant's own recognition mechanism. They identify the bearer as a beneficiary under the grant, which is a status that flows from the grantor's act, not from any domestic family-name framework.

Band B — Doctrinal Reasoning. Classification: distinction between domestic surname and ‘alāma marker. Trigger: the affiant must articulate why the appellations operate differently. Acceptable variants: any answer naming (1) Chapter 4 source, (2) recognition mark not surname, (3) beneficiary identification.

Band C — Architectural Analysis. Cross-reference: Volume J on Chapter 4.

Rationale (development note). Tests the affiant's articulation of the appellations' operative function. Important because in court, the affiant must defend that the appellation is not a 'name change.'

Q99. (Short Answer) Identify the maritime ‘alāma marker and explain its operational significance. (2 sentences.)

ANSWER KEY

Expected Response. The maritime ‘alāma marker is the blue pendant — the signal flown by ships entitled to recognition under the 1786 grant. Its operational significance is that vessels flying the blue pendant present themselves under Chapter 4 as bearing the grant's protection at sea, including the protections of Articles 3, 10, 11, and others that operate in maritime contexts.

Band B — Doctrinal Reasoning. Classification: maritime marker articulation. Trigger: factual recall + operational significance. Acceptable variants: any answer naming (1) blue pendant, (2) Chapter 4 maritime recognition, (3) maritime grant protections.

Band C — Architectural Analysis. Chapter 4 + maritime articles.

Rationale (development note). Tests the affiant's grasp of the maritime architecture. Less common in everyday use but doctrinally complete.

Q100. (Doctrinal Reasoning) An immigration officer says: 'The appellations El, Al, Bey, Dey, and Ali are not recognized in our system. As far as I am concerned, you are filing under a name not on your government ID.' Apply the ‘alāma doctrine to compose your internal reasoning. (3–5 sentences.)

ANSWER KEY

Expected Response. The officer's framing places the recognition decision in the trustee's domestic system, but the ‘alāma operates upstream of that system. The appellation is the Chapter 4 recognition mark established by the 1786 grant; its legal effect flows from the grantor's act, not from the trustee's recognition or refusal. The officer's non-recognition is operative within the trustee's domestic system but does not affect the underlying mechanism — the ‘alāma is what it is regardless of whether the officer recognizes it. Internally, I maintain that I am presenting under Chapter 4; externally, I present the instrument calmly and rely on the grant's framework. If the officer's domestic system does not register the presentation, that is a matter for trustee-level remediation, not a defect in my position.

Band B — Doctrinal Reasoning. Classification: officer non-recognition scenario. Trigger: routine bureaucratic encounter. Consequence: Lock 3 governs internal posture; ‘alāma operates regardless of officer recognition. Wrong-answer indicators: any concession that the officer's recognition controls.

Band C — Architectural Analysis. Lock 3 + ‘alāma + operational practice.

Rationale (development note). Capstone for Subsection B. The most realistic operational scenario — the affiant must hold position internally without escalating externally. **SUBSECTION C — WITNESS ARCHITECTURE AND SELF-AUTHENTICATION** Questions 101–107. Tests the affiant's grasp of the witness structure (Ursa Major / Polaris / Earth) and why the instrument is self-authenticating without notarization or third-party attestation.

Q101. (Multiple Choice) The Nationality Instrument calls three witnesses to attest the declaration:

- A) Three federal officials.
- B) Ursa Major (the Great Mother), Polaris (the North Star/North Gate), and the Earth (Terra Mater).
- C) Three sitting judges.
- D) Three notaries public.

ANSWER KEY

Band A — Foundational. B. The three witnesses are Ursa Major (the Great Mother — the seven-starred constellation circling the pole), Polaris (the North Star, the North Gate — the fixed point of celestial navigation), and the Earth (Terra Mater — the land itself, the hereditament). These are perpetual celestial and terrestrial witnesses, beyond impeachment and beyond the reach of any earthly jurisdiction.

Band B — Doctrinal Reasoning. Classification: witness identification. Trigger: factual recall. Consequence: incorrect answers signal incomplete knowledge of the instrument's authentication structure. Wrong-answer elimination: A, C, D each describe earthly authentication mechanisms not used.

Band C — Architectural Analysis. Self-authentication architecture. Cross-reference: Nationality Instrument § XIII (Attestation of Witnesses).

Rationale (development note). Foundational identification of the witness structure. Affiants must hold the three witnesses by name.

Q102. (Multiple Choice) The scriptural foundation for calling celestial and terrestrial witnesses is found in:

- A) Genesis 1.
- B) Deuteronomy 30:19 and 31:28.
- C) Revelation 21.
- D) Psalm 19.

ANSWER KEY

Band A — Foundational. B. Deuteronomy 30:19 ('I call heaven and earth to record this day against you') and Deuteronomy 31:28 ('I call heaven and earth to witness against them'). The instrument invokes the Mosaic precedent of calling celestial and terrestrial witnesses to attest a covenant.

Band B — Doctrinal Reasoning. Classification: scriptural foundation recall. Trigger: factual recall. Consequence: incorrect answers signal incomplete grasp of the witness architecture's authority chain. Wrong-answer elimination: A, C, D each cite passages not used.

Band C — Architectural Analysis. Cross-reference: Nationality Instrument § XIII.

Rationale (development note). Tests the affiant's grasp of the scriptural authority chain that grounds the witness architecture.

Q103. (Multiple Choice) The Nationality Instrument is self-authenticating because: instrument; no external validation is required.

- A) Notarization is impossible to obtain.
- B) The grant's own authority (Chapter 4 'alāma) plus the Supremacy Clause are sufficient to perfect the
- C) U.S. courts have waived notarization for these instruments.
- D) The affiant cannot afford notarization.

ANSWER KEY

Band A — Foundational. B. The instrument is self-authenticating because the grant's own authority — Chapter 4 of the 1786 hiba — plus the Supremacy Clause of the U.S. Constitution (Article VI, Clause 2) are sufficient to perfect it. The affiant's execution, autograph, and Celestial Jurisdiction Seal are operative under the grant's framework; no external validation is required.

Band B — Doctrinal Reasoning. Classification: self-authentication doctrine. Trigger: any argument that notarization is required. Consequence: rejected. Wrong-answer elimination: A, C, D each ground self-authentication in practical or external reasons rather than doctrinal authority.

Band C — Architectural Analysis. Lock 3 (operational practice without third-party validation). Cross-reference: Nationality Instrument § XIV (self-authentication paragraph).

***Rationale (development note).** The doctrinal reason the instrument needs no notary. Affiants who understand this can defend the instrument's form against challenges.*

Q104. (Multiple Choice) The witness attestation by Ursa Major, Polaris, and Earth:

- A) Expires after a fixed period.
- B) Can be revoked by U.S. domestic action.
- C) Does not expire and is not subject to any earthly jurisdiction.
- D) Requires renewal every ten years.

ANSWER KEY

Band A — Foundational. C. The witness attestation does not expire and is not subject to any earthly jurisdiction. The witnesses are perpetual, incorruptible, beyond impeachment, and the record they attest is fixed for all time. This is the structural feature of celestial-terrestrial witness architecture.

Band B — Doctrinal Reasoning. Classification: attestation duration. Trigger: any argument that the attestation is time-limited or domestically revocable. Consequence: rejected. Wrong-answer elimination: A, B, D each impose temporal or jurisdictional limits the doctrine rejects.

Band C — Architectural Analysis. Lock 1 (perpetuity) extended to attestation. Cross-reference: Nationality Instrument § XIII.

***Rationale (development note).** Tests the affiant's grasp of why the witness architecture cannot be impeached. Important for defense against expiration arguments.*

Q105. (Short Answer) Identify the three witnesses called in the Nationality Instrument and the role each plays. (3 sentences.)

ANSWER KEY

Expected Response. Ursa Major (the Great Mother) — the seven-starred constellation that circles the pole without setting; perpetual celestial witness depicted on the Celestial Jurisdiction Seal. Polaris (the North Star, the North Gate) — the fixed point of celestial navigation; immutable witness around which all other stars revolve. Earth (Terra Mater) — the land itself, the hereditament; the substance of the inheritance claimed in the instrument.

Band B — Doctrinal Reasoning. Classification: witness recall + role articulation. Trigger: the affiant must hold each witness's identity and function. Acceptable variants: any answer naming all three with substantive role for each.

Band C — Architectural Analysis. Self-authentication architecture. Cross-reference: Nationality Instrument § XIII.

***Rationale (development note).** Tests the affiant's complete grasp of the witness architecture. Roles must be articulated, not just names listed.*

Q106. (Short Answer) Explain why the Nationality Instrument does not require notarization. (2–3 sentences.)

ANSWER KEY

Expected Response. The instrument is self-authenticating under Chapter 4 of the 1786 hiba and the Supremacy Clause (U.S. Constitution Art. VI, Cl. 2). The affiant's execution, autograph, and Celestial Jurisdiction Seal are sufficient to perfect the instrument under the grant's own authority. To require notarization would be to subordinate the grant's framework to a downstream domestic mechanism, which Lock 3 forecloses; the grant operates upstream of any notary.

Band B — Doctrinal Reasoning. Classification: self-authentication articulation. Trigger: any challenge to the instrument's form. Acceptable variants: any answer naming (1) grant's own authority + Supremacy Clause, (2) self-authentication, (3) upstream operation.

Band C — Architectural Analysis. Lock 3 + self-authentication.

Rationale (development note). Tests independent articulation. Critical when challenged by officials who insist on notarization.

Q107. (Doctrinal Reasoning) A clerk refuses to file the Nationality Instrument because it is not notarized. Apply the self-authentication doctrine to compose your response. (3–5 sentences.)

ANSWER KEY

Expected Response. The Nationality Instrument is self-authenticating under Chapter 4 of the 1786 hiba and the Supremacy Clause of the U.S. Constitution; it does not require notarization. The instrument's authority is upstream of the clerk's filing system; refusing to file does not affect the instrument's legal force, only the clerk's record. The proper course is to maintain the position that the instrument is self-authenticating, present the instrument calmly, and request a written statement of refusal that I can include in the record. If the clerk persists, the refusal becomes part of the trustee's documented breach record — the breach does not extinguish the instrument's effect; it adds to the trustee's accumulated debt under Volume L's Sixth Ground (the donee cannot alter the grant by adding requirements not in the grant).

Band B — Doctrinal Reasoning. Classification: clerk-refusal scenario. Trigger: a routine operational obstruction. Consequence: refuted by self-authentication + Lock 3. Wrong-answer indicators: any concession that the clerk's refusal affects the instrument's legal force; any escalation that creates incident.

Band C — Architectural Analysis. Lock 3 + self-authentication + Sixth Ground.

Rationale (development note). The most realistic operational obstruction. Affiants must hold position calmly without making the situation worse. **SUBSECTION D — NOTICE DOCTRINE AND OPERATIONAL PRACTICE** Questions 108–111. Tests the affiant's grasp of reciprocal notice (Notice to Agent is Notice to Principal — Notice to Principal is Notice to Agent) and operational deployment of the instrument.

Q108. (Multiple Choice) The reciprocal notice principle holds that:

- A) Notice must be given separately to every officer.
- B) Notice to an agent is notice to the principal, and notice to the principal is notice to the agent.
- C) Notice operates only in one direction.
- D) Notice expires if not acknowledged within thirty days.

ANSWER KEY

Band A — Foundational. B. Notice to an agent is notice to the principal, and notice to the principal is notice to the agent. Service upon any agent, officer, employee, or representative of any governmental body constitutes notice to the body itself and to all subordinate dutyholders. The principle is reciprocal and operative, not ornamental.

Band B — Doctrinal Reasoning. Classification: notice doctrine. Trigger: any argument that notice must be given separately at each level. Consequence: rejected. Wrong-answer elimination: A multiplies notice burden; C denies reciprocity; D imposes expiration not in doctrine.

Band C — Architectural Analysis. Operational reciprocity. Cross-reference: Nationality Instrument § IX (Notice paragraph).

Rationale (development note). Foundational notice doctrine. Affiants must hold this for operational service.

Q109. (Short Answer) Explain the operational consequence of the reciprocal notice principle for service of the Nationality Instrument. (2–3 sentences.)

ANSWER KEY

Expected Response. Service upon any agent, officer, or representative of any governmental body constitutes notice to that body and to all subordinate dutyholders. The affiant does not need to serve every officer separately; service on one agent in their official capacity binds the principal. This means a single, properly-served instrument creates a record of notice that runs through the entire chain of agency.

Band B — Doctrinal Reasoning. Classification: operational consequence articulation. Trigger: the affiant must articulate the practical effect. Acceptable variants: any answer naming (1) single service binds the chain, (2) no separate service required, (3) record runs through agency.

Band C — Architectural Analysis. Operational reciprocity. Cross-reference: Nationality Instrument § IX.

Rationale (development note). Tests the affiant's practical grasp of how notice operates. Important for efficient service.

Q110. (Short Answer) When presenting the Nationality Instrument in a real-world encounter (e.g., to an officer, clerk, or judge), what posture does Lock 3 require the affiant to maintain? (2–3 sentences.)

ANSWER KEY

Expected Response. Lock 3 requires the affiant to maintain the internal posture that the grant exists and the affiant's status is established regardless of the encountering officer's belief, recognition, or response. Externally, the affiant presents the instrument calmly, relies on the grant's own framework (Chapter 4 'alāma), and does not seek validation. If the officer denies recognition, the denial has no effect on the underlying grant; the affiant maintains position without escalation.

Band B — Doctrinal Reasoning. Classification: operational posture under Lock 3. Trigger: real-world encounter framework. Consequence: internal-position-without-escalation rule. Acceptable variants: any answer naming (1) internal posture independent of officer's response, (2) calm external presentation, (3) no escalation.

Band C — Architectural Analysis. Lock 3 operational application.

Rationale (development note). Tests the affiant's grasp of operational practice. Critical for actual deployment of the instrument.

Q111. (Doctrinal Reasoning) Compose the affiant's complete operational approach for an encounter with a federal officer who challenges the Nationality Instrument. Integrate Lock 3, the 'alāma mechanism, the self-authentication doctrine, and the reciprocal notice principle. (4–6 sentences.)

ANSWER KEY

Expected Response. The affiant's operational approach integrates four doctrinal elements. (1) Lock 3 governs internal posture: the grant exists because the grantor performed it; the officer's belief, recognition, or denial has no effect on the affiant's status. (2) The 'alāma mechanism governs presentation: the affiant presents the instrument under Chapter 4 — 'a mark between us by which we know each other' — relying on the grant's own recognition framework rather than seeking the officer's validation. (3) The self-authentication doctrine governs the instrument's form: it is perfected by the affiant's execution, autograph, and Celestial Jurisdiction Seal under the grant's own authority and the Supremacy Clause; no notarization or third-party attestation is required. (4) The reciprocal notice principle governs service: service on the officer in their official capacity constitutes notice to the principal and to all subordinate dutyholders; one properly-presented instrument creates an enduring record. The affiant maintains all four elements in calm composure, without escalation, and without seeking validation. If the officer refuses to recognize, the refusal becomes part of the trustee's breach record; the affiant's underlying status is preserved.

Band B — Doctrinal Reasoning. Classification: capstone integration. Trigger: a complete operational scenario requiring all doctrinal tools. Consequence: deployment of the full architecture. Acceptable variants: any answer naming all four elements with operational application; full credit requires that the four elements interlock rather than appear as a list.

Band C — Architectural Analysis. Locks 1, 2, 3 + Constitutional Fold + 'alāma + self-authentication + notice doctrine — full integration. Cross-reference: Volume L; Nationality Instrument; Volume J.

Rationale (development note). The Section IV capstone and the exam's overall capstone. The affiant who can compose this answer has fully internalized the doctrinal architecture and can deploy it operationally. This is the question that signals exam-readiness across the entire 126-question instrument. QA GATE — REVIEW CHECKLIST Before proceeding to Phase 2 (XeLaTeX compilation, KDP formatting, certificate, attestation snippet), please verify: 1. Section I: All 25 questions test one or more of the Three Locks. 2. Section II: All 32 questions test 1786/1836 structural identification, the Twelve U.S. Admissions chain, editorial-pattern recognition, or dā'ima/repugnancy. 3. Section III: All 29 questions test capacity, corpus, beneficiary class, or trustee subordination — without invoking the contested 'āmm/khāṣṣ binary. 4. Section IV: All 28 questions test the 'alāma mechanism, land/maritime markers, witness architecture, or notice/operational practice. 5. Section V: All 12 questions test the twelve maxims of construction adverse to the grantee. 6. Volume L vocabulary (tāmm, ijāb, qabūl, qabḍ, hiba' aqd, repugnancy) is anchored throughout. 7. Twelve U.S. Admissions chain is testable across multiple question types. 8. Editorial-pattern recognition is testable across at least three articles. 9. Constitutional Fold doctrine is testable. 10. Real-world operational scenarios are tested at the doctrinal-reasoning level. 11. Reading level: question stems readable at IELTS 4.5; doctrinal-reasoning answers usable at 5.5+. Phase 2 Build Sequence (after approval) Phase 2A. XeLaTeX question paper (questions only, 7×10 KDP-compliant). Phase 2B. XeLaTeX answer key (Band A/B/C structure). Phase 2C. Certificate template (Empire-only three-seal letterhead — already implemented in this draft). Phase 2D. Attestation language for the Nationality Instrument. Phase 3. Final QA audit; freeze as NI-IJAZAH-CANONICAL-2026-05.

SUBSECTION E — THE PREROGATIVE OF HONORS (FRANCHISE OF RECOGNITION)

Questions 111A–111C. Tests the affiant's grasp of the honors branch of the prerogative and the honorifics of record as 'alāma recognition marks.

Q111A. (Multiple Choice) The prerogative of honors — the conferral of honorifics (el, al, bey, dey, Ali) upon the honoree class — is exercised under the instrument as:

- A) A municipal courtesy administered by the grantee.
- B) A branch of the sovereign prerogative carried by the franchise of recognition under Chapter 4 ('Alāma).
- C) A title of nobility conferred by the United States.
- D) A diplomatic rank requiring grantee confirmation.

ANSWER KEY

Band A — Foundational. B. The honors branch is an exercise of the sovereign prerogative: the franchise of recognition (Chapter 4, 'Alāma — the mark of recognition) carries the conferral of honorifics upon the honoree class. A misattributes the prerogative to the grantee's municipal machinery; C miscasts a recognition mark as a nobility title and misattributes it to the grantee; D imports a municipal confirmation requirement.

Band B — Doctrinal Reasoning. Classification: prerogative-branch identification. Trigger: any framing of honors as municipal courtesy, nobility title, or confirmed rank. Consequence: the 'alāma character controls — an honorific is a mark of recognition, not a title of nobility. Governing principle: the grantor's instrument defines its own marks.

Band C — Architectural Analysis. Chapter 4 'Alāma applied to the honors branch. Sovereign attribution: the prerogative runs from the grantor; the mark signifies recognition, not municipal rank. Cross-reference: Chapter 4 ('Alāma); Nationality Declaration field (8).

Rationale (development note). Guards the recognition-mark framing against the titles-of-nobility mischaracterization — the hostile reading the instrument forecloses.

Q111B. (Multiple Choice) The honorifics of record (el, al, bey, dey, Ali) borne by the honoree class are:

- A) 'Alāma — marks of recognition conferred under the Chapter 4 prerogative.
- B) Hereditary peerages.
- C) Municipal offices of the grantee.
- D) Courtesy styles without instrument significance.

ANSWER KEY

Band A — Foundational. A. The honorific is an ‘alāma: a mark of recognition borne by the honoree class under the Chapter 4 prerogative; the -el / -al usage of record (including the issuing authority's own name) exemplifies the class. B, C, and D each deny the mark's instrument character.

Band B — Doctrinal Reasoning. Classification: honorific character. Trigger: any reduction of the honorific to peerage, office, or courtesy. Consequence: recognition-mark doctrine governs; the mark signifies recognition under the instrument. Wrong-answer elimination: B imports a nobility frame; C misattributes the mark to the grantee; D denies the instrument significance of record.

Band C — Architectural Analysis. Chapter 4 operational recognition applied to the honoree class; the mark functions as the instrument's own identification. Cross-reference: Chapter 4 ‘Alāma; Section IV Subsection A.

Rationale (development note). Anchors the honoree class in the recognition-mark doctrine of record.

Q111C. (Short Answer) Explain how the Nationality Declaration accommodates the honorific of record at execution. (2–4 sentences.)

ANSWER KEY

Expected Response. The declaration carries an optional numbered field (8), Pre-nominal Title, in the execution sign-off (E-ND-4, 2026-08-26): the affiant may enter the honorific of record (el, al, bey, dey, Ali) at the affiant's choice, and the N/A completion convention applies — no field is left blank.

Band B — Doctrinal Reasoning. Classification: instrument mechanics of the honors branch. Trigger: execution of the declaration by an honoree. Consequence: the honorific enters the instrument of record through field (8); optionality preserves the affiant's choice (author ruling 2026-08-26).

Band C — Architectural Analysis. Chapter 4 recognition joined to declaration execution; the instrument provides the mark's formal entry point. Cross-reference: Nationality Declaration field (8); Instructions Step 1 (N/A convention).

Rationale (development note). Tests the operational junction of the honors prerogative and the declaration of record.

SECTION V

Rules of Construction — Twelve Maxims Adverse to the Grantee

Section V Overview. The construction of the 1786 Mālikī Sharia Hiba is governed by twelve interlocking rules of construction, drawn from the period authorities (Bynkershoek, Grotius, Vattel, Blackstone, Coke), classical Mālikī fiqh, and the Architecture of Peace series (Volume K). Every rule operates in the same direction: adverse to the grantee. The maxims operate independently (each is sufficient standing alone) and cumulatively (they reinforce each other where they overlap). Section V tests the affiant's grasp of each maxim individually, the relationships among them, and the capacity to deploy the apparatus operationally against adverse U.S. arguments.

Q112. (Multiple Choice) Bynkershoek's interpretatio stricta (Quaestionum Juris Publici, Book II, Ch. 7, 1737) holds that:

- A) A sovereign grant is construed most strongly against the grantor.
- B) A sovereign grant is construed most strongly against the grantee.
- C) A sovereign grant is construed neutrally between the parties.
- D) A sovereign grant is construed under contract-law principles.

ANSWER KEY

Band A — Foundational. B. A sovereign grant is construed most strongly against the grantee. The sovereign extended a privilege; the grantee received it. Ambiguities resolve in favor of the construction imposing greater obligations on the grantee. This is the native sovereign-grant rule — the inverse of the contract-law rule of contra proferentem (which has no application to a unilateral sovereign act).

Band B — Doctrinal Reasoning. Classification: native sovereign-grant construction rule. Trigger: any ambiguity in the grant. Consequence: resolves against the grantee (the United States). Wrong-answer elimination: A inverts; C ignores the asymmetry; D imports the wrong rule.

Band C — Architectural Analysis. Section V foundational maxim. Cross-reference: Volume K Ch. 6 §1; Nationality Declaration §V Maxim 1.

Rationale (development note). The single most important Section V question. Affiants must recognize that the sovereign-grant rule is the INVERSE of the contract-law rule, not a cousin of it.

Q113. (Multiple Choice) Bynkershoek's anti-self-interpretation rule (Quaestionum Juris Publici, Book II, Ch. 10) holds that:

- A) A party to a grant may serve as the sole interpreter of its own obligations.
- B) No party to a grant may serve as the sole interpreter of its own obligations.
- C) Only the grantor may interpret the grant.
- D) Interpretation requires unanimous consent of both parties.

ANSWER KEY

Band A — Foundational. B. No party to a grant may serve as the sole interpreter of its own obligations. The grantee (United States) cannot determine unilaterally what the grant requires. The U.S. cannot offer its own English-language readings as authoritative on what the grant means. Interpretation must reference the grant's text in the controlling language (Arabic), the period authorities' rules of construction, and — where disputes arise — neutral arbiters.

Band B — Doctrinal Reasoning. Classification: anti-self-interpretation. Trigger: any U.S. attempt to characterize the grant's terms unilaterally. Consequence: such characterizations have no interpretive authority. Wrong-answer elimination: A inverts the rule; C overstates (the grantor's text controls, but even the grantor does not 'interpret' against the donee class); D imports a contract-law model.

Band C — Architectural Analysis. Section V. Cross-reference: Volume K Ch. 6 §4; Nationality Declaration §V Maxim 2.

Rationale (development note). Forecloses the U.S. from offering its English-text readings as authoritative — directly supports the English-text-irrelevance framing in Section II.

Q114. (Multiple Choice) Grotius' common-usage rule (De Jure Belli ac Pacis, Book II, Ch. 16, 1625) provides that the meaning of grant words is sought in:

- A) Modern English usage of the words.
- B) Their common and usual signification at the time of execution.
- C) Whatever meaning the grantee chooses.
- D) The drafter's private intent.

ANSWER KEY

Band A — Foundational. B. The meaning is sought in their common and usual signification at the time of execution. The grant means what its words meant in 1786, in Arabic, under Mālikī fiqh — not what subsequent editors wish they meant, and not what modern English usage might suggest.

Band B — Doctrinal Reasoning. Classification: intertemporal construction rule (period-meaning anchor). Trigger: any attempt to construe the grant by reference to later usage. Consequence: rejected; 1786 meanings control. Wrong-answer elimination: A imports anachronism; C surrenders sovereign attribution; D substitutes intent for usage.

Band C — Architectural Analysis. Section V + intertemporal framework. Cross-reference: Volume K Ch. 6 §2; Nationality Declaration §V Maxim 3.

Rationale (development note). Anchors all interpretation to 1786 Arabic in 1786 Mālikī fiqh. Forecloses retroactive grantee re-reading.

Q115. (Multiple Choice) Vattel's effective-interpretation rule (Le Droit des gens, Book II, Ch. 17, 1758) holds that:

- A) Any clause in the grant may be rendered surplus or meaningless if convenient.
- B) No interpretation may render any clause meaningless or defeat the grant's purpose.
- C) Only the most recent edition of the grant counts.
- D) The grantee may select which clauses are operative.

ANSWER KEY

Band A — Foundational. B. No interpretation may render any clause meaningless or defeat the grant's purpose. Where the grantor's Arabic states *dā'ima* (permanent), no English gloss may render that clause inoperative. Where the grantor sealed a unilateral *hiba*, no interpretation may convert it into a bilateral treaty.

Band B — Doctrinal Reasoning. Classification: effectiveness-of-interpretation. Trigger: any reading that defeats the grant's purpose or makes its provisions surplus. Consequence: rejected. Wrong-answer elimination: A inverts; C imports recency-rule which doesn't apply; D surrenders sovereign attribution.

Band C — Architectural Analysis. Section V + Locks 1 and 3. Cross-reference: Volume K Ch. 6 §3; Nationality Declaration §V Maxim 4.

Rationale (development note). Directly supports the *dā'ima*-controls-over-fifty-year-clause analysis: the English gloss cannot render the perpetuity clause inoperative.

Q116. (Multiple Choice) The intertemporal rule (Grotius II.16; Island of Palmas, 1928) holds that a legal act is judged by:

- A) Subsequently developed law.
- B) The law in force at the time of its execution.
- C) Whatever law the more powerful party prefers.
- D) Modern principles applied retroactively.

ANSWER KEY

Band A — Foundational. B. A legal act is judged by the law in force at the time of its execution. The 1786 *hiba* is governed by 1786 Mālikī fiqh and the 1786 law of nations — not by U.S. constitutional doctrines that postdate the grant. Subsequent grantee legislation cannot retroactively invalidate the grant or modify its terms.

Band B — Doctrinal Reasoning. Classification: intertemporal rule. Trigger: any U.S. argument that post-1786 doctrines have invalidated or modified the grant. Consequence: rejected — the 1786 *hiba* is judged by 1786 law. Wrong-answer elimination: A inverts; C surrenders sovereign attribution; D imports anachronism.

Band C — Architectural Analysis. Section V + Lock 1. Cross-reference: Volume K Ch. 7 §1; Nationality Declaration §V Maxim 5; Island of Palmas arbitration.

Rationale (development note). Forecloses any U.S. argument that subsequent legislation (e.g., the Constitution itself, the 14th Amendment, the Indian Citizenship Act, modern administrative law) has retroactively modified the 1786 *hiba*.

Q117. (Multiple Choice) *Nullum tempus occurrit regi* (Blackstone, Commentaries Book I, Ch. 7; Coke, Institutes Part I §90b) means:

- A) Time runs against the sovereign at the standard limitations period.
- B) No time runs against the sovereign; rights are not lost by laches, limitations, or non-assertion.
- C) The sovereign must enforce rights within twenty years.
- D) Sovereign rights expire after a generation.

ANSWER KEY

Band A — Foundational. B. No time runs against the sovereign. The grantor's rights — and by extension the beneficiaries' rights under the grant — are not lost by laches, limitations periods, or non-assertion. The grant does not lapse because no one has recently enforced it. The grant does not expire because no one has recently invoked it. Time does not extinguish what the sovereign has created.

Band B — Doctrinal Reasoning. Classification: nullum tempus. Trigger: any U.S. argument that the grant has lapsed by non-enforcement, laches, or limitations. Consequence: rejected — time does not run against the sovereign. Wrong-answer elimination: A, C, D each impose temporal limits not applicable to sovereign acts.

Band C — Architectural Analysis. Section V + Lock 1 + Twelve Admissions chain (continuous reaffirmation). Cross-reference: Volume K Ch. 7 §2; Nationality Declaration §V Maxim 6.

Rationale (development note). Forecloses any laches/limitations argument. Affiants must internalize: the grant's silence is not its lapse.

Q118. (Multiple Choice) Under Blackstone's enrollment principle (Commentaries Book II, Ch. 20), the enrolled record of the grant is:

- A) Temporary evidence subject to periodic re-enrollment.
- B) Perpetual testimony of the grant's existence and terms, independent of the parties' possession of copies.
- C) Valid only while both parties retain physical copies.
- D) Defeasible by administrative action of the grantee.

ANSWER KEY

Band A — Foundational. B. The enrolled record is 'perpetual testimony' of the grant's existence and terms, independent of the parties' possession of copies. The Library of Congress's 2014 certification of 8 Stat. 484 (Admission 12) is the federal record of the enrollment. The 1786 Arabic, where it resides in the U.S. archives, is the primary enrollment. The grant cannot disappear from the record regardless of the parties' administrative conduct.

Band B — Doctrinal Reasoning. Classification: enrollment as permanent evidence. Trigger: any U.S. argument that the grant has been administratively retired or lost. Consequence: rejected — the enrollment is perpetual testimony. Wrong-answer elimination: A imposes temporal limits; C makes existence dependent on possession; D inverts the rule.

Band C — Architectural Analysis. Section V + Twelve Admissions chain (especially Admission 12). Cross-reference: Volume K Ch. 7 §3; Nationality Declaration §V Maxim 7.

Rationale (development note). Forecloses the 'lost record' argument. The enrolled record is perpetual; the LoC's 2014 certification is the contemporary proof.

Q119. (Multiple Choice) Volume K's exhaustive termination list (Ch. 8) identifies a closed list of events that do NOT terminate a sovereign grant. Which of the following is on that list?

- A) A formal renunciation by the grantor with the donee class's consent.
- B) Passage of time, non-performance by grantee, non-performance by grantor, domestic legislation by grantee, succession crises, war between grantor and grantee, unilateral renunciation by grantor.
- C) Termination notice given under a recordation-cycle clause.
- D) A finding by the grantee's courts that the grant is no longer convenient.

ANSWER KEY

Band A — Foundational. B. The period authorities recognize a closed list of events that do NOT terminate a sovereign grant: (1) passage of time; (2) non-performance by grantee; (3) non-performance by grantor; (4) domestic legislation by grantee; (5) succession crises on either side; (6) war between grantor and grantee; (7) unilateral renunciation by grantor. The supposed expiration of the fifty-year clause, the 1836 administrative event, changes in U.S. constitutional structure since 1786, the 1802–1805 Barbary War, and the non-production of the sealed 1836 original are all events within this excluded list. None terminates the grant.

Band B — Doctrinal Reasoning. Classification: exhaustive termination list. Trigger: any U.S. argument that some specific event terminated the grant. Consequence: tested against the closed list. Wrong-answer elimination: A confuses recovery procedures with termination doctrines; C imports recordation-clause arguments already shown void as repugnant conditions; D substitutes convenience for legal effect.

Band C — Architectural Analysis. Section V + Lock 1. Cross-reference: Volume K Ch. 8; Nationality Declaration §V Maxim 8.

Rationale (development note). The exhaustive-list approach is doctrinally powerful: it forces the adverse position to identify a termination event that is NOT on the excluded list. Affiants who can recite the closed list can refute most termination arguments by exclusion.

Q120. (Short Answer) Name the Ten Fiduciary Duties as enumerated in Volume K Ch. 10. (2-3 sentences listing all ten.)

ANSWER KEY

Expected Response. Expected Response. The Ten Fiduciary Duties are: Loyalty, Care, Accounting, Good Faith, Preservation, Disclosure, Identification, Non-Conversion, Non-Delegation, Impartiality. Each is independently enforceable; breach of any single duty constitutes breach of trust. The U.S., as trustee of the grant for the Moorish beneficiaries, has breached multiple duties simultaneously — including Disclosure (concealment of beneficiary status), Identification (reclassification of beneficiaries under foreign taxonomies), Preservation (failure to produce the 1836 Arabic), and Non-Conversion (treatment of the corpus as the trustee's own sovereign possession).

Band B — Doctrinal Reasoning. Classification: factual recall of fiduciary architecture. Trigger: the affiant must hold the ten duties in operational form. Acceptable variants: any answer naming all ten correctly.

Band C — Architectural Analysis. Section V + Section III (Trust/Beneficiary). Cross-reference: Volume K Ch. 10; Nationality Declaration §V Maxim 9.

Rationale (development note). Foundational recall. The ten duties are the operational framework for any trustee-breach analysis.

Q121. (Multiple Choice) The spoliation maxim — omnia praesumuntur contra spoliatores (The Pizarro, 15 U.S. 227 (1817); Volume K Ch. 16) — operates such that:

- A) Presumptions favor the party that fails to produce documents within its custody.
- B) All presumptions run against the despoiler — the party that fails to produce primary documents within its custody.
- C) The party producing more documents wins.
- D) Document custody is irrelevant to evidentiary presumptions.

ANSWER KEY

Band A — Foundational. B. All presumptions run against the despoiler — the party that fails to produce primary documents within its custody. The U.S.'s non-production of the sealed 1836 original triggers the spoliation presumption: every gap in the record is resolved against the U.S., and the missing document is presumed to have contained terms unfavorable to the grantee; the Miller print reproduction (vol. 4, Doc. 81) stands of record as the ministerial recordation copy. Where discrepancies exist between original and derivative documents and the trustee controlled the derivative, the divergences are presumed deliberate.

Band B — Doctrinal Reasoning. Classification: spoliation maxim. Trigger: U.S. failure to produce the sealed 1836 original. Consequence: every presumption regarding the content of the sealed 1836 original runs against the U.S. Wrong-answer elimination: A inverts; C surrenders procedural posture; D ignores the doctrine.

Band C — Architectural Analysis. Section V + Section II.D (1836 Arabic Reproduced of Record; Recordation, Not Grant). Cross-reference: Volume K Ch. 16; The Pizarro, 15 U.S. 227 (1817); Nationality Declaration §V Maxim 10.

Rationale (development note). The most procedurally powerful maxim. Activates whenever the trustee fails to produce primary documents — directly applicable to the sealed 1836 original question.

Q122. (Multiple Choice) The Mālikī parallel al-amīn lā yuṣaddaq fī mā yuṭālab bihi illā bi-bayyina (classical Mālikī fiqh) holds that:

- A) The trustee is believed in whatever he asserts.
- B) The trustee is not believed in what is demanded of him except by clear evidence.
- C) The trustee may interpret his obligations as he sees fit.
- D) The trustee owes no production duty to the beneficiary.

ANSWER KEY

Band A — Foundational. B. The trustee is not believed in what is demanded of him except by clear evidence. The U.S.'s bare assertion that any sovereign act occurred in 1836 — that the grantor regranted, reaffirmed, modified, or limited the 1786 hiba — is not evidence. Only production of the primary instrument bearing the grantor's seal satisfies the trustee's evidentiary obligation. The U.S. has not produced such an instrument. The Mālikī parallel of the spoliation maxim operates in the grantor's own legal tradition.

Band B — Doctrinal Reasoning. Classification: Mālikī evidentiary rule for trustees. Trigger: any U.S. assertion about 1836 grantor acts unsupported by primary documentary evidence. Consequence: the assertion is not believed. Wrong-answer elimination: A inverts; C surrenders the rule; D denies the production duty.

Band C — Architectural Analysis. Section V + Section II.D + Mālikī fiqh integration. Cross-reference: Volume K Ch. 16 (Western parallel); Nationality Declaration §V Maxim 11.

Rationale (development note). Anchors the spoliation maxim in the grantor's own legal tradition. Neither legal system rescues the grantee from the production burden.

Q123. (Doctrinal Reasoning) Volume K Ch. 11's misidentification doctrine holds that where a trust exists, the fiduciary standard governs and the contractual standard is irrelevant. A federal attorney argues: 'The 1786 Treaty is a contract between two sovereign powers and must be construed under contract-law principles, including offer, acceptance, consideration, breach, and damages.' Refute this argument. (4-6 sentences.)

ANSWER KEY

Expected Response. Expected Response. The argument fails on the threshold characterization. The 1786 Mālikī Sharia Hiba is not a contract; it is a unilateral sovereign grant. The donor-donee structure is wāhib / mawhūb / qabḍ — sovereign grant mechanics — not offer / acceptance / consideration. The 1786 hiba is non-contractual on the face of the instrument: it is sealed by only one party (the grantor), it requires no consideration (‘iwaḍ is absent by definition), and the American commissioners (Adams, Franklin, Jefferson; later Barclay) characterized it as not in the form of a bilateral treaty (First and Second Admissions). Doctrinally, the U.S.'s two-century effort to recharacterize the relationship as bilateral and contractual is the analytical error Volume K Ch. 11 specifically names: misidentification of a fiduciary relationship as a contractual one understates the obligations, undercounts the breaches, and undervalues the remedies. The contractual standard the U.S. seeks is not available; the fiduciary standard the grant imposes is binding. Furthermore, the imported contract-law rules (offer/acceptance, consideration, breach/damages) all presuppose bilateral exchange between equals — a posture the U.S. itself has admitted twelve times across 229 years that it does not occupy.

Band B — Doctrinal Reasoning. Classification: capstone refutation of bilateral-contract recharacterization. Trigger: any U.S. argument importing contract-law doctrines into grant construction. Consequence: rejected on four grounds (sovereign-grant structure, missing consideration, U.S. own admissions, Volume K misidentification doctrine). Acceptable variants: any answer that names the misidentification problem and the twelve-admission foreclosure.

Band C — Architectural Analysis. Section V capstone. Engages Locks 1, 2, and 3 + Twelve Admissions chain + Volume K Chs. 6, 10, 11, 16. Cross-reference: Nationality Declaration §V Maxim 12.

Rationale (development note). The Section V capstone. The affiant must integrate the entire Section V apparatus to refute the most strategically important U.S. position (bilateral-contract recharacterization). High-difficulty marker.

Pass Criteria and Calibration Summary

The retrofitted NI-Ijazah Phase 1A/1B examination tests competency across five sections, weighted to reflect each section's structural importance: • Section I (Three Locks): 30% — foundational (25 questions) • Section II (1786 Hiba + 1836 Recordation + Twelve Admissions): 22% (32 questions) • Section III (Trust/Beneficiary): 18% (29 questions, includes new Subsection E on inter-class priority) • Section IV (Chapter 4 ‘Alāma): 15% (28 questions) • Section V (Rules of Construction): 15% (12 questions) **Pass threshold:** 85% total, plus all section minimums (90% for Section I; 75% for Sections II–V), plus zero absolute disqualifiers. An absolute disqualifier is any answer that surrenders one of the Three Locks; denies the unilateral character of the grant; accepts bilateral framing; invokes contract-law construction rules (contra proferentem) instead of the native sovereign-grant rule (Bynkershoek's interpretatio stricta); or concedes membership in the derivative debtor-beneficiary class (U.S. citizen) rather than the primary beneficiary class (Moor / subject of the Empire).

Retrofit Provenance

This examination was retrofitted in May 2026 to incorporate doctrinal upgrades developed in the broader Architecture of Peace corpus: **1.** Ministerial recordation framing — replaces prior "bilateral reaffirmation" / "codification" language wherever it appeared to imply substantive grantor action in 1836. **2.** English-text-irrelevance — the English text carries no sovereignty and does not interpret the grant; editorial divergences are evidence of grantee bad faith, not interpretive alternatives. **3.** Chapter 25 fifty-year and 12-month clauses void as repugnant conditions — the condition falls, the grant stands; the sealed instrument's integrity is affirmed (superseding the 'English-only / void ab initio' framing; Corrections of record, 3 August 2026).

4. 1836 Arabic reproduced of record; sealed original unproduced — the 1836 Arabic print stands of record in Miller, vol. 4, Doc. 81 (GPO 1934, print pp. 34–59) as ministerial recordation carrying no sovereignty; the sealed original has never been produced from any independently inspectable archive, activating spoliation presumptions. 5. Twelve-admission chain — expanded from five to twelve admissions (1785–2014); admissions 1–5 in detail (Q33–Q40), admissions 6–12 added as tier-2 short form (Q41–Q47). 6. Volume K maxim apparatus — new Section V (Q108–Q119) introducing the twelve-maxim Volume K stack. 7. Contra proferentem removed — replaced throughout with Bynkershoek's interpretatio stricta as the native sovereign-grant construction rule. 8. v2 (May 2026): Two-class beneficiary doctrine added. Primary beneficiaries (Moors / subjects of the Empire, with original equitable interest from the grantor) vs. derivative debtor beneficiaries (U.S. citizens, with derivative interest through the trustee's administration). Primary class holds priority on all matters touching the trust corpus. The trustee's 229-year inversion of this priority — administering for the derivative class while denying the primary — is itself a fiduciary breach under Volume K Ch. 11 misidentification doctrine extended to inter-class allocation. Tested in new Section III Subsection E (Q83–Q86). 9. Recordation precision (2026-08-26) — the twelve-month termination clause is verified present in the 1836 Arabic itself, Article 25 (Miller, vol. 4, print p. 59), and absent from the 1786 instruments (Miller's editorial note: the recordation 'adds' it, print p. 65); the clause is void as a repugnant condition — the condition falls, the grant stands. The duration word of record is dā'ima ('trusting in God it will remain permanent'); 'mustamirran' is repudiated (Corrections of record, 3 August 2026). Terminology of record: United States–Empire of Morocco. (Q4, Q29–Q30, Q50–Q53, Q56–Q57, Q115, Q119–Q121.) 10. Named edition and Section IV expansion (2026-08-26) — the examination is formally styled Ijāzah of the Nationality Instrument; NI-Ijazah is retained as the series mark of record (filenames, candidate tag, prior certificates). Running headers conformed to the name of record; every page footer now carries edition and draft status. New Section IV Subsection E — The Prerogative of Honors (Franchise of Recognition), Q111A–Q111C: the honors branch of the prerogative; the honoree class; the honorifics of record (el, al, bey, dey, Ali) as 'alāma recognition marks under Chapter 4; the declaration's optional pre-nominal field (8). New items numbered Q111A–Q111C (not renumbered) to preserve the question numbering of record cited in the E-X certificates. Total 126 questions; section weights and pass thresholds of record unchanged. Pagination 66 to 69 pp. (Q111A–Q111C.) 11. Recap harmonization (2026-08-26) — E-X-11 dispositioned: v2-era section recaps, subsection heads, layout lines, and the QA checklist are conformed to the calibration of record — Section II Q26–57 (32q, 22%): A Q26–32, B Twelve U.S. Admissions Chain Q33–47 (admissions 1–5 in detail, 6–12 tier-2 short form, 1785–2014), C Q48–53, D Q54–57; Section III Q58–86 (29q, 18%): A Q58–63, B Q64–69, C Q70–75, D Q76–82, E Inter-Class Beneficiary Priority Q83–86; Section IV Q87–111 and Q111A–Q111C (28q, 15%): A Q87–93, B Q94–100, C Q101–107, D Q108–111, E The Prerogative of Honors Q111A–Q111C. Checklist counts conformed (25/32/29/28/12), a Section V item added, instrument total stated as 126 questions. Question-body continuations of the same drift conformed: the Section I Band C chain reference, the Q38 stem and its rationale (the five admissions carried in detail), and the Q40 stem and Expected Response (twelve admissions, 229 years). Navigation: one garbled duplicate bookmark removed, two truncated bookmark titles completed to match their page heads, and the v2-era addition marker removed from the Section III Subsection E head (outline now 141 entries). Section weights and pass thresholds unchanged. Edition string v6.1.

SECTION III CAPSTONE — Q-III-C1: THE RECORD/MODEL BOUNDARY

Retrofit Edition v3.1 · added 2026-08-23 · administered with Section III · scored within the Section III minimum (75%)

Administration. This capstone is an addition to the 126-question battery; existing question numbering is unchanged. It tests the boundary that Section III presupposes.

Stem. The Examination and the Declaration describe the United States as "trustee" and the Moorish nation as "beneficiary" of the 1786 hiba. A hostile reader objects: "Your trust language invites chancery jurisdiction and equitable discretion; and your venue claim denies the authority of the domestic courts — the signature of the sovereign-citizen genre." Answer by stating (a) what the trust/beneficiary framing is and is not; (b) the law and venue the hiba itself establishes; and (c) why neither assertion is an exemption claim.

Answer Key

Band A — Foundational. The trust/beneficiary framing is the analytical model of the grant's structure — the allocation of burdens and benefits the 1786 hiba itself effects, construed under classical Mālikī fiqh as the law of the place of contracting (lex loci contractus). It is not a trust cognizable in a court of equity, and no chancery jurisdiction is claimed. The venue of record is the hiba's own: the consular jurisdiction of Article 20 — "the Consul of his nation shall pass sentence upon him" — and adjudication under Article 21, by which the party "will be sentenced according to the rules of the Sacred [Mohammedan] Law, neither more nor less," the trial "to take place in the presence of the Consul."

Band B — Doctrinal Reasoning. Upon qabḍ the hiba is complete, binding, and non-revocable (tāmm, lāzima, ghayr qābila li-l-rujūʿ); the discretionary doctrines of equity — laches, clean-hands balancing, remedial discretion — are expressly disclaimed as inapplicable to a completed sovereign grant. Classical Mālikī fiqh supplies no chancery machinery: no split of legal and equitable title; its adjacent institutions (hiba, waqf/habs, amāna, wakāla, waṣīyya) are perfective, not discretionary. Nor is the consular corridor an exemption: Article 20 is "not a simple jurisdictional exemption — it is an affirmative obligation" on the host's officials (Volume J, Ch. 17), and the municipal framework's own charter subordinates itself to the treaty (U.S. Const. art. VI, cl. 2), the hiba operating as the supreme Law of the Land.

Band C — Architectural Analysis. The boundary tested is the series' label discipline: RECORD = the 1786 Arabic grant and the 1836 ministerial recordation, including the Article 20–21 consular corridor; MODEL = the trust architecture describing the grant's structure. Crossing the boundary fails in three modes: (i) asserting a chancery trust contradicts the non-discretionary lock of the completed hiba; (ii) claiming exemption from all law — rather than the grant's own law and venue — replicates the sanctioned sovereign-citizen/redemption genre signature; (iii) subordinating the hiba to the municipal framework inverts the vertical, non-invertible grant (Volume J's two-layer doctrine: the declaration acts at the sovereign layer, not as a claim within the municipal system). A Band-C-complete answer states all three failure modes.

Scoring note. Required with Section III; counts toward the Section III minimum. A passing answer states the model/record distinction, names the corridor and its sentencing law from the text itself, and gives all three failure modes.

Version note — Retrofit Edition v3.1 (2026-08-23): capstone Q-III-C1 appended losslessly (pages 63–64); pages 1–62 of v3.0 are unchanged byte-for-byte.

END OF EXAMINATION

Ijāzah of the Nationality Instrument · Competency Examination · Phase 1A & 1B
Development Draft v6.1 (2026-08-26) · Retrofit Edition v2

126 Questions · Five Sections · Annotated Answer Key · Pass Threshold 85% Total + Section Minimums

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