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for RESTORATION and UNIVERSAL ADOPTION of  
CONSTITUTIONAL COMMON LAW TRIAL BY JURY.



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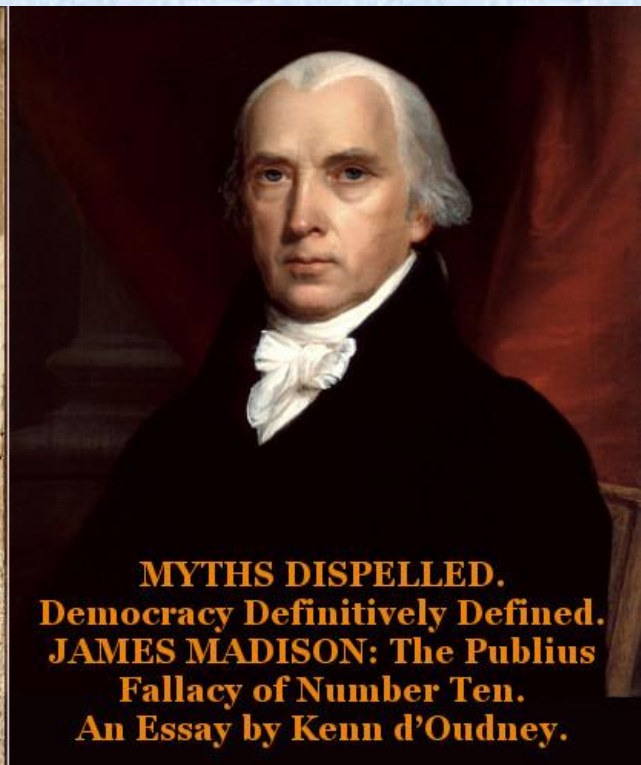
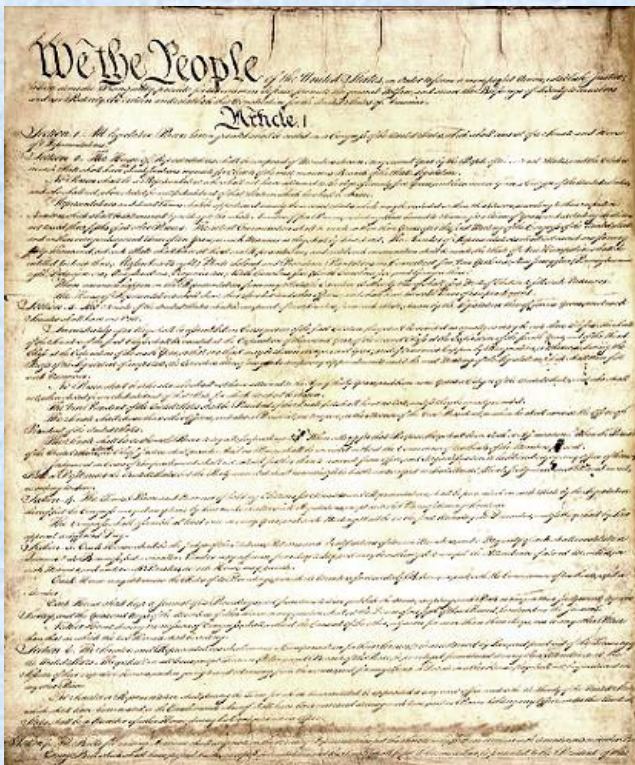
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**MYTHS DISPELLED.**  
**Democracy Definitively Defined.**  
**JAMES MADISON: The Publius**  
**Fallacy of Number Ten.**  
**An Essay by Kenn d'Oudney.**

Excerpt from  
**DEMOCRACY DEFINED: The Manifesto** ISBN 978-1902848327 - New 2025 Edition.

## THE PUBLIUS FALLACY OF NUMBER TEN.

### JAMES MADISON: *The Publius Fallacy of Number Ten.*

*It matters not how oft a fallacy be repeated, or the renown of the person who utters it: that statement which is false remains to be corrected.* An error does not become truth by reason of its multiple propagations—nor does truth become error because some people do not perceive it! The information provided in this treatise thus far explains the secular, egalitarian, democratic aspects, *and* the definitional connexion with democracy, of this unique Justice System by which *the people rule*. It sets the context for the following observations on the writings by James Madison under the pseudonym Publius, published in Number Ten of the Federalist Papers.

As shown in Chapter One, the Constitution of government by Trial by Jury received from the Athenians *the defining epithet*, Democracy. Etymology establishes that *it is incorrect* to conceive of ‘democracy’ as only “*a society of a small number of citizens, who assemble and administer the government in person,*” (Madison; Federalist Papers, #10) for neither in Hellenic Greece nor in any other democracy is the *assembly* the supreme judge and final arbiter of law: *that* is the exclusive domain of **the Jury**.

Madison’s incorrect notion of what ‘democracy’ is, led him to a wholly fallacious derogation, seen in #10 of the Federalist Papers, and it is this false premise upon which all his previous and subsequent extrapolations about ‘democracy’ in that work are posited. However, in due course Madison *retracted and corrected* his insidious, mistaken idea about ‘democracy’; a fact too often overlooked by scholars; and which remains recondite, perhaps unknown, to the rest.

One is gratified to observe that, with the passage of time, while not openly and explicitly rectifying his wrong ‘definition’ and the consequential erroneous surmises contained in #10, Madison’s further writings and actions did **prove** beyond any doubt that his earlier misconceptions about democracy had been superseded, eradicated, and, de facto, reversed. As we shall see... Madison demonstrated in the most public and overt manner that he wholly approved of and positively adopted democracy...

Again, note that what goes on in referenda and the national assemblies has nothing to do with Trial by Jury. It is Trial by Jury which is the vital part of The Constitution, it being the basis of democracy through which the people have rule and Sovereignty. All societies govern through their Justice System. The power to punish carries with it all power. Through the Trial by Jury System the common people are able to hold in their own keeping all the rights and liberties which they wish to enjoy. Note that Socrates and Plato, the élitist servitors of oligarchs and aristocrats, railed *against* this authority of ordinary citizens to decide their laws for themselves.

In majority or minority rule, regardless of the actual percentages, what is described is one segment of the population, an élite, “ruling” over the rest, a ruled, suppressed underclass. Those scenarios both describe an oligarchical governance which, by its nature, must trend towards partiality, the self-interest of rulers and their patronised coteries to the disadvantage of others; and widespread injustice.

In the authentic democratic Trial by Jury, the validity, worth, justice and legality of a law may be challenged. A law’s effects, dangers, a possible venal character, and even the potential *mens rea* (i.e., definitively guilty criminal intent) of the assemblies’ lawmakers themselves, may be exposed. In this way, *by means of the Trial by Jury, democracy precludes tyranny by \*factions’ legislative majority rule, which otherwise imposes arbitrary measures through parliament and congress.*

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\**Definition.* faction, a company of persons associated or acting together; generally having a negative connotation.

By common law governing Trial by Jury processes, such as the care with which *all views amongst the population are represented within juries by the random selection of jurors, yet further protection is provided against faction.*

So, in writing the following in #10, Madison literally cannot be referring to *any* democracy at all, for democracy is exclusively reliant in practice and by definition on the Trial by Jury. In the following extract, Madison describes what it is he means to express his views upon, but it is NOT democracy. Instead, he renders his homespun, incorrect ‘definition’ of the word, and gives expression to a flagrant malapropism (misapplication; misuse; abuse).

### AN APOCRYPHAL TEXT

In regard to “democracy,” for generations this careless and utterly apocryphal text by Madison has confused and misled some Americans.

To quote Publius (Madison): “From this view of the subject it may be concluded that a pure democracy, *by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person...*” **[!Beware! This is neither the definition nor the constitution of ‘democracy’, which relies for its definition not upon assemblies and legislative voting majorities, but instead upon rule of the people through the Sovereignty of the Juror in Trial by Jury: Unanimity required.]**

[Publius text continues:] “...can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert result from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies (*sic*) have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths.”

**Publius (Madison). Fed. Paper #10, 1787.**

As noted above, political parties are factions. Majorities in congress are factions. It is *only* through the citizens’ (as distinguished from the government’s) control over the Justice System backed by all the government apparatus of police and penal enforcement, that organised factions may be peacefully prevented from exploiting their power to “invade the rights of other citizens.”

Whether the society is large or small, *factions do indeed rule* if majority voting in referenda or the assembly is binding and the outcomes become statute law—and there is **NO** genuine Trial by Jury Justice System, *i.e., no democracy to protect those whose rights and lives are impinged upon by laws set by majority or minority rule.*

However, as we shall see from what follows, Madison came to adopt ever more intensely, this fundamental precept of *demos-kratein*, democracy: the people rule through Trial by Jury. It is reasonable to assume that his change of heart and intellectual comprehension came about through contact with the *real* meaning of the word. Certainly (as previously noted in Chapter One), his collaborator in preparing the Constitution, co-author Justice James Wilson, was aware of the Hellenic constitution of government by Trial by Jury *as manifested in the Jury’s power to judge, annul and overrule the laws of the assembly.*<sup>1</sup>

**1 See co-author of the U.S. Constitution Justice James Wilson, Works, Vol. 2, Chapter VI.**

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In a society of any size, that is, a small or large number of persons, the Trial by Jury is the very cure for the “mischiefs of faction” which might seek to commit injustice to a minority or even to one “obnoxious” individual! Madison *himself* fervently supports Trial by Jury as the effective means by which to eliminate tyranny by factions. Unequivocally, Madison later points out (see below) that the Trial by Jury achieves this purpose by intervening to “*disarm government*” of its power to do injustice. So, writing in Federalist Paper #10, he is inconsistent and again incorrect to say that a democratic society can admit of “no cure” for “the mischiefs of faction” when, in fact, he *himself* asserts that Trial by Jury is indeed just such a cure.

As a matter of fact demonstrated by history, it is, of course, *only* democracy, the society based upon Trial by Jury, which possesses this socio-political panacea.

In his formative reading on government, Madison will have absorbed the Socratic Dialogues in Plato’s prototypical ‘fascist’ work, The Republic. Socrates and Plato were hubristic felons who denigrated and were the original traitors to Athenian democracy. Intellectually gifted, Socrates and Plato derided the rights of ordinary men to decide their own laws and liberties for themselves, insisting that only the cleverest of men deserved to rule: as “philosopher-kings.” An arrogant authoritarian, Plato paid no regard to the fact that justice and conscience can reside in the hearts and minds of ordinary men and women; whereas the most talented or intellectual are not necessarily guided by the Principles of Justice, Compassion and Fairness. These latter are indispensable to civilised governance; definitive factors, which, along with the Trial by Jury system of equal justice, characterise and differentiate democracy from the barbarity of despotism.

Socrates inspired a bloody coup d’état (seizure of power) by wealthy aristocrats and oligarchs, called the Thirty Tyrants, with their mercenaries and slaves, who instantly denied exousia rights and installed totalitarian rule. Though it later came to be reversed and democracy restored, there had been much loss of life, injustice and the forced exile of thousands of proponents of democracy. With their cohort Xenophon, these contemptible ambitious criminals Socrates and Plato were premeditated destroyers of peace, justice, liberty, equality, brotherhood and democracy (created by implementation of Trial by Jury).

Therefore, in #10—to mitigate him somewhat for his serious mistake—it is likely that Madison’s mind dwells on some strange species of small imaginary tumultuous enclave of Plato’s and Socrates’ fabrication, The Republic, which operates *without* the pacifying, egalitarian, unifying factor of the democratic Trial by Jury. Platonic societies are hateful primitive authoritarian constructs. Whatever! Madison’s idle words do not accord with the orderly, just democratic society created out of civilised man’s model justice system, the Constitutional Common Law Trial by Jury—of which he, Madison, became so ardent an advocate (see below).

Let it be borne in mind that Democracy reduces or elevates all people to equality, *not only before* the law, *but also*, by adult participation in Jury Duty (i.e., serving as a juror), *over* the law, in the Juror’s mandated judicial due process of all causes at Trial by Jury.

### *The Principles which Form the Bright Constellation:*

#### **DE FACTO, MADISON AND JEFFERSON ADOPT DEMOCRACY.**

*Nevertheless, by 1789, and later still when Jefferson and Madison formed their political grouping in 1793, the matter was settled: no longer was Madison disparaging ‘democracy’. Rather—in as complete a reversal of his previous unfounded derogation of ‘democracy’ as it was possible to accomplish—he was*

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*wholeheartedly and publicly adopting the term as embodying his beliefs and his utmost political aspirations: he founded the Democratic-Republican Party.*

As opposed to majority factions of representatives voting in the assembly, democracy, representing ultimate supreme rule by the people through Trial by Jury, was adopted by Jefferson and Madison, Founders of the Democratic Party. Indeed, whereas Jefferson said about *voting in Congress*, “The voice of the majority decides. For the *lex majoris partis* is the law of all councils, elections, where not otherwise expressly provided,” [Jefferson; Parliamentary Manual, 1800] *in a profound recognition of the democratic right of the People to prevail through their juries over the government’s laws, Jefferson stated:*

*“The majority, oppressing an individual, is guilty of a crime, abuses its strength, and, by acting on the law of the strongest, breaks up the foundations of society.”*

*“Freedom of religion; freedom of the press, and freedom of person under the protection of habeas corpus, and trial by juries impartially selected. These principles form the bright constellation which has gone before us, and guided our steps through an age of revolution and reformation. The wisdom of our sages and the blood of our heroes have been devoted to their attainment.”*

See Writings of Thomas Jefferson, ed. H.A. Washington, J.B. Lippincott & Co., Philadelphia, 1871.

Likewise, according to Madison, society should be formed in such a way as imparts equal protection to all citizens, even the ‘obnoxious’ ones, *by the Trial by Jury. This is true demokratia: democracy.* Madison desired the circumstances be created which enable the people to judge, rule and if deemed necessary, overrule government-made law. To this end, Article 3 of the Constitution had installed Trial by Jury by which the government is (supposed to be) held by the citizens to its constitutional limits.

Yet, so intense was Madison’s commitment to the democratic Trial by Jury Justice System that he sought further unequivocal support for the constitutional arrangement of societies in such a way that juries in Trial by Jury hold sway over government. **This is definitive democracy of the Hellenic model: the Constitution of government by Trial by Jury.** He wrote:

*“No state shall violate the equal right of conscience, freedom of the press, or trial by jury in criminal cases; because it is proper that every government should be disarmed of powers which trench upon those particular rights.”*

See Madison’s Proposed Amendments to the Constitution, June the 8th, 1789.

Where government is “disarmed of power to trench upon the authority of juries,” and the accused has indisputable right to such a trial, *Trial by Jury holds sway over law and its enforcement.* According to conscience, citizens vet, judge, decide, make and enforce the natural common law to protect themselves, their rights and liberties; they overrule and annul arbitrary decisions of courts, unjust dictates and corrupt laws: the people rule and democracy is extant.

More than this, however, it is a well-known virtue of Trial by Jury that *only one person* on common law juries (which are indiscriminately chosen by lot or chance to reflect all views in the country at large), is sufficient to prevent injustice being inflicted by acquisitive legislation of factions. Witnessed routinely, whether elected or representing themselves, people gathering in a legislative *assembly* routinely diverge from logic, reason and the pursuit of justice, to be charmed, cajoled or frightened by capricious rhetoric into adopting legislation which represents the self-interests of majority or minority factions. Hence, Madison sought *amendment* to the Constitution specifically to gain further insurance for the right to receive a Trial by Jury without

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trenching intervention from government, its judiciary or other agents. This amendment would re-establish **the authority of the Juror as Judge**, and publicise the absolute, supreme sovereign nature of the citizen-jury in Trial by Jury. Knowing the character of man and governments, Madison saw the exigency for this stipulation. Such an amendment to law—and government behaviour—is now universally needed, for, witness the ruin of Trial by Jury today by traitorous politicians and judges.

According to Madison, *without* Trial by Jury operating freely from interference by the government (the judiciary is an arm of government), there is, in his words, no “proper,” that is, no civilised, state of society. Trial by Jury is his determining factor, his ‘sine qua non’ defining the civilised, the proper society. He vehemently states that no government violate Trial by Jury. By this, he adopts democracy: the philosophical pinnacle in the ascent of man.

*Madison advocated that the people “regulate” society by expressing ultimate authority through their common law juries, as follows:*

**“Trial by jury cannot be considered as a natural right, but a right resulting from the social compact which regulates the action of the community, but is as essential to secure the liberty of the people as any one of the pre-existent rights of nature.”**

Madison’s Proposed Amendments to the Constitution, 1789.

### U.S. ARMY TRAINING MANUAL NO. 2000-25

The Publius Fallacy in Number Ten is damagingly replicated elsewhere. Amongst misinformation in the U.S. Army Training Manual No. 2000-25 published by the War Department in 1928 (with contributions by one Harry Atwood) there is found this malign “definition” of “democracy”—and another faulty, much-embellished idea as to what a “republic” is. (That text in the Army Manual is sometimes disparagingly referred to by cognoscenti as “statists’ propaganda-miseducation for grunts.”)

Readers will immediately observe the Manual’s adoption of Madison’s fallacious notions and wrong definition in Number Ten of the constitutional discussion documents, the Federalist Papers. In the Manual, Madison is quoted from that very Paper, revealing him to be the source of their erroneous ideas. The War Department/Atwood did not perceive the illogic of their *imagining* that Madison and other Founders had remained ‘antithetical to democracy’ when in fact Madison had profoundly reformed and reversed his ideas about democracy, as demonstrated by the fact that he had subsequently named the political group he formed and campaigned for “the **Democratic**-Republican Party”. Moreover, Atwood and others did not grasp the defining etymological and philological facts surrounding the word which indissolubly bind democracy to the constitution of government by Trial by Jury from which the real meaning derives; see the definition and etymology in Chapter One.

The constraints of proper lexicography (definition) and historical facts do not permit **any** of the ‘meanings’ purported in the Manual. The Manual’s misconstrued meanderings on “democracy” follow, “A government of the masses. Authority derived through mass meeting or any other form of ‘direct’ expression. Results in mobocracy [sic]. Attitude toward property is communistic, negating property rights. Attitude toward law is that the will of the majority shall regulate, whether it be based upon deliberation or governed by passion, prejudice, and impulse, without restraint or regard to consequences. Results in demagogism, license, agitation, discontent, anarchy.”

As with the Madison’s ‘Publius’ blunder in Number Ten, this gross fabrication describes majority rule, referenda and the politics of the lynch-mob! It is incorrect as

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Madison *himself* had conceded, because **in the definitive democracy, Common Law and Constitution define and prescribe the Trial by Jury as the supreme responsible legislature, judicature and authority for all causes.**

It is a crime of dereliction at common law for the community's representatives not to ensure that correct education is given to the population about their most important adult duty of serving as a Juror in Common Law Trial by Jury (see Chapter Three).

It is, however, a far greater crime of government malice to miseducate people *deliberately* into a benighted stultifying befuddlement of ignorance as to the workings of the one and only mechanism which can provide We the People with emancipation (liberty), equal justice and protection from great and petty acts of tyranny by government,

**Madison and Jefferson perceived that, thanks to Trial by Jury, the compassionate, civilised rule of law and self-governance are the Common Law Constitution's gift to the People: *this* is democracy.**

### THE ENEMIES OF EQUAL JUSTICE AND LIBERTY

As Democracy establishes responsible freedom of the people through the Trial by Jury Justice System, it always proves to have enemies amongst power-hungry oligarchs, would-be overlords and their self-interested supporters (from Socrates and Plato to banker Hamilton, religious fundamentalist Ames, et al.). There are others whose misuse of the word demonstrates that they simply did not (and today do not) know its meaning. Generations have been confused and deluded by the premeditated or unwitting incorrectness of Fisher Ames, Webster, Franklin, Hamilton and others...

Autocrats do not want *you* to know the real meaning of democracy—for fear you might reclaim it for the people of the world. To this day, plutocrats and those paid collaborators who sow disinformation for them, remain the foes of democracy—*because democracy emasculates tyrants and emancipates the population.*

Note that '*law dictionaries*' express warped meanings intentionally imposed by *politically-motivated legislation*. They reflect the will and interests of oligarchical rulers, not the truths of history, the Common Law Constitution and the sciences of etymology, philology and semantics. Misinformation which they and other modern '*law*' books illegitimately and mendaciously impart exemplifies propaganda which controls ('brainwashes') the mind of the credulous simpleton.

**See section on 'Law Dictionaries' in Chapter Six.**

The shadowy 'money masters', unseen self-appointed 'rulers' of the West, have now all but 'ruled out' Constitutional Common Law Trial by Jury, Habeas Corpus, and freedom from arbitrary arrest (i.e., without probable cause), thereby precipitating nations into definition as tyrannies as opposed to democracies. The Founders of the U.S. *and* the authors and instigators of Magna Carta, who risked all to gain freedom and installed Trial by Jury as a barrier to protect the people from common and government crimes, would have the greatest disdain for this generation for allowing these malignant events to come to pass.

*For pay*, authors of the statist bias and unconscionable lexicographers and journalists collaborate to write lies and equivocation for their employers' interests—which are completely at odds with those of the people at large. They shred the truth, and, with abuse of vocabulary, attempt to appear cynical and clever. With deliberate distortions of our vocabulary and language, they mock ordinary people, spreading disunity and uncertainty at a time when we all require to be sure in our beliefs.

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The ongoing demolition by enemies-within of the democracies of the West is hardly surprising though, for as long as Westerners allow themselves to be miseducated as to the meaning of such important words as democracy and republic; and they are so completely flummoxed by the disinformation promulgated by the servants of the wealthy oligarchs that it leads them even to *disparage* democracy! Yet, democracy with its definitive attribute of Trial by Jury, is the singular proven means of their (secular) salvation by which equal justice, and the lives, rights, liberty, and property of all the people are peacefully secured.

As Founders of the Democratic-Republican Party, Madison or Jefferson would hardly be likely to call democracy ‘vile’ or ‘mob rule’—as is untruthfully claimed on deviant individuals’ websites. *Nowhere* in Madison’s copious writings does the word ‘vile’ even appear! Wake up, folks! The obvious example of *the dupe of tyrants* is the person who maligns democracy as, “two wolves, and a sheep voting on what to have for dinner.” These are facile fictions, libels and calumnies made up or adopted by the likes of Henry Louis Mencken and Rose Wilder Lane to delude people and lead them astray... It is not credible (*unless they are being deliberately untruthful*), that the people who talk of the ‘wolves and sheep’ and vacuously derogate the term, could have researched the history, etymology and signification of the word democracy: *demos kratein, demokratia*: the people rule through Trial by Jury. Democracy, constitutionally founded on the Trial by Jury of Common Law, is held in greatest esteem by cognisant civilised people everywhere.

**Consider the simple signification of the word ‘republic’.**

### **N.B. *republic*, THE DEFINITION.**

*Definition.* republic, a form of government without a monarch.

Etymological derivation, Latin. *res*, affair; *publica*, public; *respublica*, commonwealth.

***Virtually every type*** of government could be found in a republic, apart from the fact that the head of state is not a monarch.

There have been and are republics of many types: democratic; theocratic (‘religious’); military; fascist; authoritarian; totalitarian; communist/ socialist; and so on. They all have constitutions, and are definitively constitutional republics with, “*a republican form and style of governance.*”

**As for the U.S. Constitution, 1788, Article 4; Section 4:** “The United States shall guarantee to every State in this Union a Republican Form of Government [*as distinguished from a MONARCHY*], and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence.”

There is nothing intrinsically benignant about *republics*: they come in all shapes. The blood-soaked post French Revolution mob-rule was a republic, like that of the Russian Bolsheviks; the Union of Soviet Socialist Republics. They are described by the Hellenic word, ochlocracy, rule by the mob (pronounced *ock-lock-ra-see*); along with governments of the sanguine communist Chinese and the deluded adherents to the violent primitive ‘religious’ theocracies. Yet, these are all constitutional republics.

When people advocate or say they “prefer” a ‘constitutional republic’, is the Union of Soviet Socialist Republics their ideal and preference? Surely not! Bandyng about the words “constitutional republic” does not communicate to others that one is intending to advocate a form of ‘good government’. On the contrary, as there are more totalitarian constitutional republics than decent ones, the person who uses those words



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could be advocating authoritarianism and racism like that of Mugabe's republic of Zimbabwe. So, beware indeed! We have to have a firm grasp of the correct meanings and proper applications of words if we are to uphold the democratic rule of law.

These days, the once much-beloved United States have all but reneged on their wonderful Constitution, allowing politicians' ruin of the people's Constitutional Trial by Jury. Today, federal and state authorities enforce inequitable, money-motivated, crime-generating (inherently illegal) statutes\* with impunity. So, one is hard put to give an example of a respectable, or rather, a *legal*, constitutional republic anywhere on Earth.

\*See THE REPORT ISBN 9781902848310 by Kenn d'Oudney & Joanna d'Oudney for details. THE REPORT has a Foreword by a Nobel laureate former official Adviser to the U.S. government; is endorsed by a Professor Fellow of the Royal Society and Professor of Psychiatry of Harvard University Medical School, and by academics, doctors (of jurisprudence, medicine, physiology, psychiatry, homeopathy, philosophy) and judges (U.S. & U.K.).

Where the constitutional justice system is based exclusively on Trial by Jury in whatever different nation states, then a 'constitutional monarchy' differs from a 'constitutional republic' in the relatively minor factor of the title of the head of state, and the frequency and method by which the head of state is emplaced. With Trial by Jury holding sway over prosecution of every law and decision of government, the question of what 'type' of head of state is only of cosmetic consequence.

### THE U.S. CONSTITUTION IS DEFINITELY DEMOCRATIC.

*The Hellenic democratic ideal is transcribed directly into the Constitution of the United States, as follows:*

**"We the People—demos, the people—**of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America." Article III. Section 2. "The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury."

It is not necessary for the word 'democracy' to appear in the wording of a constitution or declaration for the state of democracy to be created, *because*, whereas neither Magna Carta nor the U.S. Constitution insert this word, in the U.S. Constitution, *demos* is stipulated in the English words, We the people, accompanied by constitutional installation of democracy's definitive attribute, the Trial by Jury through which the people have overall rule; and Magna Carta is written in Latin, prescribing the details of rule by the people through *legem terræ*, i.e., the Law of the Land and its central tenet, "*judicium parium*," the judgement of social-equals, pares or peers: the Trial by Jury.

*Demokratia, an ordered democratic society, is extant (only) wherever common law Trial by Jury is implemented and fully functioning for all causes (lawsuits), civil, criminal and fiscal, regardless of whether in a republic, a constitutional monarchy or within a small society bereft of formal government.*

[End quote from DEMOCRACY DEFINED: *The Manifesto*.]

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**KENN D'ODNEY**  
**DEMOCRACY DEFINED:**  
*The Manifesto*  
**NEW 2025 EDITION**



**THE RIGHT AND DUTY OF JURORS  
TO JUDGE ON THE JUSTICE OF LAW.**  
The Commemorative Plaque,  
Old Bailey Law Courts, London.

*Near this Site*  
**WILLIAM PENN and WILLIAM MEAD**  
*were tried in 1670*  
*for preaching to an unlawful assembly*  
*in Grace Church Street*  
*This tablet Commemorates*  
*The courage and endurance of the Jury Thos Vere, Edward Bushell*  
*and ten others who refused to give a verdict against them although*  
*locked up without food for two nights, and were fined for their final*  
*Verdict of Not Guilty*  
*The case of these Jurymen was reviewed on a writ of Habeas Corpus*  
*and Chief Justice Vaughan delivered the opinion of the Court*  
*which established The Right of Juries to give their Verdict*  
*according to their Convictions*

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Photo: Major John Gouriët

*Runnymede Meadow*

New 2025 Edition. With Addendum. Contains extensive Bibliography of authoritative source books and documents on Constitution, law and history. With Index. ISBN 978-1902848327 Softback, 328 large-size (A4) pages.

## BACK COVER



### DEMOCRACY DEFINED:

#### *The Manifesto*

Kenn d'Oudney focuses on Democracy. The word 'democracy' is widely abused and 'defined' incorrectly. This extensively researched book explains how components of constitutional democracy have been suppressed by malefic statist interventions to produce the modern decline and the Illegality of the Status Quo.

*The Manifesto* shows how the ideal society is to be achieved.

- HERE ARE SOME REVIEWS OF THE ESSAYS UPON WHICH THIS BOOK IS BASED -

*"I think it is certainly true that Keynesian economics, as put into practice, has handed the economic power of the West to a few men who now almost totally control it. Likewise, I agree that the trial by jury is an essential bulwark of democracy and justice against a bankers' tyranny. I congratulate you on disseminating the above points."*

His Hon. Patrick S.J. Carmack, Esq. Producer of The Money Masters video documentary.

*"Thank you for your excellent work on Magna Carta. What a masterly exposition."*

Major John Gouriet, Chairman, Defenders of the Realm; Battle for Britain Campaign supported by H.G. the Duke of Wellington; Edward Fox, OBE, and Frederick Forsyth, CBE.

*"What a magnificent article! I intend to incorporate parts of it into speeches and writings."*

Professor Julian Heicklen, Jury Rights Activist; U.S. National Coordinator, Tyranny Fighters.

*"Superb. Should be read in every law school."*

John Walsh, Esq., Barrister-at-Law, Author; Constitutional lawyer (U.S. & Australia).

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**MAGNA CARTA MONUMENT**  
**Canberra, Australia**

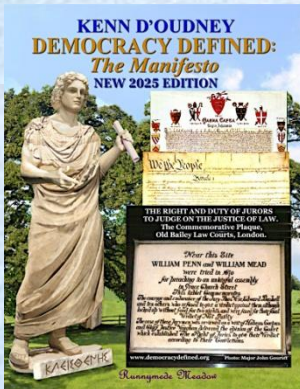


See **SYNOPSIS** and **REVIEWS** on next page.

Kenn d'Oudney is the author of books and essays including the following:

Kenn d'Oudney est auteur de livres et essais y compris les suivants:

Kenn d'Oudney ist Autor von Büchern und Essays einschließlich der folgenden:



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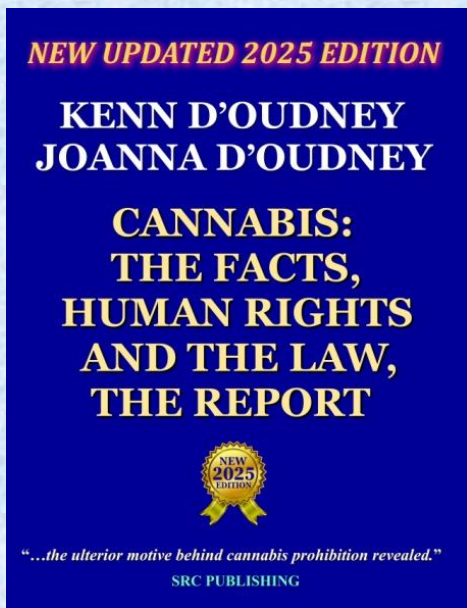
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## IMPORTANT NOTICE

### RELEGALISATION, AMNESTY AND RESTITUTION

In South Africa, leader of the Dagga Party Jeremy Acton's defence presentation of our legal-medical textbook Cannabis: The Facts, Human Rights and the Law, THE REPORT (current ISBN 978-1902848310) obtained referral to the Constitutional Court leading to that Court's relegalisation of personal cultivation and possession of cannabis for private use. In the concurrent case of "*the dagga couple*," defendants Myrtle Clarke and Julian Stobbs presented THE REPORT stating that it forms the "*reasoning*" and "*basis for the legal challenge*" to prohibition legislation. Their charges of possession and dealing were dropped at Magistrate's Court pending outcome of the constitutional challenge—subsequently successful.

Thus it is seen how, when presented by defendants, THE REPORT can achieve dropped charges and relegalisation.

THE REPORT collates and presents in a formal context, exonerative clinical documentary evidence of the expert official empirical (human use) studies, exempting Cannabis Sativa from all criteria of legislative control ('prohibition').

Moreover, THE REPORT establishes that the apocryphal 'law' is perjurious, itself results from venal ulterior motive, and is gravely damaging to individual and society. (See Synopsis which follows.) This obliges administrations everywhere to pass a simple legislative Amendment returning cannabis to its legal status before the introduction of legislative controls.

– See **REVIEWS AND ENDORSEMENTS** on next page. –

– REVIEWS AND ENDORSEMENTS –

*“You have done a splendid job of producing a comprehensive summary of the evidence documenting that the prohibition of the production, sale and use of cannabis is utterly unjustified and produces many harmful effects. Any impartial person reading your REPORT will almost certainly end up favouring the relegalisation of cannabis.”*

NOBEL LAUREATE PROFESSOR MILTON FRIEDMAN, Economics’ Adviser to U.S. government (Reagan Administration); Author, video and TV series writer and presenter; Senior Research Fellow, Hoover Institution on War, Revolution and Peace; Professor Emeritus, University of Chicago.

*“You represent a worthy part of the fight in many countries for the logical and beneficial use of cannabis. I thank you for that.”*

PROFESSOR PATRICK D. WALL, M.D., Author; Professor of Physiology, UMDS St. Thomas’s (Teaching) Hospital, London; Fellow of the Royal Society; DM, FRCP.

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*“The sections dealing with the rights and responsibilities of the jury are eloquent in their defence of fundamental individual rights. The authors correctly perceive the bedrock importance of trial by jury, and the significance of the jury’s right to judge the law itself. I welcome the addition of this REPORT to the world’s store of important writings on the subject of human liberty.”*

DON DOIG, BSc., Author; U.S. National Coordinator, Co-founder, Fully Informed Jury Association (FIJA) / American Jury Institute.

*“I did enjoy reading it. THE REPORT should contribute much.”*

THE HON. JONATHON PORRITT, Bt., former Adviser to U.K. government on Environment; Author; Founder, Friends of the Earth; TV series writer and presenter.

*“I have just finished reading your and Joanna’s book on Cannabis. It is a masterpiece on both drug prohibition and jury rights. Thanks to both of you for writing it.”*

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U.S. JUDGE’s letter to Authors.

*“THE REPORT’s thesis is sound.”*

U.K. JUDGE’s letter to Authors.

**A book of THE RESTORATION QUADRILOGY**

***Synopsis on next page***

***SO YOU THINK CANNABIS PROHIBITION HAS NO EFFECT UPON YOU ?***

THE REPORT provides unique content not to be found in any other author's work and gives in-depth analysis of, and an authoritative insight into, the multiple modern and traditional uses of Cannabis as superior resource to myriad products. It is comprised of Seven Parts, each examining different aspects of this far-reaching subject.

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SIX PARTS (chapters) include expert documentary, legal, academic, scientific, technical, medical, economic, industrial, social, criminological, philosophical evidence, and that which is based on grounds of Equity, vindicating all private cultivation, trade, possession and use, and which further exposes perjury and venality behind prohibition 'legislation', *all acts of enforcement constituting crime per se*.

PART SEVEN, RESTORATION: JUSTICE AND THE CONSTITUTION, exposes corruption, ineptitude and injustice in the justice process; examines Law: natural law, supreme secular *legem terræ* Constitutional common law, treaties, statutes; quotes presidents, judges, lawyers and chief justices.

THE REPORT is regularly presented pre-trial by defendants to courts (judges) who forbid all Findings of Fact, evidence and defences which "*dispute the legality of the law*" before the jury. The official expert evidence in THE REPORT establishes the illegal nature of the legislation. THE REPORT quotes legal grounds (national and international) which demonstrate numerous infractions of laws by the prohibition legislation, and which show all acts of its enforcement to be crime per se. All citizens persecuted thereunder are due Amnesty and Restitution (as for other Wrongful Penalisation).

THE REPORT demonstrates in the law: injustice, inequity, invalidity, adverse effects, venal ulterior motive, perjury, fallacious derogation, and the *inherent* illegality of law which creates the Black Market and engenders all associated crime. The outcomes of this procedure of presenting THE REPORT as documentary evidence to the judge (court) have proved beneficial in the extreme for defendants.

\*Courts require documentary evidence presented as the published textbook (not copies or e-book).

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