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



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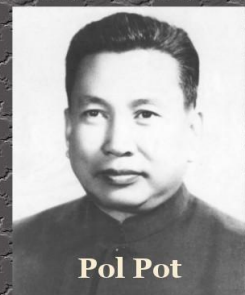
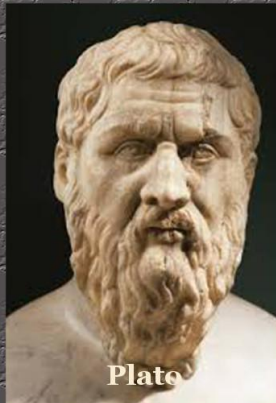
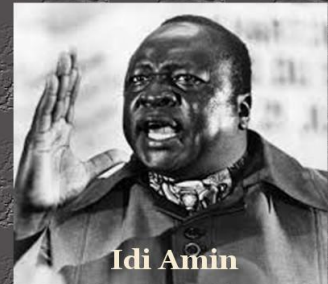
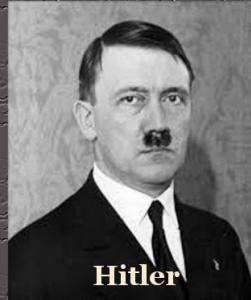
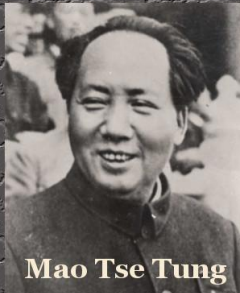
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TRAITORS TO THE PEOPLE



TRAITORS TO THE PEOPLE

[Excerpts from DEMOCRACY DEFINED: *The Manifesto* ISBN 1-902848327, New 2025 Ed.]

Are You a Freeperson or Slave?

IT IS DEFINITIVE of a civilised society that government recognises as legal, the right of the people to live free from tyranny and enslavement: that is, tyranny and government oppression are recognised as illegal. To deter government which might have criminal objectives, this freedom requires to be secured by the threat of and when necessary the use of legal force. If no legal right exists to uphold liberty and resist illegal oppression from government and its employees, then liberty itself is not legal. If the law does not recognise and support the legal right of the people to resist lawlessness and oppression by anyone, including government, then justice and liberty are denied.

A government which judges for itself which laws are to be enforced, will impose all of those laws it chooses. However, some or all of its measures may be contrary to the legitimate interests and liberty of citizens. For this reason, it is necessary to have a tribunal independent of government, with power over government, to judge between the government's enforcement of laws and those people who would resist such laws. The tribunal must be comprised of the people of the country at large who it represents, on whom the laws are to be enforced, for the purpose of ascertaining which laws are justly enforceable on the people, and which are to be annulled and expunged.

Such a unique tribunal is the Trial by Jury.

A government bent on injustice will always commit such offences as it pleases, and act tyrannically—unless it is faced with the fully effective deterrent of authorised legal resistance. Hence, to preserve civil peace, justice, liberty and uphold a *legal* rule of law, the Trial by Jury tribunals of the people require the full forces of law and order at their disposal.

If government denies Trial by Jury, that is, if juries are forbidden from judging between the government's laws and those citizens who disobey or resist the oppressions of government, then government has absolute power, and the people are 'legally' enslaved by government. The general population thus subjected may not decide their rights and liberties for themselves, and are known to the law as slaves. As with many slaves past and present, by demonstrations of courage they might to some degree hold back their overlords and state officials who are their masters, but they are nonetheless slaves under the law. In this situation, the people have no power to judge peacefully over what they perceive to be criminal actions by government. Such government has the power to decide exactly what a person can say, do or be. The life, liberty, and property of every citizen are entirely in the hands and at the disposal of the statist politicians in power.

A government which can enforce its laws without appealing for consent from a tribunal which represents the people on whom the laws are to be enforced, is an absolute government dictatorship and is not accountable to the people. It can perpetuate its power and commit atrocities at its pleasure. Trial by Jury was emplaced precisely to counter such abhorrence. Following implementation of Trial by Jury, government cannot execute any laws by punishing violators unless it first receives consent of "the country," that is, the people, through a unanimous jury.

Thus, Trial by Jury protects all people equally, and in a democracy the people at all times keep their liberties in their own hands, never surrendering them to government even for a moment.

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— See DEMOCRACY DEFINED: *The Manifesto* ISBN 978-1902848327

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ANACHARSIS:

"SUPERIORITY," CONSCIENCE AND JUDGEMENTS ON JUSTICE.

FOR REASONS EXPLAINED previously in 'The Workings and Results of Trial by Jury', in Chapter One, judgements to determine that which is just as made by ordinary citizens in the role of juror in the genuine common law Trial by Jury, are virtually universally acclaimed to be uniform. That is to say, unanimity in finding guilt is absent only when evidence is insufficient to dispel reasonable doubt or there is injustice perceived in the law and/or the act of its enforcement.

Conscience is the awareness which accords with the universal secular paradigm of judicature: of doing unto others as you would they do unto you. Common law recognises conscience as the faculty enabling humans to tell **right** from **wrong** in respect of people's **motives and behaviour** in their treatment of others. Conscience is inherent in sane human adults and is the basis for all justice. Conscience enables people to judge and be judged for the presence of, or innocence from, mens rea (malice aforethought) in their actions. As explained in Chapter Two, the Universal Conscience, natural law and justice, and the **sense of fairness** derive from childhood experiences of physical and mental pain and (usually petty) injustices received personally or observed to have been inflicted on others.

The sense of fairness can dwell within the hearts and minds of the humblest of individuals every bit as much as within the character of the rich, famous and celebrated. All adults possess the ability to discern malice aforethought in the behaviour of others. Thus (save the sick, aged, lunatics and convicts), all adults qualify to serve on a jury. For such reasons, in the enforcement of laws, even people who consider themselves 'superior' must submit to the judgements and rulings on justice in Trial by Jury which are rendered by citizen-jurors who they might deem 'inferior'.

Amongst the people there are to be found those who do consider themselves superior to most or all others. Some indeed might be more beautiful, or especially gifted in particular pursuits, strong and valorous, or endowed with rare mental acuity. Anacharsis, celebrated as one of the Seven Wise Men of Hellenic Greece, saw Athenian democracy at work and superciliously commented that it was strange to see how in Athens wise men spoke and fools decided. This is the mind-set of an overlord who would prefer power and rule to be vested in a small minority, or in an absolute Socratic-Platonic 'philosopher-king'. In contrast, the people's common law holds that 'superiority' is always a spurious criterion as 'justification' for the enforcement of one person's will and judgement on another, because, however 'superior' some people may indeed be, their regard for justice can nevertheless be perverted by self-interest.

Anacharsis' impetuous purblind utterance, induced doubtless by personal vanity or ulterior motive, inadvertently reveals a venomous aspect of his character. His attitude and that of all beings of such haughty ilk as he, 'superior' or not, is **irrelevant** to matters of **justice**. The principle of justice is that the validity and justice of laws and their enforcement require to be **judged**, not by those who make and enforce the laws (government), but by those who voluntarily submit to the laws (all the people in common).

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OLIGARCHS AND THEIR SERVITORS: ENEMIES OF JUSTICE, FREEDOM, AND TRAITORS TO THE PEOPLE.

SOCRATES AND PLATO,

The Original Traitors to Democracy.

IT IS INTERESTING to look at empirical evidence, the great historical example of the contest between tyrants who sought power over the people, and the contrasting civilised attempt by the mass of ordinary people at creating a democratic just society for the benefit of all. We have seen how easily and simply democracy is brought into being by implementation of Trial by Jury, and yet how it is constantly undermined by the criminal inhumanity of those who desire to exploit and subjugate others.

We hold it to be a self-evident truth that, while people have the right to express whatever (non-slandering) dissenting views come to mind, it is a criminal act of injustice (tyranny) to try to impose a form of society, or laws, on others without the *ongoing active judgement and consent* of demos, the people, who would be bound by its laws.

Generally when we talk about the treatment of citizens within a population, we use the word 'just' to mean 'fair'. A preliminary note worth observing here is that there are some people who call a society "just" when it is organised (in theory or practice) in a way that *agrees with their views*, and real fairness does not enter the equation.

Let us judge the character of that type of person who advocates a form of society which, according to them is 'just', even though it is ordered to the advantage of only a small minority (which 'naturally' includes themselves).

PLATO: THE REPUBLIC.

Plato was the student and lifelong devotee of Socrates. He adopted and promulgated Socrates' ideas. Socrates himself wrote nothing down.

Plato envisioned a state wherein it was solely the interests of the ruling class which decided the direction of the state. The rulers (the government) were not elected by the citizens but were to be self-perpetuating from within their own class. The rulers were to be separately educated from the people, to be taught the means by which power was to be retained within the ruling class, to perpetuate the class and preserve the rulers' interests.

The overall ruler or 'rulers' create what they call 'just' laws, and the 'guardian-warriors' execute the rulers' orders. The remaining largest part of the population, the 'producers', are subject to this absolute authority, from which Plato's 'just' society is created. Strict obedience is expected. The majority must obey, without dispute, the dictates of the minority to whom all power is ceded. The majority accepts absolute rule of some few men (only males) who hold the reins of power. The majority acknowledges that the mass of people have no real rights, but only some few privileges, as and when granted by the ruling class.

In this *republic*, the rulers control all aspects of life. Naturally, for the benefit of the state, every material thing is at the disposal of the rulers, and so *private ownership* by the people, of goods, houses, land, produce and artefacts, is allocated from above. The state (rulers) oversees all wealth, with the rulers deciding over such dispersion of income and goods as it pleases the rulers to make available; and to whom.

All forms of the family are denied to the people, this including the larger, or extended, family; the nuclear family (two natural parents); and even the single

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parent family. The rulers organise (temporary) couples for reproduction, based on preferred breeding attributes. Mothers are soon separated from their progeny and returned to work or retained for further breeding. No child knows his or her parents as they are separated at birth. Parents do not know their own children as the state raises them collectively.

The intentions of 'education' are to maintain the status quo; to teach that the state is the benefactor of the people; to promote self-improvement for the purpose of benefiting the state and to enhance the survival of the rulers.

As a matter of state security, the ordinary population have no right to privacy.

The work occupation and place of residence of each person are decided for him or her by state officials. The whereabouts at all times of each person is controlled and designated. The rulers have no obligation to justify any of their measures and are exempt from the laws which bind the ruled. Rulers have complete privacy as a matter of state security.

The state organises a 'guardian-warrior' class to sustain the security of the rulers and organise the lives of the population. All people are at the behest of the numerically minute ruling class. This is the 'just' society according to Plato.

Readers will not be surprised by the fact that many aspects of the totalitarian 'fascist' design for a state in this arrogant authoritarian's book, *The Republic*, became the doctrine of Adolf Hitler's Third Reich National Socialist (Nazi) Party.

Note that Hitler came to power by exploiting the tolerance of the democratic majority in a constitutional republic (Weimar) only to deny all toleration for democracy. Let us always beware of and forever forestall history repeating itself with takeover by a group with a thesis or 'religion' which denies democracy!

OPINION

From a purely academic interest, one accepts study of the Platonic writings and Socrates' opinions, but we find objectionable and deranged the view held by some that the Socratic dialogues are amongst the "great works" of Western philosophy. *Only that which contributes to the well-being and happiness of the people as individuals and thus as a whole can be considered worthy.* Measured by this criterion, the selfish élitist thoughts of Plato and Socrates are to be judged as among the most dismal and despicable. One finds innumerable fallacies and flaws in the assumptions of Socrates and Plato, and the thesis of *The Republic* is ultimately self-destroying for it is inimical to human nature.

What is one to make of individuals and groups who disallow definitive democracy and its Trial by Jury? Obviously, these people include Marxists, communists, fascists, socialists, Globalists, Internationalists, statist, collectivists, et al; but let us not forget that the U.K. Labour, Liberal and Conservative Parties, the U.S. 'Democratic' and Republican Parties, and similar groups in France, Germany, Spain, Italy and elsewhere throughout the West have all presided over the current extinction of the Trial by Jury by politicians and judges. In spirit if not yet in letter, Western politicians are now precipitating inevitable emulation of *The Republic* as proposed by Plato, or similar completely anti-democratic forms of totalitarian state.

We find these people and all their followers curious, if abhorrent, because, in our opinion, the rank and file who are actively advancing the demise of Western democratic civilisation will not end up within the advantaged class of exalted rulers. Nor will they be amongst the handful of patronised, privileged and pampered senior bureaucrat employees. Instead, they will be the rigidly controlled churlish enforcers of such a state; its sternly-disciplined helots. They are deluded if they imagine that

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ultimately anything of worth will accrue to *them*. Have they become so brutalised and brutish as not to care that they are committing themselves and everyone else to statist enslavement? Do they not have the wit to realise that the inheritance they are preparing for their immediate descendants is a harsh lifetime of toil imposed without worthwhile compensation? ...endless involuntary subservience, unrewarded toil, financial exploitation, humiliation under threat and receipt of the modern pernicious techno-equivalent of the lash?

The morbid criminal robber *psyche* of the politicians and unseen plutocrat instigators of this perceptible movement towards totalitarianism needs no exposition here. There is in these persons a malcondition present from childhood which induces such cold-blooded deviance; but, as with Hitler's brood, their *asocial* indifference to suffering does not exculpate them; for they know injustice and recognise it when it is inflicted upon *them*. The people of the West acquiesce to or participate in the modern degenerative trend at their mortal peril.

ARISTOTLE

Aristotle, who was the famed student of Plato, later came to be the tutor of King Philip of Macedon's son, Alexander the Great (Conqueror). Aristotle kept company with monarchs and aristocrats and intended his treatise on Politics to be the guide of rulers. He produced works of great merit in wide fields of study, including biology, physics, morals, and aesthetics. *Aristotle rejected Socrates' and Plato's efforts at political philosophy*. In a serious rift separating Aristotle from Socratic 'fascist' élitism, his contrasting constitutional theory may be summed up by his own words:

“Constitutions which aim at the common advantage are correct and just without qualification, whereas those which aim only at the advantage of the rulers are deviant and unjust because they involve despotic rule which is inappropriate for a community of free persons.”

Aristotle, *Politics*, Book 3, 1279a 17-21.

Nevertheless, in his professed beliefs, Aristotle was not consistent throughout. He suggested the disenfranchisement of the poorer citizens; and condoned both slavery and the denial of political equality to women. These élitist (anti-democratic) tendencies doubtless lingered from his upbringing; the vestigial totalitarian influences of his mentor, Plato, the advocate of Socrates' bloody authoritarianism.

N.B. *That constitution which is democratic, legal and genuine limits the government's scope of action to the decisions of citizens in Juries*: it replaces the Constitutional Common Law Trial by Jury Justice System. This puts the citizens responsibly in power. The 'top-down' élitists' counterfeit 'constitution' is illegal and false because it denies democratic Trial by Jury and places the making, judging and enforcing of laws, and *punishment*, within the domain of government (be it elected or imposed).

SOCRATES

THE ATHENIANS Socrates and Plato were the original traitors to democracy. Today, much of what we know about Socrates comes from the writings of his student and lifelong devotee, Plato, who adopted Socrates' ideas.

In democratic Athens, all citizens including the poorest, the *thetes*, were equals before the law with *exousia*; that is, rights to participate in deliberations and vote on laws in the assembly; the right to the Trial by Jury in defence in which the validity, worth, and legality of the law itself may be disputed and its prosecution consequently annulled by the jury's verdict; and of being randomly selected to the judicial office of Juror in Trial by Jury by which citizens judged the law in all causes.

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Socrates sought with all his considerable gifts of rhetoric and intellect to impose élitist government over the people. His intention was to destroy the right of ordinary people to judge, make, enforce or nullify the laws in the Trial by Jury, thus denying people protection from unjust, arbitrary government. Socrates' oppressive prototypical fascism was set out in the dialogues inscribed into Plato's book, 'The Republic'. Socrates' "mission" was to make the citizen obey the authoritarian, inhuman laws of his state *without regard to their justice*. Socrates' view was that the citizen must comply with the laws or persuade the authoritarian state, *his* state, to change its laws; or else leave the state.

See Crito 51b-c, 52a-d.

Socrates' subversive influence inspired a coup d'état (seizure of power) by wealthy oligarchs who were referred to as the Thirty Tyrants. With mercenaries and slaves, the Thirty overthrew the democratic state and proceeded ferociously to destroy the rights and liberty of Athenian citizens. In those days, hemlock was used in capital punishment to poison condemned criminals. To try to secure their rule by force and eliminate the proponents of democracy, under the Thirty Tyrants hundreds of citizens were forced to drink the lethal cup of hemlock; and thousands more were exiled.

Under the tyrants' régime, the right of all citizens to participation in referenda, legal functions and to judge the justice of laws in the Trial by Jury was quashed. A privileged group of a mere five hundred were permitted to participate in legal activities.

Under the Thirty, only 3,000 selected Athenians were granted the right to receive a Trial by Jury; and to carry weapons (to protect the Tyrants and enforce the Illegality of the Status Quo). After a year, the people in their turn overthrew the Tyrants and restored democracy. *The compassionate democratic society gave (a wholly undeserved) amnesty to all parties.*

Socrates, however, despised the common people and continued actively to subvert the democratic system, influencing his aristocratic students and followers into adopting his violently anti-democratic (i.e., against the people) philosophy. Socrates was a persuasive, rousing public speaker. Four years later, his terrifying plan, like those of the fascists and Nazis of recent times, *once again* threatened the life, liberty and property of every ordinary citizen.

Despite the amnesty, because of the extreme and growing danger from his continuing treasonous activities, alternative charges (corrupting youth, etc.) were brought. Socrates was seized, arraigned, found guilty as charged, and sentenced to death by the people's jury.

The people are always entitled to protect themselves against aggressors, and in this case from Socrates himself, following the recent loss of life under the Tyrants' régime and the coup d'état inspired by him. Socrates' devotees later claimed that the prison guards could have been bribed and he could have fled the country, but rather than take a coward's exit he accepted the sentence and swallowed the hemlock. This attempt to bestow kudos on the worthless élitist criminal Socrates is almost certainly a fiction, along with much else concocted by his dastardly cohorts Xenophon and Plato.

Socrates was the traitorous enemy of democracy, Trial by Jury, liberty and justice. The nearest one can come to comparing the horrors of the Socrates case with latterday circumstances is, for example, in the Nürnberg (Nuremberg) Trials of Nazi war criminals; or the treachery of our politicians who have potentially enslaved the entire Western population to the financiers. Our despotic Western régimes deny Trial by Jury and its annulment by jury; withhold our right to freedom from arbitrary arrest (i.e., without probable cause); and remove Habeas Corpus, the right to freedom from arbitrary detention.

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[Here is a description of Democracy subverted by Socrates.]
ON THE MEANING OF THE WORD DEMOCRACY

Is Your Country a Democracy or Is Your Government a Despotism?

GENUINE LEXICOGRAPHY is dictated by the Sciences of Etymology, Semantics, Semasiology, and Philology. These determine whether a country is a definitive democracy or one's government is a despotism.

Following the invention of printing, the meanings of words started to become more stable but publications were pricey and rare, and literacy was the acquired esoteric advantage of the privileged few. Consequently, the spoken word vocabulary remained subject to uncertainty and flux.

It was in the modern historical era, since the development of these sciences and the spread of literacy, that the signification of words became generally set. Above all, we have the incomparable Eighteenth Century work of Doctor Samuel Johnson to thank for that. As a result, the great historical, legal and philosophical opuses of the likes of Gibbon, Palgrave, Millar, Hale, Crabb, Hallam, Spooner, Blackstone, Mackintosh, Hume, Jefferson and Macaulay remain as immediately comprehensible as the writings of our contemporaries. That is to say, modern writers' efforts are intelligible only if the contemporary scribe first learns and then respects the etymology of vocabulary.

LEXICOGRAPHICAL OBSERVATIONS:

Let us begin by clarifying what democracy is not! For example, Suffrage does not define nor does it produce democracy, for electoral voting takes place in totalitarian, fascist, and communist, i.e., anti-democratic, states (including in formerly National Socialist – Nazi Germany). Having been elected, there is nothing to stop government from imposing control of an upper house, reneging on pledges, or from adopting any *tyrannical* measures it chooses.

Viz. The word 'democracy' is widely abused and 'defined' incorrectly: Democracy is a state of society realised *neither* by referenda (mass voting for new laws), *nor* by suffrage (electoral voting for representatives), *nor* by the representatives' majorities' legislatorial voting. Electoral voting, majority rule and '*consensus politics*' neither create nor define democracy.

THE WORD

To preclude arbitrary (i.e., tyrannical; illegal) government and establish liberty and equal justice for all, the Hellenes created the society in which the common people have the power in Trial by Jury to judge the laws and overrule laws and measures enacted by the national assembly. **The word** the Hellenes gave to describe this state of society in which the citizens have control *through the Trial by Jury* to judge, make and enforce the laws and overrule the government, the wealthy and powerful, the aristocrats and all the people who sought to rule them, was *demokratia*, which translates into English as Democracy.

Democracy is founded on the Trial by Jury, derived from the Hellenic Athenian Constitution of government by Trial by Jury. Through its etymology, history and signification, the word democracy designates the constitutional justice system. Modern Constitutional Democracy is based on the *sovereignty** of the individual citizen-juror as the final arbiter of law and protection of the people from tyranny.

**Definition.* Sovereignty, pre-eminence; the supreme and independent power expressed through the making and enforcing of the laws.

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The Hellenic Athenian Constitution of government by Trial by Jury was a conspicuous achievement in human history for *constitutionally establishing* this unique mode of justice. The aristocrat Cleisthenes it is who must be credited with the creation of mankind's first democracy in 508/7 B.C.E. (although 'infant' in form, as it did not yet give equality to women and permitted slavery. Points to note: foreigners were not citizens; and slaves were convicts or foreigners.) Cleisthenes brought acknowledgement to the need to spread empowerment throughout society to promote equal justice, liberty, peace and prosperity, and devolved power all the way down to the poorest (male) citizens, the *thetes*, by recognising rights, *exousia*.

Exousia rights included the right to attend, debate and vote in the national assembly on laws and measures (referenda); the right of the accused to a Trial by Jury; and, crucially, ***the empowerment of citizens by bestowing on them judicial authority as Jurors in Trial by Jury in which laws and measures passed by legislative majorities in the assembly could be judged, overruled and annulled***¹ ***whenever this was deemed by the Jurors necessary to serve justice, liberty, and the interests of the people.***

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

Democracy created the illustrious Athens which successfully resisted the Persian invasions of 490 and 480/79 at the battles of Marathon and Salamis respectively; which built the Parthenon; set enduring standards in art and architecture; developed sciences including those of medicine, mathematics and astronomy; proffered a stage to Æschylus, Sophocles, Euripides and Aristophanes; and laid the Western foundations of rational and critical thought.

Hellenic Greece of the Constitution of government by Trial by Jury received from the Athenians *the defining epithet*, Democracy.

The historical facts about Democracy in Hellenic Greece and everywhere else are that it was a virile system and devotedly supported by the mass of just, civilised, peace and freedom-loving people. Democratic free Athens eventually only succumbed because of the mighty invasion of the Macedonian, Alexander the Great (conqueror), who emplaced his generals as autocrats to rule by might over right, with force against democracy's egalitarian system of equal justice and civic liberty. Otherwise, the Hellenic Culture would almost certainly have evolved into the development of equal rights for women, emancipated the slaves and outlawed slavery 2,000 years ago. As is the way with the conquerors of history, alas—Alexander's far-flung martial exploits set back the socio-political progress and development of humankind.

Naturally, people have the moral responsibility, the right and the duty to resist and suppress injustice *wherever* it occurs, and by whomsoever it is perpetrated, governments notwithstanding. By definition and in practice, Democracy and Justice require that the People *at all times* retain the Supreme Power to annul injustices and the bad laws made by fallible politicians.

This Power backed by the full apparatus of police, prison service and Armed Services, is uniquely embodied in the Citizen-Juror's Duty in Trial by Jury: ***to judge the justice of every act of law enforcement, and to render the Not Guilty Verdict whenever conviction or punishment of the accused would be unfair according to the juror's conscience.***

According to *legem terræ** common law, it is the jurors' duty in Trial by Jury ***to judge the justice of the law*** and *every* act of enforcement and acquit any persons accused under an arbitrary, unjust or apocryphal statute, regulation or prosecution. This procedure is called **Annulment by Jury** (or, as seen below, 'jury nullification'). **terræ* is pronounced *terry*, the 'æ' as in Cæsar, seize.

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Note. The word *terra* is Latin for “of the land.” *Legem* is the *accusative* Latin form; *lex terra* is the synonymous *nominative* form. Note that *Legem Terræ*, the Law of the Land, categorically excludes all statutes, laws and regulations made by government, and judges’ precedents (*stare decisis*). See *Articles of Common Law* and the meaning of the terms Common Law and The Law of the Land in ‘Legal Definitions Unalterable at Common Law,’ in Chapter Three. (There is no relation to the much later invention of autocratic, militaristic ‘maritime law’ which is sometimes referred to as ‘the law of the sea’.)

THE JUROR’S DUTY

Consider the Juror’s Duty in the genuine Trial by Jury, as follows:

If a juror feels that the statute involved in any criminal offence is unfair, or that it infringes upon the defendant’s natural God-given inalienable or Constitutional rights, then it is his duty to affirm that the offending statute is really no law at all and that the violation of it is no crime at all, for **no one is bound to obey an unjust law. That juror must pronounce the Not Guilty Verdict** (i.e., annul the prosecution), regardless of the pressures or abuses which may be heaped upon him by any or all members of the jury with whom he may in good conscience disagree. He is deciding on the justice of the law according to his own conscience and convictions and not someone else’s.

A MODERN JUDGE’S RESPECT FOR THE JUROR’S DUTY

In 1993, District Judge Thomas A. Wiseman ruled:

“This respect for nullification flows from the role of the jury as the ‘conscience of the community’ in our criminal justice system.”

“When measured by this standard, a defendant’s right to inform the jury of that information essential ‘to prevent oppression by the Government’ is clearly of constitutional magnitude. That is, if community oversight of a criminal prosecution is the primary purpose of a jury trial, then to deny a jury information necessary to such oversight is to deny a defendant the full protection to be afforded by jury trial. Indeed, to deny a defendant the possibility of jury nullification [annulment by jury] would be to defeat the central purpose of the jury system.”

“Argument against allowing the jury to hear information that might lead to nullification evinces a fear that the jury might actually serve its primary purpose, that is, it evinces a fear that the community might in fact think a law unjust.”

“Argument equating jury nullification with anarchy misses the point that in our criminal justice system the law as stated by a judge is secondary to the justice as meted out by a jury of the defendant’s peers. We have established the jury as the final arbiter of truth and justice in our criminal justice system.”

U.S. District Court for the Middle District of Tennessee - 830 F. Supp. 411, September 8, 1993.

ETYMOLOGY (linguistic derivation)

Hellenic Greek, *Demokratia*, Democracy. *demos*, the people; *kratos*, sovereignty*, power; *kratein*, to rule.

*Perseus Digital Library, Tufts University.

Chambers Dictionary, etymology, *demos*, the people; *kratein*, to rule;

MSN Encarta. Democracy, *demos*, the people; *kratein*, to rule; etc.

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From the etymology comes *the definition*: **Democracy, the form of government in which the Sovereign Supreme Power is vested in the Common People; the emancipation and ethos of society produced by the power of Juries of ordinary citizens in Trial by Jury, to vet, judge, decide (make), and enforce the law; the people rule through Trial by Jury.**

In order to understand the meaning of the word, it is essential to know first that democracy embodies the people's responsible control over government and law *through the Trial by Jury*. The people control the government, not the other way around. The people rule. This is democracy.

The power, right and duty of Jurors to decide the verdict according to their convictions and conscience have been established in Common Law since the pre-historical incipience of **judicium parium**, "the judgement of social-equals," pares or peers, which is the Trial by Jury Justice System. This is because it is a definitive part of the Juror's Duty to uphold justice by protecting the ordinary people, the meek and innocent, from the crimes of lawlessness and injustice being inflicted by those in positions of power.

"It cannot be denied that the practice of submitting causes to the decision of twelve men was universal among all the northern tribes (of Europe) from the very remotest antiquity."¹

1 See p. 32 of barrister George Crabb's, 'A History of English Law; or an Attempt to Trace the Rise, Progress, and Successive Changes of the Common Law; from the Earliest Period to the Present Time.'

'DICTIONARY' DISINFORMATION AND WIKIPEDIA CONTRIBUTORS' GIBBERISH

People! Be warned not to expect truthful 'advice' about the Constitution and the Sovereign Power of the Juror in the authentic Common Law Trial by Jury from willing participants colluding for pay in the current illegal modus operandi of the courts; such as judges, magistrates, members of the Law Society, QCs, DAs, and so on. For such people to pronounce facts and truth on these issues is for them to indict their own modus operandi out of their own mouths.

Noted previously in the context of Common Law, the Law of the Land (Chapter Three), lawyers and other commentators repudiate, or rather, simply ignore, the major constitutional and historical works of our predecessors (quoted and attributed herein), to fill the minds of modern law students and Internet readers with outright lies instead. They perform this obsequious misrepresentation in paid service to the hierarchies of their employers and statist masters above them, who utilise disinformation effectively to disable the justice system and thus suppress the people's sovereignty. Ipso facto, this is the forsaken society George Orwell prophesied. [Quotation abbreviated.]

TRIAL BY JURY WAS CONSTITUTIONALLY EMPLACED FOR THE PURPOSES OF:

A.) *not only* ascertaining guilt or innocence of the accused and where necessary for apportioning retribution, *but also*,

B.) of transcendent importance, as **a barrier** to protect the vast mass of innocent citizenry from the crimes of arbitrary government, i.e., unjust laws, and from the corruption, prejudices and incompetence of fallible justices (judges). Trial by Jury enables the people to judge authoritatively what their liberties and laws are (explained below), so that the people retain all the liberties which they wish to enjoy.

TRAITORS TO THE PEOPLE

HOW EQUAL JUSTICE IS DONE: THE JUROR'S DUTIES IN TRIAL BY JURY.

Wherever Trial by Jury takes place, be it in the U.S., the U.K., Australia, Canada, New Zealand, and numerous other countries, it is *definitive* of Trial by Jury that, after swearing to do justice, to convict the guilty and acquit the innocent, in finding their Verdict:

The Jurors Judge:

~on the justice of the law, and annul, by pronouncing the Not Guilty Verdict, any law or act of enforcement which is deemed unfair or unjust according to the juror's conscience (i.e., sense of fairness, right and wrong);

~in addition to the facts, and

~on the admissibility of evidence (evidence not being pre-selected or screened-out by government or judge and/or prosecutor).

Jurors Must Judge:

~that the accused acted with *malice aforethought*, i.e., *mens rea*, a premeditated malicious motive, if the jury is to find guilt ('guilt' is a characteristic inherent or absent in motives and actions: it cannot be ascribed *by legislation**);

~on the nature and gravity of the alleged offence; and, where guilt is unanimously found,

~on mitigating circumstances if any (provocation; temptation; incitation); and

~set the sentence (with regard to its being fit and just).

*There is neither moral justice for punishing nor political necessity (i.e., deterrent value) where there was no *mens rea*. (In the case of one person injuring another innocently or accidentally, the civil law suit and the Trial by Jury award appropriate compensation for damages.)

For jurors not to do the above, or for someone other than the jurors to make any such decisions, is another process: call it "*trial-by-someone-else*" if you will, or "*trial-by-the-judge with a false 'jury' watching*"—but this travesty cannot be defined as a Trial BY JURY.

THERE IS ONLY ONE TRIAL BY JURY

It is mere falsehood to call a procedure "trial by jury" if the accused and any of the matters related to the case under judgement are tried by someone other than the jury. There is no process and no meaning to the words Trial by Jury other than that which the words themselves prescribe.

VIZ. U.S. PRESIDENT JOHN ADAMS, LAWYER, PRONOUNCED ABOUT THE JUROR:

"It is not only his Right but his Duty to find the verdict according to his own best understanding, judgement and conscience, though in direct opposition to the direction of the court [i.e., the judge]."

U.S. President John Adams, lawyer; Adams' Diary Notes on the Right of Juries: 12 Feb., 1771.



See ACTION & PAMPHLETS webpage.

<https://www.democracydefined.org/democracydefinedmaterial.htm>

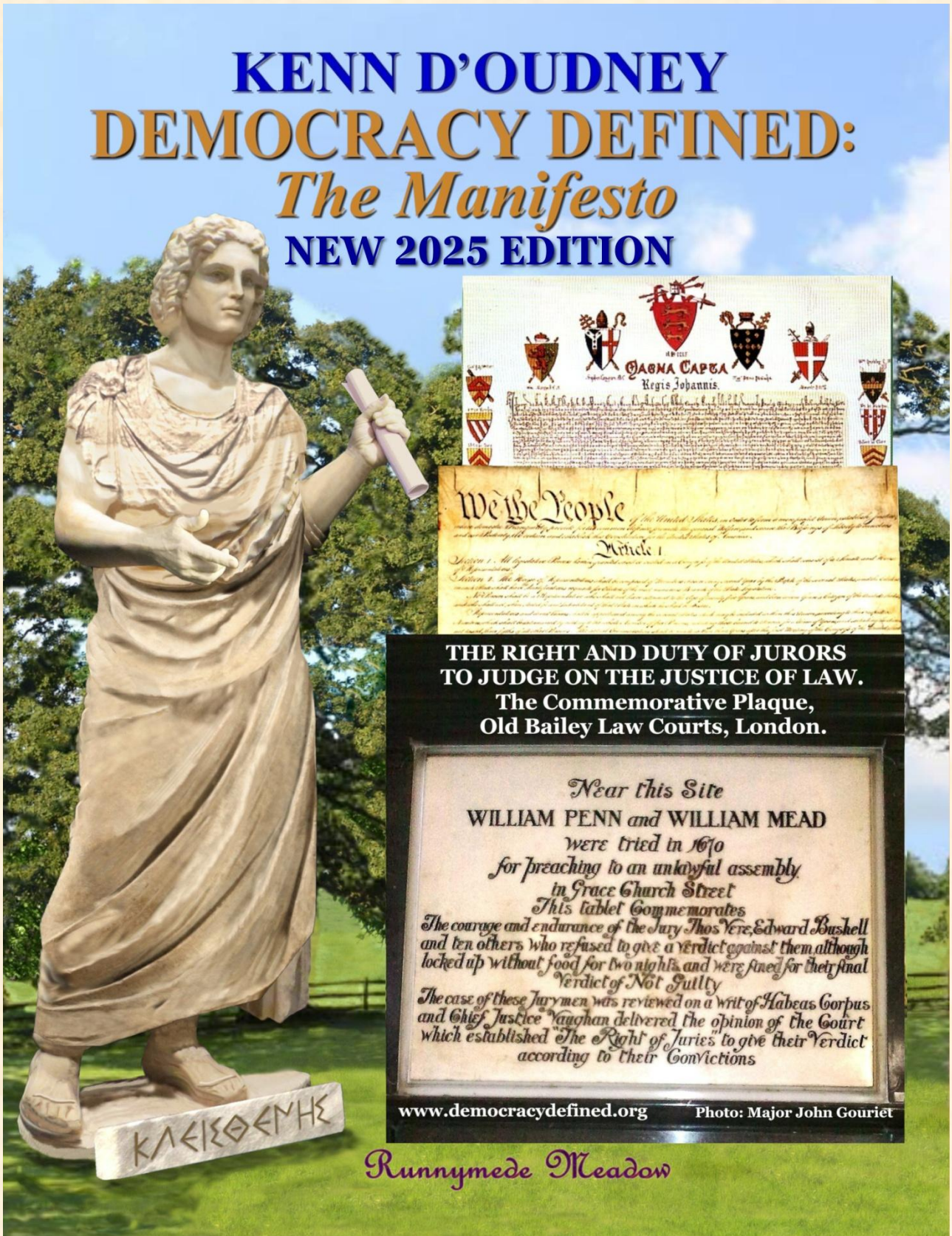
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THE POLITICAL PROGRAM FOR DEMOCRATIC CANDIDATES AND PATRIOTS

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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.

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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.

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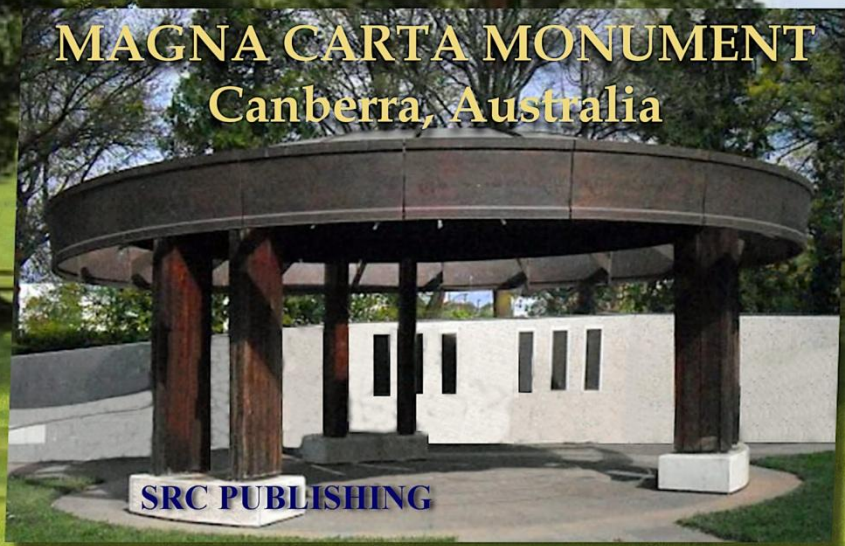
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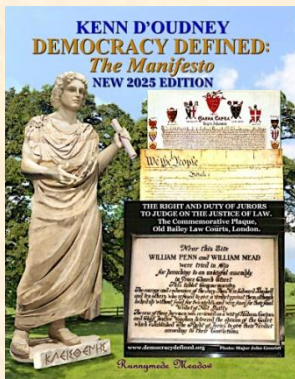
MAGNA CARTA MONUMENT
Canberra, Australia



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

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Introduction to the Democracy Defined Campaign:

The book DEMOCRACY DEFINED: *The Manifesto* ISBN 978-1902848327 sets out the Educational Campaign for Restoration of government by Trial by Jury; i.e., Restoration of the Constitutional rule of law, definitive of Democracy. *The Manifesto* includes the wording (seven pages) of THE RESTORATION AMENDMENT (statute):

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