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*VERITAS, COGNITIO, IUSTITIA, LIBERTAS.* (Can be read at 125%)

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## THE CONSTITUTION PROSCRIBES (OUTLAWS) TAXATION

Friends, We greet you.

Enjoy the eleven pages which follow. They give you *firstly*, the constitutional legal position; *secondly*, the secular moral aspects of Common Law which proscribe Taxation; and *thirdly*... you will be reminded of the unalterable facts of life and law which make Personal Taxation a Government Felony according to a fundamental **commandment** (i.e., rule of action) *not only* of secular, democratic Common Law, *but also* of all religio-cultural civilisation.

Our last Circular deliberated on the Constitution's *Articles of Common Law* Ten and Eleven which recognise the Prohibition of the Crime of Usury (the lending of money or assets *at interest*), and in addition, the bank-owners' flagitious Crime of Fraud that is Fractional Reserve Lending.

This Circular provides complementary explanation about *how* and *why* our world-respected, 1215 Great Charter Constitution Magna Carta proscribes (outlaws) personal TAXATION as crime *per se*.

The worst malefactors are those who commit (or are accomplice to) the greatest crimes—and, let the appalling fact be faced, all the greatest crimes known to man have been and are being committed by, or in the name of, government—be it 'religious' or secular. So, let us keep in mind the very *purpose* of proper Constitutions and their Trial by Jury, which is to **regulate**<sup>1</sup> society, to guide and govern government, to eradicate totally and redress such arbitrary governance as may exist, and thereafter preclude its recurrence.

1 Ref. U.S. Constitution's co-author, President James Madison: see The Publius Fallacy of Number Ten, Chapter Two of DEMOCRACY DEFINED: *The Manifesto* ISBN 978-1902848280 Lawyer James Madison was an ardent advocate of Common Law Trial by Jury.

For ease of reading, this Circular comes as a PDF attachment. See as follows.



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### **TRIAL BY JURY'S CONTRIBUTION TO THE DEVELOPMENT OF HUMAN CULTURE.**

Trial by Jury is an anti-racist, anti-sectarian, egalitarian measure, which militates on behalf of good against evil. Where properly practised, Trial by Jury envelops the entire adult population, cultivating and propagating those higher human concepts of natural justice, truth, social responsibility, liberty and equity essential to civilisation, progress and the ongoing development of human cultures.

As a *cause*, Trial by Jury gives rise to far-reaching beneficial *effects*, creating a salutary ethos absent in societies bereft of this uniquely just process. Examples: in Trials by Jury, the disgraceful enforcement of bad laws is terminated; the people assume responsibility for preserving their rights, possessions and liberties, and protecting themselves and their society by punishing and deterring acts of injustice and malice aforethought. (Apart from lunatics, the infirm and aged, and convicted criminals), according to common law all adults are eligible to serve as jurors (no property 'qualifications'). From childhood, every person in a democracy is profoundly affected by this healthy culture. Crime is rare in the society where the citizen is brought up knowing that justice is the duty of, and equally available to, every adult.

Within a Constitutional Democracy (that is, a system of government controlled by the Hellenic Athenian and traditional European-Anglo-American type of constitution incorporating and based on the Trial by Jury, be it in a republic or the constitutional symbolic monarchy), it is the unalterable duty of government to uphold people's sovereign right to seek their own individually-defined self-fulfilment. Trial by Jury alone ensures that the government is controlled and society arranged so as to *guarantee* every innocent citizen unmolested tranquillity of existence and the pursuit of happiness.

### **TRIAL BY JURY WAS ALSO INTENDED TO PROTECT PEOPLE FROM THE SPECTRE OF TAXATION AND INVOLVEMENT IN WARS OF AGGRESSION.**

Without restriction, freemen possessed and bore arms. As security and a social obligation to preserve law and order, they accepted that providing themselves with weapons suitable for close combat was a necessity. The freemen were bound by their feudal tenure (but could refuse the duty) to assist as jurors in the dispensation of justice\*.

\*See *Mirror of Justices*; pp. 7-8; and see *Blackstone*, Vol. 3, pp. 32-3.

Note that the latter-day 'in-group' epithet, 'Free Man of the City of London', i.e., the financial district, is not to be confused with mediaeval feudal society, nor with common law extant in 1215.

Tenancy of productive land was the right of every freeman, until all the available land was taken. In addition to rendering produce-in-kind, military service was obligatory as a form of rent in an exchange for tenancy. It was in effect what we would nowadays call 'national service', because it was for protection of the realm in which everyone without exception had a stake. It provided only for actions in defence of the country, requiring the individual's acquisition of close combat weapons, acquiring skill in their use, and reporting for duty when called.

For ransoms of persons seized when overseas, resources were required and hence the raising of funds by taxation specifically for those purposes was generally expected, popular, approved, and paid by the population. This did not apply to the taking of offensive measures such as acquisitive expeditions to invade foreign parts. From these circumstances derived a general disincentive for wars of aggression,



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because firstly, taxes would have to be *approved* by councils of the nobility who would themselves be adversely affected by the tax; and secondly, wars would require the *assent* and full *cooperation* of the population of armed freemen themselves, who would have to bear both the tax and the brunt of armed conflict.

To take place, military campaigns required a truly heartfelt grievance to be shared amongst more or less the whole populace, such as the invasion of England to displace the man Normans considered Harold the Usurper. William claimed prior right to accession (dubiously in fact, as he was a bastard). This indicates to us today that voluntary funding by the population of adequate defence expenditures can be expected under a re-introduction of voluntary taxation. This would be forthcoming following Restoration; see sections to follow. The people knew then what we all should know and teach others today: when common law Trial by Jury is upheld, it is the means by which the reputation, life, liberty and property of people are truly protected, and the predatory ambitions of politicians or aspiring demagogues are annihilated.

Normans, Anglo-Saxons, Franks, Danes and all the European peoples had the right and power to dethrone their leaders and forbade them from levying taxes. See ‘Discourse Concerning the Laws and Government of England,’ on The Constitution of England, by Scotsman Gilbert Stuart, LL.D., historian of note.

*“The Saxons brought along with them into Britain their own customs, language and civil institutions. Free in Germany, they renounced not their independence when they had conquered. Proud from victory and with their swords in their hands, would they surrender their liberties to a private man? Would temporary leaders, limited in their powers and unprovided in resources, ever think to usurp an authority over warriors, who considered themselves as their equals, were impatient of control, and attached with devoted zeal to their privileges? Or, would they find leisure to form resolutions, or opportunities to put them in practice, amidst the tumult and confusion of those fierce and bloody wars which their nations first waged with the Britons, and then engaged in among themselves? Sufficiently flattered in leading the armies of their countrymen, the ambition of commanders could as little suggest such designs, as the liberty of the people could submit to them. The conquerors of Britain retained their independence; and this island saw itself again in that free state in which the Roman arms had discovered it.”*

Stuart’s ‘Historical Dissertation on the Antiquity of the English Constitution,’ p. 59.

*“The same firmness of character, and generosity of manners, which, in general, distinguished the Germans, were possessed in an eminent degree by the Saxons; and while we endeavour to unfold their political institutions, we must perpetually turn our observation to that masterly picture in which the Roman historian has described these nations. In the woods of Germany shall we find the principles which directed the state of land, in the different kingdoms of Europe; and there shall we find the foundation of those ranks of men, and of those civil arrangements, which the barbarians everywhere established; and which the English alone have had the good fortune or the spirit, to preserve.”*

Ibid.

*“Kings they respected as the first magistrates of the state; but the authority possessed by them was narrow and limited.”*

Ibid., p. 134.



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*“Did he (the king) at any time relax his activity and martial ardour, did he employ his abilities to the prejudice of his nation, or fancy he was superior to the laws; the same power which raised him to honour, humbled and degraded him. The customs and councils of his country pointed out to him his duty; and if he infringed on the former, or disobeyed the latter, a fierce people set aside his authority.”*

*Ibid.*, p. 136.

*“His long hair was the only ornament he affected, and to be foremost to attack an enemy was his chief distinction. Engaged in every hazardous expedition, he was a stranger to repose; and, rivalled by half the heroes of his tribe, he could obtain little power. Anxious and watchful for the public interest, he felt every moment his dependence, and gave proofs of his submission. He attended the general assembly of his nation, and was allowed the privilege to harangue it first; but the arts of persuasion, though known and respected by a rude people, were unequally opposed to the prejudices and passions of men.”*

*Ibid.*, p. 136.

*“The authority of a Saxon monarch was not more considerable. The Saxons submitted not to the arbitrary rule of princes. They administered an oath to their sovereigns, which bound them to acknowledge the laws, and to defend the rights of the church and people; and if they forgot this obligation, they forfeited their office. In both countries, a price was affixed on kings, a fine expiated their murder, as well as that of the meanest citizen; and the smallest violation of ancient usage, or the least step towards tyranny, was always dangerous, and often fatal to them.”*

*“They [monarchs; rulers] were not allowed to impose taxes on the kingdom.”*

*Ibid.*, see p.139/146.

In the Preface to his History of England, Paul Rapin de Thoyras points out:

*“There are but two things the Saxons did not think proper to trust their kings with; for, being of like passions with other men, they might very possibly abuse them; namely, the power of changing the laws\* enacted by consent of king and people\*; and the power of raising taxes at pleasure.”*

\*These are the laws expressed as the 1215 Great Charter’s Articles agreed between the people and their chosen head of state to form the permanent English Constitution; specifically, Legem terræ, the Law of the Land; the Preamble and Articles of common law.

*“From these two articles sprang numberless branches concerning the liberty and property of the subject, which the king cannot touch without breaking the constitution, and they are the distinguishing character of the English monarchy. The prerogatives of the crown, and the rights and privileges of the people, flowing from the two fore-mentioned articles, are the ground of all the laws that from time to time have been made by unanimous consent of king and people.”*

*“English government consists in the strict union of the king’s prerogatives with the people’s liberties. But when kings arose, as some there were, who aimed at absolute power, by changing the old and making new laws at pleasure; by imposing illegal taxes on the people; this excellent government being, in a manner, dissolved by these destructive measures, confusion and civil wars ensued, which some very wrongly ascribe to the fickle and restless temper of the English.”*

See de Thoyras, History of England.



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## THE PEACEFUL AND ONLY WAY TO DISARM DESPOTS.

The peaceful and only effective way to disarm despots has two components: *Firstly*, legislative denial of funds (tax) and government borrowing (needed to recruit armies of police to suppress the people, and professional armies, de facto mercenaries, to wage illegal Wars of Aggression, mere pre-emptive and retaliatory capability for *deterrence* of aggression being sufficient); and, *secondly*, maintenance ad infinitum of the right of all adult citizens to be the judges of the laws and causes in Trial by Jury; this latter second item being the guarantee of the first and former. **These principles require Universal Adoption and implementation for the peace and progress of human civilisation.**

Similarly to attempts at general taxation, forced conscription into unpopular wars could not have achieved unanimity for their enforcement within the context of a Trial by Jury in which ordinary freemen citizens were the judges of both the law and the facts. Laws were only regarded as enforceable if they carried the weight of fairness and public approval with them to the extent of unanimity. Consider Thomas Jefferson's words,

***“No man has a natural right to commit aggression on the equal rights of another, and this is all from which the laws ought to restrain him.”***

See Writings of Thomas Jefferson, ed. H.A. Washington, Lippincotts, Philadelphia.

**A government which claims to represent the people cannot acquire or legislate to itself ‘legal authority’ to perform such illegitimate coercive acts as are disallowed to individual citizens.** As a politician, Jefferson lived up to the beliefs he expressed as a private citizen. Coming to office in a society which had spent much in blood, tears and money ridding itself of the wicked, primitive oppression of coercive taxation, President Jefferson abolished all federal taxation on U.S. citizens. ***For nigh on eighty years, the U.S. federal government had no direct internal taxation.***

Regarding compulsory taxation, **George Washington, then a British citizen**, was unequivocal. ***To this very day, his view castigates the illegal U.S. and British system of personal taxation.*** In a letter to Lord Bryan Fairfax<sup>1</sup> in July, 1774, he wrote,

***“The Parliament of Great Britain hath no more Right to put their hands into my Pocket without my consent, than I have to put my hands into yours, for money.”***

<sup>1</sup> See under Washington in the Bibliography for Note on Fairfax.

No group of persons calling themselves ‘government’ have any right to ‘assume’ a person's consent to part with his or her purse any more than the ‘mugger’. Taxation is one of the criterial factors applicable for differentiating democracy from despotism. It is an abuse of the term democracy to apply it to any society which compulsorily taxes people but disallows the citizen-juror from judging on the justice of the law at Trial by Jury. It is also anti-democratic to impose compulsory taxation and then use the funds for any purpose of which the person taxed does not approve. However modern in *appearance*, such a state is primitive and definitively illegal: a judicable tyranny as of old.

## JUSTICE IS THE OBJECT OF GOVERNMENT.

**Legitimate government is established voluntarily by the masses to protect the weak from abuse by the strong. Justice is the object of government. This is the principal justification for the rule of law.**

Legitimate government has no justifiable pretext whatever to fear the juror's veto from members of the weaker or minority groups. Small groups have the utmost motivation to support and maintain *just* government for their own protection; at least as much as or more than majority factions.



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*“The moment the idea is admitted into society that property is not as sacred as the laws of God, and that there is no force of law and public justice to protect it, anarchy and tyranny commence. Property must be secured or liberty cannot exist.”<sup>1</sup>*

<sup>1</sup> See Works by President John Adams, Ed. Charles F. Adams; 10 vols. Also see George Sutherland, Associate Justice of the United States Supreme Court, 1921, quoted in Chapter Six.

It is only under laws which obtain the consent of *all* people that civil peace, safety, a generally crime-free environment and a tranquil society can be established. Because parliamentary or congressional ‘representatives’ are elected does not mean that legislatorial majorities can assume ‘consent’ for their laws from dissenting minorities. Under no circumstances can *consent* to taxation simply be ‘assumed’. This is so for many good reasons.

To begin with, no one can be presumed to have given their consent to be taxed for any projected expenditure of their money by the state unless they are willing to enforce the said law by which the tax is raised, at Trials by Jury. *Presumption* of people’s consent to be taxed for the maintenance of laws is absurd when they cannot be relied on to enforce those laws. Thus, they cannot simply be presumed to have consented to be taxed. So, rather than maintain a real democracy, modern governments’ illegitimate answer is simply to block the proper working of the Constitutional Trial by Jury Justice System and stop juries from annulling the politicians’ bad laws. Once begun, this criminal courtroom modus operandi encourages the passage of more unjust laws, entrenching despotism and ruining innocent people’s lives. Hence, administrations are required to enact legislation acceptable to the entire people, which, in turn, denies government of any legitimacy to tax people without their consent. This also entails that a real sense of equal justice be plainly expressed from the initial draft of every law, onwards.

If governments are not subjected to the Will of the People through the system of equal justice, the Trial by Jury, then, with government politicians also being military leaders having control of police and armed services, they can and *do* impose their will in negative ways on the very people whose interests they are supposed to protect. If, as opposed to *voluntary* taxation, government is allowed to have the power to *impose* taxes, there are no limits to its power to tyrannise its own people and even make war upon them, in addition to conscripting men and women to wage political wars of conquest and aggression against others. Such an unconstrained government can *borrow* to indebt the population to an immoderate degree, enslaving generations-to-come to continuous taxation for repayments. *By contrast*, an elected, short-term politico-military leader dependent on *voluntary* contributions and *subject* to *legem terræ*, is forced into being a democratic servant and protector of the people in return for finance. This holds the official to the duties of defence of the people: to protect them; to uphold their liberty, the Constitution and Trial by Jury.

No government may consider itself legal or democratic unless it governs, firstly, *without inflicting injustice on anyone*; and secondly, *equally*, for the benefit of all. A government which cannot work within *those* parameters of natural law and natural justice, and governs instead *without* consent, is self-evidently undeserving of support—let alone to be trusted with people’s money! Such a government will be certain to use violence to enforce oppression; undertake criminal enterprises; wage Wars of Aggression; restrain dissent; and introduce censorship on free speech and expression (‘political correctness’, to parley in quasi-Orwellian doublespeak). *In short, to shore*



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*up its régime, such a government will use the people's resources against them.* Continuing to put one's trust in that state now, which *already* illegitimately coerces people into providing it with money, invites the nightmare of governments using the money to intensify miseducation and propaganda to entrench statist power further, facilitating extreme suppression of freedom and equal justice.

The situation has evolved to expose the fundamental flaw in, “*no taxation without representation*,” the slogan often associated with the British New World colonists' revolution (ref. Chapter Six on Franklin, Colonial Scrip and the real reason for the War). The greater the taxpayer or corporation, the greater their ability to achieve *representation*, lobbying and protection of *their* financial interests, to the inequitably unlawful negation of the interests of others. We witness this behaviour constantly today.

Rather than the British colonists' inadequate slogan, ***the guiding moral and legal principle is: “No taxation without consent;”*** for to take a person's property, goods or money *without* his or her express *consent* is **Robbery**<sup>1</sup>. Even when it is done by government, theft is still theft. When government adds *menaces* to the theft, that is to say, threat of penalisation, punitive enforcement, dispossession, fines and/or incarceration *for non-payment*, the crime of theft definitively becomes robbery.

<sup>1</sup> See ‘**TRIAL BY JURY: Its History, True Purpose and Modern Relevance,**’ ISBN 9781902848723.

Further to the taking of a man's money without his consent being theft, to *assume* consent where no positive consent has been given (and has not been actively demonstrated to have been given), does not alter the fact that the taking of his money is still thieving. The position held by all our Western Constitutions, Australian, United States, Canadian, Irish, etc., and by Common Law, is that fiscal legislation installing compulsory personal taxation is illegal and such ‘acts’ constitute malicious judicable crime *per se*. It could hardly be otherwise! “**Thou shalt not steal**” has always been and remains in perpetuity a Prime Tenet of Common Law in all societies aspiring to description as ‘civilised’, sine qua non. *Assumption* by the government—however persuasively argued—affords neither moral nor legal justification for theft or robbery.

It is not to be supposed that a randomly selected jury reflecting the interests and attitudes of ordinary citizens would ever voluntarily and *unanimously* enforce a tax law upon people who conscientiously objected to donating any part of their hard-earned resources towards fulfilment of the ambitions of unscrupulous rulers. Nor would unanimity amongst juries be found for forcing people to make donations to schemes of which they do not approve, or do not wish, for whatever reason, to support.

**Taxing men and women for the support of projects undertaken by law on the assumption that they are in favour of the laws, but at the same time not allowing them the right as jurors to judge the justice of the laws they are called on to enforce on the assumption that they might be opposed to the laws, is an utterly malicious judicable government self-contradiction.**

*Definition.* judicable, that which may be tried by jury in a court of law.

It is unjust and a criminal act to tax folk by force. It is especially despicable when government justices make taxpayers ‘ineligible’ (*voir dire*) to serve on juries if they show an awareness that they have the power and duty to judge on the justice of the laws and should refuse to enforce (would annul) any laws they deem unfair or with which they disagree, for whatever reason.



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Likewise, to restrain all tyrannical inclinations within administrative government, the Trial by Jury must be available for its use in private prosecutions of functionaries of the state who would enforce, or seek to enforce, unjust and apocryphal laws.

If some people wish to be taxed for a given project, or for government to spend on their behalf, let them do so. That is their choice. However, it is *always unjust* and *illegal* at common law to *force* anyone by law, an individual, a minority or the whole population, to pay tax. An obvious solution involves government providing separate programs which persons may or may not choose to support. Yet, this is *voluntary* taxation. It requires the contributor's *consent* be given freely before any tax remittance is made to government. Even so, many a private charity or competing program may be preferable and better run.

Lawyer Lysander Spooner summarises the situation:

*“If the government can take a man’s money without his consent, there is no limit to the additional tyranny it may practice upon him; for, with his money, it can hire soldiers (police) to stand over him, keep him in subjection, plunder him at will, and kill him if he resists. Governments always will do this, as they everywhere and always have done it, except where the Common Law principle has been established. It is therefore a first principle, a veritable sine qua non of political freedom, that a man can be taxed only by his personal consent. The establishment of this principle with trial by jury insures freedom of course.”*

*“Trial by the country [i.e. Trial by Jury] and, no taxation without consent, were the two pillars of English liberty and were the First Principles of the Common Law. They mutually sustain each other. Without both, no people have any guarantee for their freedom; with both no people can be otherwise than free.”\**

\*Of course, real Trial by Jury is the guarantee of voluntary taxation, not vice versa. Voluntary taxation, liberty, equal justice and peace depend on having Trial by Jury restored by Act and fully implemented; see The Restoration Amendment (statute), pp. 247-254.

### ANOTHER REASON WHY GOVERNMENTS MAY NOT INTERVENE IN THE CONSTITUTION.

A **constitution** establishes the method by which *the whole people voluntarily agree* to form and maintain their government. The compact (or contract) is mutually binding on the administrative government and the entire citizenry. Contravention or infraction of the Constitution by government disengages the citizens from all legal obligation to support or obey such a government. Rather, the people are obliged to restore legitimacy to the administration, taking all necessary measures as prescribed by common law Article 61.

A minority group would hardly be expected *voluntarily* to enforce laws of which it disapproves or deems prejudicial to its legitimate interests. So, to be inclusive of everyone, all parties to the compact must have the veto; the equal power and right to reject (annul) all legislation which they consider is contrary to their interests. This situation necessitates that Trial by Jury be implemented as the means by which government can be held to the principles, spirit and letter of the Constitution. *It comprises another reason why governments may not intervene in the Constitution (by judges’ decisions or statutes)*. For, if people in government, judiciary or a legislative majority were allowed to alter or decide on the interpretation of the compact made, and then enforce it according to their own interpretation, they would, of course, have it authorise them to do whatever they wish.



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Over the years, one has encountered people who, at first, find it hard to envision a well-ordered state run without compulsory personal taxation. It soon becomes obvious that this is because they have given hardly any thought to the subject.

Today, apart from tax-dodging heads of banking and corporate multi-nationals—the richest people in society—government taxes men and women remorselessly. No evasion is permitted. Despite having all the timeless morality and authority of their common law and Constitution to back them, our ‘dumbed-down’ folk prostrate themselves in mute, lifeless submission to unfair, illegal taxation. *This* is the abject condition of *slavery*. Unconditional submission is the act of a person who confesses himself subdued and enslaved. Such submission *abets* and *encourages misrule*; and entrenches the Illegality of the Status Quo. It is for this reason that **dissent** is appreciated as a true form of patriotism and caring for others; viz. Jefferson; p.133.

As contemplation of the underlying truths yields a revelation which is acutely discomfiting to *people* about their *enslaved status* under contemporary misgovernance (for which, incidentally, Restoration is the only peaceful solution), many a person does not like, initially, to dwell on the subject for long. Truth sometimes hurts. However, righteous indignation generally follows. A sense of justice and the intellect demand further reflection. Exemplified by the tyrannical, warmongering behaviour of modern governments, compulsory taxation must be abolished. Having considered the multiplicity of alternative compulsory tax and economic proposals, if humankind is to establish Equal Justice, a predominantly crime-free environment, accelerated progress, prosperity, *and genuine Peace on Earth*, in the final analysis people realise that there is no choice or alternative to the Common Law solution. There is every good reason to take common law to heart, and a cogent rationale to fear failure to adopt this Cause.

In any case, transformed under common law, the economies and commerce of the world proffer *boundless* growth, employment and prosperity because, firstly, people are *unbounded by taxation*, and, secondly, because the issuance of *interest-free currency and credit* is mandated as the vital, exclusive responsibility of government (not private bankers), and remains always subject to the will and scrutiny of juries. The essential point to face is that, whether advocates of big government and statist power over the individual and society like it or not, societies can only be satisfactorily constructed upon legal and lawful premises—and there is NO just society but that one which is constituted on the natural, secular Trial by Jury Justice System <sup>1</sup>.

**1 Ref. The Eternal Criterion of Justice, Chapter One.**

**See the sections in Chapter Six on Keynes, Friedman, Successful Fiat Currencies, Benjamin Franklin, Abraham Lincoln, Usury and fraudulent Fractional Reserve Lending by bank-owners.**

Thus, it is seen how common law provides a *framework for justice* around which the legal society is constructed. That being the case, compulsory taxation must be utterly deracinated from the modus operandi of administrations. Politicians and bankers must learn to think in other ways which place justice and liberty above avarice and their self-interested ambition. The unalterable fact of life and law is that taking a person’s property or money without his or her consent is robbery. There are NO legitimate exceptions to this rule. It is a fundamental commandment of common law.



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The supreme law prohibiting robbery comprises one of the parameters by which the justice and the legality of compulsory taxation are measured, found wanting and condemned to punitive prohibition. To re-establish government which is legitimate and democratic, we must first realise the inescapable fact that forcing people to part with their money against their will is a cardinal crime.

*So it is in matters of money, fiscality, that Common Law and Trial by Jury strike hardest to preclude the rule of tyrants and control the wayward inclinations of politicians.* In the same way as re-emplacement of Trial by Jury as the only legal justice system then curtailed the power of King John to tyrannise, tax at will, and held government functionaries to the rule of law according to the wishes of the people, so too today—or at any time or place—its Restoration enables ordinary citizens to deny governments the authority and the practical fiscal means to wage Wars of Aggression.

Suddenly, following *Restoration*, the Common Law Justice System once more protected the people from John's depredations by restoring to them the means for them to judge and punish acts by government judges who had previously enforced the monarch's wicked caprice. Now, the justices, *his* judges, were commoners vulnerable to prosecution by even the lowliest churl. The judges' richly rewarded services to the terrorising king's dispossessions and extortions made them likely to be found guilty in countless courts for their many abominable crimes. John's judges were immediately chastened. Over at last was the anguish which wracks a country whenever the justice system is controlled by government judges as opposed to the common law judges; the jury of randomly selected citizens. John was unable to raise funds by his usual methods of graft and threat through his appointed circuit justices' courts. These especially included disseizin, wrongful dispossession of property; and demands that large bribes be paid by people before John would consent to their inheriting their property; and incessant seizures and 'forfeitures'.\* No longer could the justices risk being the government's instruments of oppression.

\*Spooner gives archival examples of Norman monarchs' institutionalised court corruption. See *Trial by Jury* ISBN 9781902848723.

*The common law principle shows the means for bringing about relative Peace on Earth.* It places government as the servant of the people, not its ruler. The government acts as an agency which may provide services according to the will, wishes and voluntary funding of the people. It is not the owner of people's private means and income. From this precept, one must use creative intelligence to form and finance appropriate administrations for the people. We do not speak of a Utopia, a 'dream' society. Not at all. We extol the functionality and practicality of the People's Courts of Common Law Trial by Jury. For, just as common law prevails over statute, We the People may prevail over those criminals who profit from financing Wars, and their emplacing and backing of tyrannies<sup>1</sup>. Once the importance of this common law principle is understood by men and women, it becomes their privilege, blessing and task to ensure Restoration takes place.

**1 Ref. the sections on Bankers and the New World Order; and on fiscal matters, in Chapter Six.**

Readers, the judges have resumed their corrupt role today in support of enforced taxation, anti-democratic laws and warmongering. Now that *you know* the effective, peaceful *method* for pre-empting Wars of Aggression and Crimes against Humanity



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being committed by the corporate-government establishment, you may wish its implementation. If so, take up the cause and spread the word.

There is no justification for forcing tax on people to pay for services which they do not utilise. For example, families which scrimp and save to help pay for their offspring to receive the type of education they desire, cannot then fairly be demanded to contribute more of their money towards another education system, as they are today. In the age of the Internet, many constructive possibilities become practicable. No one has to leave the comfort and security of their own abode to receive an education.

Concerning parenting and the size of families, a return of Trial by Jury assures responsible attitudes are inculcated amongst the population by their equals. Likewise, annulment is secured of all domestic legislation instituting the Socratic and Platonic notions expressed in the United Nations' Agendas (Twenty-One, Thirty and others) which deny the individual the right to have and be part of a family; and the right to own and dispose of property and artefacts. Homelife, families and the breeding of children being regulated and interfered with by officials of the state finds no legitimate place in a fair society.

The natural law of self-interest comes into play: those who own the most will pay the most to protect it, although this does not oblige them to pay *government* for their protection by police and government (federal) courts. They may find other methods more amenable, efficient and *answerable*. Regular lotteries are a popular, proven way of raising funds voluntarily.

Payment for private services through limited term binding contracts along the lines of insurance for health care is practical. Or payment at the point of use (e.g., infrastructure, electricity, water, communications, roads, rail, airlines, education) is the successful daily norm. *Governments'* nationalised offerings have no such record. On the contrary, there is no valid economic argument or commercial justification for government providing services. The track record shows that since statist systems began taking people's money from them for services, they have been consistently wasteful and inefficient; a severe counter to prosperity being spread fairly amongst the population.

Bear in mind that income tax today only goes to pay usury, *the interest* on government borrowing from private banks. All usurious activity is not only a flagrant offence at common law (see Chapter Three), but government borrowing at interest from private banks is wholly unnecessary because government can (and will) return to the constitutionally legitimate and prescribed **Common Law Economy Solution**: A government treasury bank issues all legal tender and credit interest free into the economy, denying this role from the private banks who currently undertake it and *charge interest* to the government (taxpayer) on all issuance.

**See the sections on Bankers and the New World Order; and on fiscal matters in Chapter Six.**

It never fails to gratify me when one observes the great good-heartedness residing within the characters of the population which is manifested in contributions of money donated continuously to private charities, and the funds raised for natural disaster emergencies; famines, earthquakes, floods and so on. Most people are today taxed to the hilt; the time spent working to earn the money which is appropriated compulsorily by government takes days of their working week before they have even begun to earn a penny for their own necessities. Many are stretched to the limit of real hardship



## CONSTITUTION AND COMMON LAW PROSCRIBE TAXATION

financially, yet *still* they respond generously in response to the needs of others. This phenomenon demonstrates that, even though folk can ill afford it, needy causes are nevertheless supported by the people.

However, if there were no compulsory taxes, no income tax!—think how much more money people would have for such causes. *So, in a society where there is no compulsory taxation, good causes which people realise need support find the required finance. This is the nub of the issue. Only good causes should be supported*, and it is for *the individual* to decide whether a given cause is worthy of receiving his or her support and whether he or she is in a position to donate. The donation goes straight to funding the cause rather than to a central government bureaucracy which can squander or divert resources. The serious, deep-seated long-term domestic social problems nowadays remain unsolved by the statist’s ‘philosophy’ of state interventions to coerce money from people for it to be ‘redistributed’. These issues can all be solved philanthropically at the local level. Money can be found without compulsion for causes which are worthwhile in the common people’s view.

*The quality of life in their surrounding society becomes the concern of all when people have the ability, power, and money, to do something about it!* However, this situation comes into being only because of the genuine *empowerment* of citizens in a democracy, realised through their having the prosecutory function of Trial by Jury with which to *regulate* personnel and the administration: the people rule. (Viz. Madison in Chapter Two.) The exigencies of self-interest and survival mean humans respond *predictably*. People will pay for what they need to protect themselves and achieve a satisfactory *modus vivendi*.

A priori, the timeless message which the 1215 Great Charter Constitution sends to people down the generations is this: military leaders, governments, that is, those persons who have their hands on the means of waging war, must never also have the legal power to impose taxes. If, by whatever means, they have it now, it must be removed; and no one may thenceforth ever be exempt from subjection to the precepts of justice decided by the jury in Trial by Jury.

Rather, politicians and people who have command over the military must be absolutely subject to the control of the people through the rule of law’s Trial by Jury Courts.

***“In short, government in practice would be brought to the necessity of a strict adherence to natural law and natural justice [i.e. the common law], instead of being, as it now is, a great battle in which avarice and ambition are constantly fighting for and obtaining advantages over the natural rights of mankind.”***<sup>1</sup>

**1 See TRIAL BY JURY: Its History, True Purpose and Modern Relevance ISBN 9781902848723, by d’Oudney & Spooner; SRC Publishing, Ltd., London.**

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



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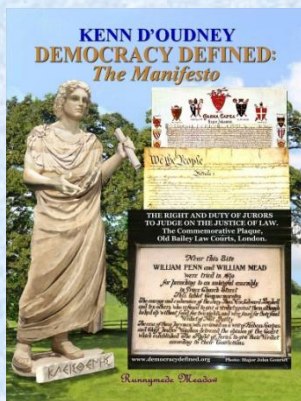


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