The (authentic) Trial by Jury British Justice System is revered at home and respected abroad as the finest and most democratic form of law enforcement ever devised. Worldwide honour derived from one phenomenon: Constitutional Law Magna Carta, the Great Charter of English Liberties, first passed in 1215; for this emplaces the definitive Trial by Jury. This Trial by Jury is also enshrined within the U.S. Constitution, reaffirmed by every president by oath at inauguration. Magna Carta is law throughout Britain, being ratified thirty-five times, including by Head of State Queen Elizabeth II, and applies in perpetuity.

Our Constitutions emplace Trial by Jury as the sole system for ***all*** civil, criminal and fiscal lawsuits; and institute the Right and Duty of Jurors to acquit as **Not Guilty,** ***according to the Juror's conscience,*** citizens tried under law which the Juror judges to be oppressive or unfair (i.e. Jury Nullification); and the Jury (not judges) are required to review all evidence to decide on its admissibility. Jurors decide the Verdict not simply on whether evidence indicates a defendant broke the law: in Trial by Jury, Jurors have the Duty to decide the Verdict by judging also whether the law under which the defendant is tried, is **Just**.

However complicated the facts of a case are (and it is for the plaintiff to make his cause clear), it is axiomatic that, literate or not, all sane adult men and women can recognise ***injustice***. It takes no special learning for an adult to know when a law is just. This is the special virtue of our Constitution: (in addition to determining innocence or guilt, and apportioning retribution) Trial by Jury is emplaced to protect citizens for all time from unjust laws and arbitrary government.

Neither in Britain nor in the U.S. have legislatures ever been invested by the People with authority to remove the Right of the accused to a Trial by Jury, to impair the powers, to change the oaths, or abridge the jurisdiction of jurors.

In democratic societies, the trial of a citizen is by fellow citizens who comprise the Jury. Trial is not "trial-by-government," which could never be fair where the government is also one of the contesting parties.

Prosecutors, judges, police and prison service are employed to enforce governments' laws and should never be asked, nor relied on, to decide ***impartially*** whether laws are just, for they ***must*** fulfil their task or face the fury of the government, their employer. Judges themselves comprise a branch of government, and they are in the pay of government. For these reasons, government, politicians and the judiciary are incompetent to require the conviction or punishment of any person for any offence whatever.

The Constitutional Common Law Trial by Jury Justice System intentionally takes a person out of the government's hands and places the accused under the protection of his or her equals (the jury) and the Common Law alone: Trial by Jury allows no man or woman to be punished unless the indiscriminately chosen equals of the accused consent to it, following Trial in which Jurors try: the facts of the case, the law, and decide on the admissibility of evidence. Anything less, or different, is not Trial by Jury, but trial by someone else.

Other nations, such as the United States of America when independent, adopted Trial by Jury. **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."
(Yale Law Journal.)
The Principle is explained as follows: **If a juror accepts as the law that which the judge states then that juror has accepted the exercise of absolute authority of a government employee and has surrendered a power and right that was once the Citizen's safeguard of liberty.**

The following is also poignantly relevant:
The saddest epitaph which can be carved in memory of vanished liberty is that it was lost because its possessors failed to stretch forth a saving hand while there was time.

In this matter, good men and women who stand up against tyranny are of one mind:

Viz. **U.S. Chief Justice Samuel Chase**: ***"The Jury has the Right to determine both the law and facts."***

Viz. **U.S. President Thomas Jefferson**, Democratic Party Founder: ***"I consider Trial by Jury as the only anchor yet imagined by man, by which a government can be held to the principles of its constitution."***
More recently, **Chief Justice Oliver Wendell Holmes: *"The Jury has the power to bring a verdict in the teeth of both law and fact."*** And viz. **U.S. Chief Justice Harlan F. Stone**, ***"The law itself is on trial quite as much as the case which is to be decided."***
In 1972, **D.C. Circuit Court of Appeals** ruled: ***"the jury has unreviewable and irreversible power to acquit in disregard of the instruction on the law given by the trial judge. The pages of history shine upon instances of the jury's exercise of its prerogative to disregard instructions of the judge."***

WHY **is the Citizen-Juror's judgement on the law so important a part of any fair and competent Justice System? See THE REPORT ISBN: 9781902848204, endorsed by academics and U.S. & U.K. judges:**
"All governments are capable of passing oppressive, i.e. illegal laws, and organising enforcement of such laws. Juries limited to deciding innocence or guilt only on evidence produced by the state prosecutor of whether the accused has broken a law, would not be able to protect good Citizens from oppressions of the state. Juries instructed to judge on the justice of law and its enforcement can be relied upon to protect people from the state, when the state breaches correct behaviour in attempting to enforce injustices."

Today, there are scores of unjust, persecutory British, European and U.S. laws and regulations being routinely and illegally enforced by judges.

Today, a government-contrived legal obligation bans lawyers/barristers from presenting *evidence which exonerates defendants*, if it "disputes the law." Judges forbid the accused likewise. Judges exclude *official* exonerative evidence, academic and scientific, and tell jurors to consider only that evidence which he or she allows. As a juror, expect the judge to forbid you to judge on justice. Judges instruct jurors: to 'uphold the law' regardless; and not to allow conscience, their opinion of

the law, or a defendant's motives, to affect their decision. Thus, judges' jury-tampering produces innumerable false guilty 'verdicts'.

WHY do judges not instruct Jurors of their Duty to judge the law? and, ***WHY*** do judges deny juries their right to see and decide which evidence is admissible?

- disrespect for citizens' ability to make fair judgements?
- the judge is the willing servant of undemocratic oppressive government?
- unwillingness to part with his or her power to prejudice the verdict?

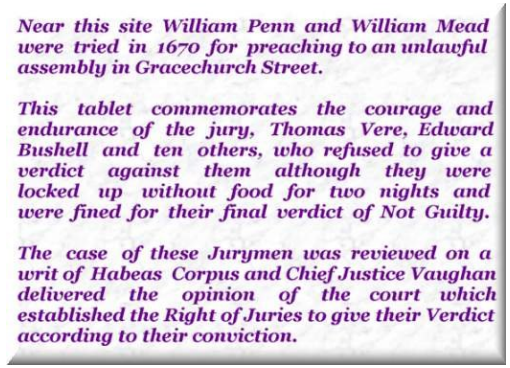
Whatever the judge's motives, *the judge is* ***wrong*** not to inform jurors of their Right and Duty to do justice: e.g., State of Georgia v. Brailsford, a supreme court forfeiture trial, the facts having been ascertained, **U.S. Chief Justice John Jay** instructed jurors that it remained only for them to judge the law itself, saying: ***"The Jury has the right to judge both the law as well as the fact in controversy."***

Under Constitutional Trial by Jury, jurors not only render the verdict according to their conscience, but also **decide the sentence** for criminals. The Jury's powers are nowadays illicitly destroyed by court decisions, procedures, and by the creation of illegal 'laws' which deny jury trials for the accused. When judges instead of juries run trials, innocent citizens are persecuted under unjust laws; prisons are filled with harmless and innocent people, while dangerous criminals go free.

Removal of justice/equity issues from jurors transforms Trial by Jury into the inherently unlawful trial-by-the-government-judge, by which Nazi, Stalinist, fascist, and communist systems all operate, and primitive tyranny thrives. This uncivilised system is now in place in the former democracies of the West, to enable enforcement of every persecution, stealth-tax, oppression, money-motivated subterfuge and injustice the state introduces, and which judges then lawlessly claim is the 'law'.

A cause for Repeal of the infamous crime-producing U.S. Alcohol Prohibition law was that prosecutions failed to obtain guilty verdicts. In the last four years of Prohibition to 1933, juries **nullified** around half of all unjust prosecutions of producers', stockists' and traders' normal traditional commercial activities, by pronouncing the Not Guilty Verdict.

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



Penn was later Founder of Pennsylvania. Like the Trial by Jury, this plaque will be removed if the dissolute have their way.

Though Penn and Mead broke the law, the jury's authority to acquit supersedes government and court. Reviewing the case, Chief Justice Vaughan confirmed the Right of Jurors to judge the justice of laws, upholding this *defining* Safeguard of Democracy, sine qua non, an indispensable Principle for all time.

"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 unalienable 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."
U.S. Chief Justice Harlan F. Stone; 1941-46.

ATTENTION ALL CITIZENS:

Unresisted and emboldened, politicians and judiciary have destroyed Trial by Jury and in its place installed the overt tyranny of the state-inquisitorial system. Also, adoption of E.U. measures eliminates Trial by Jury.

RESISTANCE to tyranny is the duty of every citizen who wishes to live in a free country.

Act against growing injustice !

***Campaign with us for* RESTORATION.**

To become a DEMOCRACY DEFINED Educational Activist today, print-out, photocopy and give this leaflet to family, friends, colleagues at work, and to media.

THE DEMOCRACY DEFINED CAMPAIGN
8, RUE DE LA BRASSERIE, 55700 OLIZY, FRANCE.
Directors: Kenn d'Oudney, Mrs. Joanna d'Oudney & Ms. Astra d'Oudney.
WEBSITE www.democracydefined.org/

~

EIS #3. Why Is Trial by Jury Important ?

Why Is Trial by Jury Important ?

The Juror has the Right and Duty to find the Verdict according to his or her judgement on whether the law is *just*.

***Introducing*:**
The DEMOCRACY DEFINED CAMPAIGN International Campaign for RESTORATION and UNIVERSAL ADOPTION of Constitutional Common Law Trial by Jury.

The DEMOCRACY DEFINED CAMPAIGN is a not-for-profit free membership organisation. Our Campaign is financed by sales of DEMOCRACY DEFINED educational books which are endorsed by a Nobel laureate professor emeritus Official Adviser to U.S. government; a Professor Fellow of the Royal Society; by eminent authors, academics, doctors of jurisprudence, medicine, homeopathy, psychiatry, and by ecologists and judges (U.S. & U.K.).

***Be sure to visit* www.democracydefined.org/**