

The Restoration Amendment

[Date]

For Liberty and Equal Justice for All, and for the civil peace, well-being and general contentment of our People, we, [*insert head of state's name*] the undersigned, do ordain and enact this statute, to be known hereafter as The Restoration Amendment, to make plain and re-establish beyond all doubt and dispute the legal, lawful Sovereignty¹, Supremacy and Primacy of the People. This statute re-establishes and confirms the role of the English head of state as the people's symbolic 'sovereign', the representative and guardian of the people's interests legally and constitutionally-bound by *legem terræ*, the Law of the Land² and Realm inscribed into the 1215 Great Charter Magna Carta. This statute includes accompanying explanatory annotation (Notes).

At this time, when the treasonous³ claim of "parliamentary sovereignty" is all too often heard, this Amendment recognises and restores the correct, unchanging supreme legal and lawful status of the 1215 Great Charter Magna Carta, the kingdom's exemplary, world-respected and revered Constitution, also known as the Great Charter of English Liberties. For as long as our other home nations⁴ participate in and remain subject to our Westminster parliament, the Great Charter extends its Rule of Law protections to them also.

One most significant and revealing attribute associated with the 1215 Great Charter Constitution Magna Carta ought to be acknowledged and amongst initial deliberations on the subject. The English Constitution's authors and the People's forefathers, common and ennobled, knew, understood, defined and prescribed within the 1215 Great Charter the sole peaceful means known to humankind for annihilating tyranny⁵ and establishing equal justice for all. This was through the mechanism *judicium parium*; to which we now refer as the Constitutional Common Law Trial by Jury; or, for short hereinafter, as Trial by Jury⁶ (proper noun, capitalised). We draw particular attention within this Restoration statute to Trial by Jury, the unique phenomenon of Liberty and Justice defined and prescribed by Magna Carta in 1215.

Despite widespread illiteracy, no press (printing), still less the Internet, the folk all knew they had the greatest conceivable heritage of liberty and equal justice. It was learned and passed from generation to generation throughout the land by word of mouth. The Gothic pan-European people understood and vigorously upheld the sole peaceful mechanism known to mankind for creation of a uniquely egalitarian, just rule of law which is secular, universally applicable, and embodies the 'sine qua non', the defining factor, distinguishing genuine human Civilisation, Democracy⁷, from the primitive barbarism of secular or theocratic despotism⁸. We extol Trial by Jury as humankind's model justice system for all causes, civil, criminal and fiscal, hereby restoring and implementing it as such.

All nations govern (rule) through their justice system. Free people and nations govern themselves through their Justice System. As all causes are hereafter decided and upheld through our Constitutional Trial by Jury Justice System to the exclusion of all propounded alternative means of enforcing law, the now-restored Trial by Jury and Magna Carta 1215 cover and govern all legal and social contingencies whatsoever.

DEMOCRACY DEFINED

THE RULE OF LAW.

Our Common Law Constitution⁹ achieves the natural aspiration for an equitable rule of law. It does this by creating a level 'playing field' for all; that is, by making all men and women equal and subject to the same rule of law as everyone else. This explicitly includes everyone: head of state, parliamentary legislators local and national, government functionaries, bureaucrats, justices, judges, personnel and employees, Police, Prison Service and Armed Services. No one is 'above' the rule of law. The purpose of this Restoration Amendment is to annihilate such uncivilised phenomena as arbitrary government, despotism and tyranny within England and its Dependencies for all time. Article Sixty-One of the 1215 Great Charter, which is hereby restored, removes 'immunity from prosecution' from those who form or work for government. It renders them just as liable to be arraigned for Crime¹⁰ at Trial by Jury as any other person. Citizens volunteering for or legally conscripted into our Armed Services shall be subject only to martial or maritime laws which are ultimately judicable¹¹.

The Restoration Amendment is an Act recognising and perpetuating the perennial legal supremacy of the Trial by Jury and the 1215 Great Charter as our English Constitution and System of Justice over all judicial interpretations, precedent, *stare decisis*, parliamentary edicts, statutes, laws and measures, and the laws and by-laws, regulations and measures of local administrative government. As head of state, by our enacting (signing) The Restoration Amendment into law on behalf of us and our heirs forever, we have now hereby re-affirmed all the liberties stated in the 1215 Great Charter Magna Carta to be had and held by all Englishmen and women of this nation and their heirs forever. We acknowledge that these liberties were in any case granted in perpetuity by the 1215 Great Charter to all men and women of our kingdom.

The 1215 Great Charter Constitution and The Restoration Amendment empower the People to govern and guide our administrative governments for all time through the supreme sovereign authority of the People to decide their laws and liberties for themselves, this being accomplished by the judgements, verdicts and sentences in due process of Trial by Jury. The Constitutional Common Law Trial by Jury is the sole legitimate justice system for deciding all causes, thus comprising the supreme legislature and judiciary of the realm. This freedom we shall observe, and it is our will that it be observed in good faith by our heirs and successors forever.

In 1215, following government misrule, the principal intent of Magna Carta was restoration of the rule of law through Trial by Jury. The defining, prescribing and re-implementation of the People's traditional Common Law Trial by Jury as the sole legal justice system for all causes formed the Great Charter's core doctrine. Today, through parliamentary treason and misrule, our Constitutional Justice System has fallen into deplorable disrepair. The same Act of Restoration is now requisite to uphold the rule of law and is accomplished by this Restoration Amendment. The Sovereignty of the People is recognised and expressed through our restoration of the Juror's Sovereignty, Powers, Procedures, Rights and Duties in Trial by Jury. Remembering that it is the People, as distinct from head of state or government, who choose their Constitution, we observe that implementing the Common Law Trial by Jury Justice System for settling all causes, civil, criminal and fiscal, is the preoccupation and substance of all Western Constitutions; such as those of the United States of America, Australia, Canada, New Zealand, and others.

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In the most profound sense, the West and all legitimate societies have but One Constitution: it is *judicium parium*, the Trial by Jury of Magna Carta, 1215.

In restoring Trial by Jury Courts for all causes, we proscribe all other means of settling causes, summary processes and the *ex parte* trial-by-government-judge. We require convenors of Trials by Jury (nowadays speciously referred to as judges and/or justices) to be recognised by that nomenclature, Convenor; and that convenors be chosen (elected) not less frequently than every three years by adult people local to the court. Government-appointed officials, Arbitrators and Ombudsmen may not preside at or decide causes. Improper or brutish treatment of citizens by government or security employees shall be freely prosecuted following *Plaint*, with punishment of perpetrators, redress and compensation decided by the Jurors at Trial by Jury.

The justice, fairness and applicability of all our acts, statutes, by-laws and regulations and their value or the dearth of it to the People's interests, shall be discerned and judged by Jurors in the Trial by Jury. Only if the statute law and all aspects of its enforcement be unanimously adjudged by the jurors at each case as being just, fair, and applying equally to all, then the prosecution at Trial by Jury may proceed (*viz.* the 1215 Great Charter's Articles 24, 39, 40, 61, etc.); otherwise, statutes must be struck down through the Jurors' Annulment by Jury¹² duty at Trial by Jury, and duly expunged¹³ from the roll of statutes.

We restore the duty of sentencing proven crimes and wrongdoers to the common law jury, thus removing the power to punish from government which has illegitimately countermanded our Constitution by misappropriating this function from Trial by Jury. Henceforth, government justices have only a discretionary power to lessen or moderate sentences¹⁴, but never to increase penalties imposed by the jury. The judicial function is that of the jurors who are the judges; the government's role in the justice system is executive, that is, to carry out the jury's sentence, thereby upholding the rule of law.

We ordain that, before Trial, convenors (*cf.* today's 'judges') and both prosecuting and defence counsel (or the defendant in self-defence without counsel) take it upon themselves to educate and instruct jurors to fulfil their Duties¹⁵ in Trial by Jury, specifically including that of Annulment by Jury; that is, of Jurors judging on the justice of the law and annulling prosecution of laws or acts of enforcement deemed by the Juror to be unjust or unfair to the accused by pronouncing the defendant Not Guilty. No one is obliged to obey an unjust law, and judgement thereon is solely the Jurors' Duty.

The Restoration Amendment upholds *legem terræ*, *de facto* humankind's moral, ethical, philosophical, legal and model constitution. Legally, no government statute, treaty or edict can ever supersede *legem terræ*, the supreme, timeless constitutional common law of the land. Every act or action which intentionally undermines the Sovereignty of the Juror and/or denies the Trial by Jury remains the Crime¹⁶ of Treason¹⁷.

Through Trial by Jury, this Amendment upholds the human right to privacy, the right to unmolested tranquillity of existence and the pursuit of individually-defined self-fulfilment and happiness. We do hereby exhort our People to take it upon themselves to bring our Culture to due prominence once more; for the People to take back their natural egalitarian sovereignty and secular common law courts; to enjoy the fruits of national issuance of interest-free currency and credit, free of government indebtedment and free from concomitant compulsory taxation; and to re-secure unto themselves legal Constitutional control of the Wealth of the Nation¹⁸; their rightful due inheritance.

THE BINARY PRINCIPAL FOCI OF THE RULE OF LAW ARE:

Firstly, recognition of the 1215 Great Charter Magna Carta as comprising the single and sole legal and lawful written English Constitution; the permanent supreme treaty between the people and their successive chosen incumbent heads of state.

This first measure achieves Restoration of the full and proper functioning of the People's Courts of the authentic Constitutional Common Law Trial by Jury Justice System prescribed and defined by the 1215 Great Charter Constitution for all causes, civil, criminal and fiscal; and,

Secondly, Common Law economic and fiscal measures are a natural corollary to the above first item for specifically proscribing the Common Law Crimes of Usury and fraudulent Fractional Reserve Lending; and returning to the People through a national government department, the treasury, the duty of issuance of interest-free currency and credit to the economy. We refer, for example, to our kingdom's three hundred million pound (£300 million) interest-free issuance of the 'Bradbury Pound' in 1914, and similar renowned measures taken previously by Presidents Jefferson, Madison and Jackson, to Lincoln's 'greenbacks', and Franklin's Colonial Scrip⁽¹⁸⁾.

These twin causes are legislatively formulated as this, The Restoration Amendment. With our enactment of the Amendment now, following its passage through our parliament, the Constitutional Rule of Law and Equal Justice shall prevail throughout England once more: legality is returned to the status quo. Historically, England is the longest surviving Constitutional Democracy. We, [*insert head of state's name*], rejoice in enacting this Amendment into law for our People and remind them of the words of one of our most august intellectual citizens, a widely read and travelled philosopher, John Milton, "Let not England forget her precedence in teaching other nations how to live."¹⁹ We pronounce Magna Carta of 1215 the Paragon of Constitutions!

It is our desire that our People be brought by ongoing education to learn about the Constitutional Duty and Common Law responsibility of the People's administrations (government) to issue interest-free credit and fiat legal tender currency (cash and coin) to the economy. This socio-economic measure has unique, demonstrated fortifying benefits to national independence, infrastructure, security, defence, research and development, services, trade, industry and commerce, education and healthcare, enterprise, employment and productivity, the Arts and Sciences. Thus, the Restoration Amendment not only devolves due authority to the people through the Sovereignty of the Juror guaranteeing Liberty and Justice for all persons, but this Amendment shall also hereafter generate civil peace, unity and well-being to all the population with real prosperity widespread.

Our people being our greatest resource and national asset, the People's national Common Law-based economy shall fund (non-religious) crèches and kindergarten for working parents, and primary, secondary, tertiary and technical education freely. Likewise, fitting financial and healthcare assistance for our Ex-Servicemen shall be provided in due respect. We ordain that financial assistance and other succour for those disadvantaged shall be generously forthcoming from our government. Restoration is enacted to empower the populace to envision, create and sustain a virile, free, compassionate property-owning constitutional democracy prosperous as never before; the best of all possible worlds; an illustrious exemplar among nations for others to emulate.

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There shall be no ‘cashless’ electronic economy to replace cash and coin completely, as has been mooted. There shall be no debt-based administrations’ figmental ‘borrowing’ of ‘credit’ or ‘money’ made from thin air and ‘issued’ by privately-owned banks and finance houses; no fraudulent Fractional Reserve Lending.

The People’s national government shall issue interest-free credit and currency sufficient to generate production and trade for all transactions and facilitate growth, whilst being responsibly regulated to avoid deflation and suppress inflation⁽¹⁸⁾. Restoration of the Constitution’s rule of law proffers widespread affluence throughout the population, which we assert no present party-politician can deliver to our people while the Illegality of the Status Quo continues to prevail²⁰. Our populace deserves truthful information about the advantages and benefits which will accrue to them and the country when people isolate and leave those political parties and organisations who do not stand for Restoration of our nation’s revered Constitution, its financial and political Independence, the national issuance of interest-free money and credit, and our People’s cherished heritage of Liberty and Equal Justice through Trial by Jury. Politicians who would prolong the Illegality of the Status Quo deserve prompt removal from office and replacement by newly-elected representatives.

We wish unpatriotic politicians, all of them, to be identified for what they are. The Restoration Amendment may be personally adopted and supported by all men and women of whatever political persuasion. However, it is predictable that most of the politicians and parties in the current corrupted system will be against our Restoration of the Rule of Law, proving them not only to be unpatriotic and anti-democratic (“against We the People”) but also essentially felonious. Such traitors are in breach of the Rule of Law, deserving of no respect and are due indictment. We emphasise that administrative governments are forbidden from borrowing at interest and individuals and banks are forbidden from lending at interest. The Owners and Principals of finance houses shall be penalised for committing the Common Law Crimes of Usury and Fractional Reserve Lending (fraud). This Amendment emplaces national issuance of interest-free credit and currency, eliminating the levying of tax for the paying to private bank-owners of ‘interest’ which is criminal usury and the ‘capital’ of faux ‘loans’ which are mere inscriptions in a ledger by pen or at the click of a computer’s ‘mouse’. Citizens require to be informed that, for the common good, the practices of Usury and Fractional Reserve Lending are now recriminalised. The criminally-incurred ‘national debt’ is hereby dissolved.

Apropos of the 2016 referendum, we specify that the economics of Restoration offers Remainers a spectacular incentive to become Brexiters—and to cease demands for a second referendum. Those who wish our nation to “remain” within the tyrannical European Union soviet system without Trial by Jury would, unwittingly or from self-serving complicity, bind us under a profoundly criminal, impoverishing, debt-based system. Quisling Remainers would not only surrender everyone’s right to self-governance, sovereignty and justice through Trial by Jury, but collaborate in the anti-democratic political ascendance of the private bankowner’s dictatorial control⁽¹⁸⁾. Remainers breach our Constitution and persons advocating such treachery shall henceforth be ostracised by us. Instead, however, Brexiters and those loyal to Common Law values and Trial by Jury in parliament have now passed this Restoration Amendment to bring social justice to economics, installing national issuance of currency and credit interest-free.

DEMOCRACY DEFINED

In recent years, many hundreds of statutes have been passed amounting to many scores of thousands of often complicated pages containing barely comprehensible committee-evolved doublespeak. In contrast, the seven-page Restoration Amendment which governs all legislation, is set forth and explained within a textbook of under three hundred. Legislation henceforth need be expressed in clear texts which conform to the straightforward standards and demands of Justice and Equity set and exacted by Common Law.

NOTES

In pursuance of the bureaucratic function of framing legislation and providing accompanying explication, and to render The Restoration Amendment's meaning and intent unequivocal, the enumerated annotation in this statute relates to definitive information within the textbook *Democracy Defined: The Manifesto* ISBN 978-1-902848-26-6.

1 Sovereignty. See Definitions Unalterable at Common Law; Chapter Three. As symbolic 'sovereigns' without sovereignty, monarchs may refer to themselves in the first person plural, the royal 'we', to act on behalf of all of the People, for it is the People, as distinct from head of state, parliament or government, who embody sovereignty both collectively, and individually through the Powers, Procedures, Rights and Duties of the Juror in Trial by Jury.

2 Legem Terræ, the Law of the Land and Realm, Common Law. See all Chapters; also specific Note with translation and pronunciation, Chapter One; definitions, commentaries, Chapter Three.

3 *Definition*. Treason; see Definitions Unalterable at Common Law, Chapter Three.

4 Magna Carta guides and governs the English executive, legislature, judiciary and People; thus, de facto, Magna Carta protects Peoples of Wales, Scotland and Northern Ireland whilst those nations remain politically united with England under Westminster parliaments.

5 *Definition*. Tyranny is defined (generally and at Common Law) as oppressive rule administered with injustice; the cruel and arbitrary use of authority; cf. Crime against Humanity; the Nuremberg Precedent, etc. See particularly Chapters One, Three, Five and Six.

6 Exposition on the authentic Trial by Jury is given in all Chapters.

7 Hellenic Greece of the Constitution of government by Trial by Jury received from the Athenians the *defining epithet*, demokratia; Democracy. Etymology, definition in Chapter One.

8 *Definition*. despotism; see section, The Foundational Principle Of Liberty, Chapter Two.

9 *Articles of Common Law* are inscribed into the 1215 Great Charter Constitution and upheld by this statutory instrument, The Restoration Amendment. See Chapters Three and Five.

10. *Definition*. Crime is defined as any act of injustice committed with malice aforethought; *mens rea* (pronounced *rayer*). Any 'act' means not only legislation but also physical acts.

11 *Definition*. judicable, that which may be Tried by Jury in a court of law.

12 Annulment by Jury; see exposition on Trial by Jury in all Chapters.

13 Expunction of Statutes by the Trial by Jury mechanism; Chapter Four.

14 If justices' moderation of a jury's sentence is deemed biased, illegal, or dubious, justice/s involved are liable to private Plaint, indictment and judgement at Trial by Jury; Chapter Four.

15 See the Juror's Duties; Chapter One.

16 *Definition*. Crime; see Chapter Three.

17 *Definition*. Treason; see Chapters Three, Five and Six.

18 & (18) Economic issues and common law; see Chapter Six. "Upon the whole it may be observed, that it is the highest Interest of a Trading Country in general to make Money plentiful; and that it can be a Disadvantage to none that have honest Designs." Read Benjamin Franklin, 1729, A Modest Enquiry into the Nature and Necessity of a Paper-Currency.

19 See John Milton: Selected Prose; Ed. C.A. Patrides, University of Missouri Press.

20 The Illegality of the Status Quo; definition, Chapter One; exemplification in all Chapters.

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THE RESTORATION AMENDMENT, id est, this statute re-establishing the legal supremacy of our world-respected, revered, binding 1215 Great Charter English Constitution and its exemplary RULE OF LAW, is for dutiful upholding by all conscientious, just-minded men and women of every party or political persuasion.

At coronations, opening of parliament and divers solemn occasions, we intend that all successive heads of state and their administrators, Servicemen and government employees shall ceremonially swear to bind themselves to uphold and be forever subject to the stipulations of the 1215 Great Charter Constitution Magna Carta.

By this Restoration Statute and by the irrevocable contract and treaty with the People, the 1215 Great Charter Constitution Magna Carta itself, on behalf of us and our heirs forever, the successive incumbent heads of state grant and guarantee to all men and women of the nation all the liberties stipulated by the Articles of Common Law in Magna Carta 1215, to be had and held by them and their heirs from us and our heirs forever. This freedom we shall observe, and our will is that it be observed in good faith by all our heirs, people and parliaments in perpetuity.

Signed.....*Head of State.*



The Restoration Amendment relates to, and is backed by, the legal / constitutional authorities, quotations, and references in:

DEMOCRACY DEFINED: *The Manifesto* ISBN 978-1-902848-26-6,
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