

<https://www.oathkeepers.org/fija-files-amicus-brief-in-ninth-circuit/> Oath Keepers Tue, 23 Feb 2016 17:29:42 +0000 hourly 1 <http://wordpress.org/?v=4.3.3> <https://www.oathkeepers.org/fija-files-amicus-brief-in-ninth-circuit/#comment-56864> Thu, 03 Dec 2015 20:19:43 +0000 <https://www.oathkeepers.org/?p=8705#comment-56864> There is a judge using misbehavior in the courtroom, breaking the Oath(s) (a felony and the crime of Perjury), and either ignorant of the lawful duties of a judge, or using criminal actions to pressure the jury to the only verdict that judges seems to want.

US Constitution, Article III, Section 1: “The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.”

Alexander Hamilton: “The standard of good behavior for the continuance in office of the judicial magistracy is certainly one of the most valuable of the modern improvements in the practice of government.”

John Adams: “It would be an absurdity for jurors to be required to accept the judge’s view of the law, against their own opinion, judgment, and conscience.”

U.S. vs. Dougherty, 1972: “The pages of history shine on instances of the jury’s exercise of its prerogative to disregard instructions of the judge.”

Early in US history, judges informed jurors of their nullification right. The first Chief Justice, and Second US President John Jay, told jurors:

“You have a right to take upon yourselves to judge both the facts and law.”

And “The jury has the right to judge both the law as well as the fact in controversy.”

Thomas Jefferson, in a letter to Thomas Paine: “I consider [trial by jury] as the only anchor ever yet imagined by man by which a government can be held to the principles of its constitution.”

John Adams: “It is not only his [the juror’s] right, but his duty... to find the verdict according to his own best understanding, judgment, and conscience, though in direct opposition to the direction of the court.”

Samuel Chase: “The jury has the right to determine both the law and the facts.”

Patrick Henry: “Why do we love this trial by jury? Because it prevents the hand of oppression from cutting you off... This gives me comfort, that, as long as I have existence, my neighbors will protect me.”

Thomas Jefferson: “...To consider the judges as the ultimate arbiters of all constitutional questions is a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy. Our judges are as honest as other men and not more so. They have with others the same passions for party, for power, and the privilege of their corps... and their power is more dangerous as they are in office for life and not responsible, as the other functionaries are, to the elective control. The Constitution has erected no such tribunal, knowing that to whatever hands confided, with the corruption of time and party, its members would become despots....”

Something extra to consider;

Justice Potter Stewart: “The 4th Amendment and the personal rights it secures have a long history. At the very core stands the right of a man to retreat into his own home and there be free from unreasonable governmental intrusion.”

Thomas Jefferson: “The several States composing, the United States of America, are not united on the principle of unlimited submission to their general government; but that, by a compact under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a general government for special purposes — delegated to that government certain definite powers, reserving, each State to itself, the residuary mass of right to their own self-government; and that whenever the general

government assumes undelegated powers, its acts are unauthoritative, void, and of no force: that to this compact each State acceded as a State, and is an integral part, its co-States forming, as to itself, the other party: that the government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers; but that, as in all other cases of compact among powers having no common judge, each party (the people) has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.”

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