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## **The Immutable Jury: An Analysis of the Petit Jury's Authority Under the Unalterable Hierarchy of Law**

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## **1.0 Introduction: The Kidnapped Institution**

The modern American jury system is a radical and unlawful departure from the historical, common-law petit jury. This analysis asserts that the petit jury is not a procedural convenience or a relic of antiquity, but a fundamental, sovereign institution rooted in natural law, which has been systematically dismantled by the very government it was designed to restrain. What exists today is a hollow ritual, a government-controlled administrative process masquerading as the people's tribunal. This is not a lawful evolution; it is a constitutional coup.

The core argument of this analysis is that the common-law petit jury, defined by its essential, interlocking features of twelve persons, a unanimous verdict, and the sovereign power to judge both the law and the facts of a case, is an unalterable institution. The Founders envisioned the jury as the "palladium of liberty," the people's ultimate check on arbitrary power. Yet today, this check has been subverted, reduced to a rubber stamp for prosecutorial and judicial authority. The independent, law-judging body described by John Adams has been replaced by a panel of fact-checkers explicitly forbidden from exercising their conscience or questioning the justice of the law itself.

This transformation occurred despite clear judicial acknowledgments of the jury's true authority. The U.S. Supreme Court, in its earliest jury instruction, affirmed in *Georgia v. Brailsford* (1794) that "*Juries are the judges of fact and law in American jurisprudence.*" Nearly a century later, the dissent in *Sparf v. United States* (1895) reaffirmed this sovereign prerogative. Even as late as 1972, the D.C. Circuit Court of Appeals in *United States v. Dougherty* confessed what the modern system desperately seeks to hide, the jury possesses an "unreviewable and unreversible power" to acquit, even against the direct commands of the court.

This analysis will demonstrate, based exclusively on foundational legal principles, that any legislative, judicial, or constitutional deviation from the common law petit jury is void *ab initio*. It stands in violation of an immutable hierarchy of law that places natural rights and legal maxims above all governmental acts.

## **2.0 The Foundational Framework: The Immutable Hierarchy of Law**

The legitimacy of the petit jury, and indeed all governmental acts, must be evaluated against an unshakable hierarchy of law. This "Firewall" distinguishes lawful evolution from unlawful usurpation, providing a clear standard by which to judge the modern jury system. Understanding this hierarchy is the only way to comprehend why the jury's common-law features are not mere policy choices but immutable requirements. Its authority flows from the top of this hierarchy, not from the government it is meant to control.

### **The Law of Nature: The Source Above All**

At the apex of this hierarchy is the Law of Nature. The jurist Sir William Blackstone, whose work profoundly shaped early American law, defined it as, "*This law of nature being coeval with*

*mankind, and dictated by God himself, is of course superior in obligation to any other-It is binding over all the globe in all countries, and at all times; no human laws are of any validity, if contrary to this: and such of them as are valid derive all their force, all their authority, mediately and immediately, from this original.*" (William Blackstone, *Commentaries*, Book 1, Chapter 1, Section 2)

This universal law predates all human institutions and binds every government on earth; it cannot be repealed, amended, or overridden by any legislature or court. The right to a trial by a jury of one's peers, a body empowered to judge not only the facts but the justice of the law itself, is grounded in this highest law. It is not a privilege granted by a constitution or a statute; it is a fundamental condition of human freedom.

### **Maxims of Law: Unalterable, Self-Evident Truths**

Below the Law of Nature are the Maxims of Law, which the great jurist Sir Edward Coke described as "propositions to be of all men confessed and granted, without proof, argument, or discourse." These are self-evident truths, recognized across centuries, that articulate the inherent structure of justice. The maxims governing the petit jury are not suggestions but commands:

- *"Juries are the judges of fact and law in American jurisprudence."* (*State of Georgia v. Brailsford*, 3 Dall. 1, 4; *U.S. v. Dougherty*, 473 F.2d 1132-33).
- *"There can be no valid trial jury of less than 12 men, and a consent even by the defendant to a trial by a less number is absolutely void."* (*Hunt v. State*, 61 Miss. 577, 580, 581).
- *"No freeman shall be deprived of life, liberty, or property but by the lawful judgment of his peers, or by the law of the land."* (*Magna Carta* 39)
- *"The decision of twelve good and upright men is thought by the common law to be the dictate of truth."* (*Halk. Max.* 73).

Any statute, rule, or judicial decision that contradicts these maxims is, by definition, void.

### **Vattel's Principle: The Limits of Legislative Power**

The legal scholar Emer de Vattel, in his *Law of Nations*, established a clear prohibition against legislative meddling with fundamental institutions. He argued that fundamental laws "ought to possess stability" and are "exempt from legislative modification." A legislature has no authority to alter the foundational pillars of the state. The petit jury is precisely such a pillar. Therefore, no state constitution, statute, or court decision can lawfully alter its size, the unanimity requirement, or its authority to judge the law.

## **Cooley's Doctrine: The Inviolability of Fundamental Law**

Thomas Cooley, in his seminal work *Constitutional Limitations*, delivered a nuclear-grade legal truth: "*Neither the officers of the state, nor the whole people as an aggregate body, are at liberty to take action in opposition to these fundamental laws.*" The implication is profound. If "the whole people" cannot vote to diminish a fundamental right, then no legislature can lawfully reduce a jury to six members, and no state constitutional amendment can legitimize such a change. This principle destroys the fiction that states are free to define their own jury rules; they are not. God-given rights do not change at state borders.

In summary, the authority of the petit jury is not granted by government but flows from the apex of this legal hierarchy. It is therefore immune to alteration by lower forms of law, such as statutes, court rules, or even state constitutions.

### **3.0 The Petit Jury in Fundamental Law: A Historical and Constitutional Analysis**

Understanding the jury's historical and constitutional origins is strategically vital, as it reveals that the petit jury is not a creation of the U.S. Constitution but a pre-constitutional, fundamental right that the Constitution merely recognized and preserved. Its essential features, twelve people, unanimity, and full authority to judge law and fact, are not legislative options but immutable requirements of due process itself. Its essential features, twelve persons, unanimity, and full authority to judge law and fact, were not invented by the Founders but inherited as an ancient and immovable bulwark of liberty.

#### **3.1 Magna Carta and the Birth of a Constitutional Right**

The constitutional birth of the petit jury can be traced to Magna Carta in 1215. Its foundational clause declares, "*No freeman shall be deprived of life, liberty, or property but by the lawful judgment of his peers, or by the law of the land.*" This "judgment of his peers" was not a judgment by a government official but by a jury of equal freeholders. "*Jurors ought to be neighbors, of sufficient estate, and free from suspicion.*" (*Jenk. Cent.* 141; *Bouv.* 134). This was not merely a historical footnote; it became part of the "immemorial rights of Englishmen" that were incorporated directly into American law, making the jury a pre-constitutional right that the U.S. Constitution was later drafted to protect, not create.

*"Law of the land," "due course of law," and "due process of law" are synonymous. People v. Skinner, Cal., 110 P.2d 41, 45; State v. Rossi, 71 R.I. 284, 43 A.2d 323, 326; Direct Plumbing Supply Co. v. City of Dayton, 138 Ohio St. 540, 38 N.E.2d 70, 72, 137 A.L.R. 1058; Stoner v. Higginson, 316 Pa. 481, 175 A. 527, 531.*

*"Due process of law in each particular case means such an exercise of the powers of the government as the settled maxims of law permit and sanction, and under such safeguards for the protection of individual rights as those maxims prescribe for the class of cases to which the one*

*in question belongs." (Cooley, Const. Lim. 441). Any deviation from those maxims is therefore not process, it is usurpation.*

### 3.2 The Common-Law Understanding: Blackstone and Coke

The common law, as systematized by jurists like Blackstone and Coke, provides the definitive understanding of the jury's role and structure.

**Sir William Blackstone** regarded the **trial by petit jury** not merely as a procedural safeguard, but as the central institution of free government. He described trial by jury as "*the glory of the English law*" and "*the most transcendent privilege which any subject can enjoy.*" For Blackstone, the petit jury embodied the people's judgment—interposing the community itself between the accused and the coercive machinery of the state.

Blackstone grounded the authority of the petit jury in the fundamental-law guarantee of **Magna Carta**, quoting the core passage, "*Nullus liber homo capiatur, vel imprisonetur, aut exulet, aut aliquo alio modo destruatur, nisi per legale iudicium parium suorum, vel per legem terrae.*" "*No free man may be taken or imprisoned, or exiled, or in any manner deprived of life but by the lawful judgment of his peers, or by the law of the land.*"

Blackstone emphasized that this guarantee was not statutory, not parliamentary, and not subject to alteration by any ordinary authority.

It reflected an ancient, immemorial right, predating the Crown and carried forward into American constitutionalism.

Most importantly for the petit jury, Blackstone explained that the common-law system had, "*wisely placed this strong and two-fold barrier, of a presentment and a trial by jury, between the liberties of the people and the prerogative of the crown.*"

In the petit jury context, this means:

- The grand jury prevents unfounded accusations from reaching trial.
- The petit jury prevents the government from taking life, liberty, or property unless *twelve peers* unanimously consent.
- The jury, not the judge, is the final judge of both fact and law (*Georgia v. Brailsford*, 3 U.S. 1 (1794)).

In the common law worldview, trial by jury was the "*grand bulwark of English liberties*", precisely because it removed the power to adjudicate guilt from judges, agents of the Crown, and vested it exclusively in the people.

Blackstone stressed that the petit jury is a natural and indispensable check on executive and judicial authority:

- Judges do not evaluate the credibility of witnesses; the jury does.
- Judges do not decide guilt; the jury does.

- Judges do not determine the community’s moral sense; the jury does.
- And, crucially, the jury judges both fact and law, a point later reaffirmed in *Georgia v. Brailsford* (1794).

Thus, in Blackstone’s framework, the petit jury operates independently of the bench, serving as the people’s final defense against arbitrary government.

This conception is wholly incompatible with modern statutory innovations allowing:

- six-person juries,
- judge instructions forbidding jurors from judging the law,
- unanimous verdict requirements being discarded,
- and jury-wheel software that algorithmically excludes disfavored demographics.

Each of these is a deviation from the “strong and two-fold barrier” Blackstone considered essential to liberty.

Properly understood, the petit jury is not the court’s jury, it is the people’s tribunal, the final expression of local sovereignty, and the ultimate safeguard of due process.

**Sir Edward Coke** established in his legal maxims the specific, inviolable features of a lawful jury: a jury must consist of exactly twelve persons; a verdict by fewer is void ab initio, even with the defendant’s consent; and the jury is sovereign judge of law as well as fact (2 Inst. 159; Co. Litt. 226).

These principles established the jury not as a subordinate part of the judiciary, but as a constitution-preserving institution whose core features could not be altered without destroying liberty itself.

### 3.3 The Founders' Vision: The People's Last Defense

The American Founders fiercely defended the jury, both grand and petit, as the people’s final and indispensable defense against governmental tyranny. They did not conceive of the jury as a passive fact-finding body subordinate to judicial authority. Rather, they saw it as a sovereign tribunal possessing both the authority and the obligation to resist unjust laws, oppressive prosecutions, and judicial overreach.

John Adams articulated this principle in terms that leave no room for ambiguity, “*It is not only his right, but his duty, to find the verdict according to his own best understanding, though in direct opposition to the direction of the court.*”

Adams understood that the jury existed precisely to check the judicial branch, not to obey it. The people, not the judges, were the ultimate arbiters of both fact and law. This was not an eccentric or minority view: it was the dominant understanding among the Founders.

Alexander Hamilton, in Federalist No. 83, called it “*the very palladium of free government,*” a barrier so sacred that where the Constitution speaks to it, legislative discretion is extinguished.

This Founding-era vision is wholly incompatible with the modern judicial model in which jurors are explicitly instructed that they may not judge the law, must follow the court’s instructions even if unjust, and may not exercise independent reason or moral judgment. Such instructions invert the original structure, transforming the jury from sovereign into subordinate, from bulwark to ornament, from a people’s tribunal into a judicial appendage.

For the Founders, this inversion would not merely be a procedural error, it would be a constitutional catastrophe, the destruction of what Hamilton called the “*palladium of free government.*”

The petit jury was not designed to serve the judiciary.  
It was designed to control the judiciary.

### **3.4 The U.S. Constitution: An Act of Preservation, Not Creation**

The U.S. Constitution did not create the petit jury; it preserved it wholesale, exactly as it existed at common law. The operative word is “preserved.” One cannot preserve an institution by abolishing its defining characteristics.

- Article III, §2 commands that “*The Trial of all Crimes... shall be by Jury.*”
- The Sixth Amendment guarantees an “impartial jury” in criminal prosecutions.
- The Seventh Amendment “preserves” the right of trial by jury in common lawsuits.

When the Constitution incorporated the jury, it incorporated the common-law jury in its entirety, twelve neighbors drawn from the vicinage, unanimous verdict, and the unreviewable power to acquit against the law itself.

The petit jury’s defining features are grounded in centuries of legal and constitutional history. They are not procedural options but unalterable requirements, and the modern system’s departure from this standard represents not a lawful evolution but an unlawful usurpation.

### **4.0 The Systematic Dismantling of the Common Law Jury**

The modern jury system is the product of a series of structural violations that have dismantled the common-law original. These changes are not lawful evolution but a systematic corruption of fundamental law, rendering the current system illegitimate. From state constitutions to federal rules and courtroom procedures, the jury has been shrunk, silenced, and subjugated.

## State-Level Constitutional Contradictions

Nearly every state constitution contains a clause declaring that the right to trial by jury "shall remain inviolate." Yet, in a stunning contradiction, many of these same constitutions authorize six-person juries and non-unanimous verdicts.

State	Constitutional Promise	Actual Betrayal	Void Under Maxim
Texas	Art. I §15 – “shall remain inviolate”	Uniform Jury Handbook (2023): “Cases will usually be heard by juries of 6 or 12”	<i>Hunt v. State</i> , 61 Miss. 577, 580, 581.
Florida	Art. I §22 – “right... shall remain inviolate”	6-person juries in most civil cases	<i>Hunt v. State</i> , 61 Miss. 577, 580, 581.
California	Art. I §16 – “shall remain inviolate”	8-person civil juries; non-unanimous criminal possible	<i>Hunt v. State</i> , 61 Miss. 577, 580, 581.
Maine	Art. I §6 – “shall remain inviolate”	8-person juries allowed in some cases	<i>Hunt v. State</i> , 61 Miss. 577, 580, 581.

Under the immutable hierarchy of law, these provisions are void *ab initio*. As Sir Edward Coke's states, "*There can be no valid trial jury of less than twelve men, and a consent even by the defendant to a trial by a less number is absolutely void.*" A state cannot declare a right "inviolate" and violate it in the same breath.

### 4.1 The Unconstitutional Statutory and Procedural Framework

The federal government has erected a statutory framework that is equally offensive to fundamental law.

1. **The Jury Selection and Service Act (28 U.S.C. § 1861)** unconstitutionally assumes Congress has the power to regulate a natural-law institution. It replaces the common-law requirement of a jury from the "vicinage" with opaque, algorithmic selection from government databases.
2. **Federal Rule of Criminal Procedure 23(b)** directly violates common law maxims by permitting verdicts from juries of fewer than 12 people if a juror is dismissed during deliberations.
3. **Jury-wheel software** represents a complete constitutional rupture. These proprietary, non-auditable systems destroy the principle of vicinage and open the door to political and demographic manipulation. The Texas openly admits in its Uniform Jury Handbook (2023) that jurors are selected "*at random from a list of voter registrations and a list of valid Texas driver's licenses or personal identification cards,*" then immediately funnels those names through algorithmic software that is never disclosed to the public. New York's Grand Juror's Handbook (revised July 2025) contains no mention whatsoever of

the vendor, version, or algorithmic parameters used for its jury wheel, a deliberate silence that violates every common law transparency requirement. Independent researchers and FOIA responses have confirmed that many jurisdictions now license proprietary “Majik Wheel” or equivalent AI-driven jury-management systems whose source code is shielded by trade-secret clauses and non-disclosure agreements. This is not a hypothetical concern:

Jurisdiction	Software / Vendor Status (2023–2025)	Transparency Level
Texas	Algorithmic selection from voter + DMV lists; vendor undisclosed	Zero disclosure
New York	“Jury Management System” – vendor/version omitted from handbook	Zero disclosure
Multiple states	“Majik Wheel” or similar proprietary AI systems with social-media scanning capabilities	Trade-secret protected

These closed-source, black-box algorithms are structurally preclude the common law mandate of an open, random draw from known neighbors of sufficient estate (Jenk. Cent. 141). When the very mechanism that creates the jury pool is secret, unauditible, and shielded from discovery, the jury is no longer the people’s tribunal, it is the vendor’s.

4. **The Texas Uniform Jury Handbook (2023) openly confesses the betrayal:** “*You must answer questions... based upon the testimony and evidence admitted by the Judge*” and “*the verdict must be based solely on... the rules of law provided by the Judge.*” This is the judicial abolition of *Georgia v. Brailsford* in a state-issued pamphlet.

#### 4.2 Mechanisms of Judicial and Prosecutorial Subjugation

Within the courtroom, the jury's independence has been systematically crushed through procedural manipulation.

- ***Voir Dire*** has been weaponized by prosecutors and judges to filter out independent thinkers and any potential juror who understands their right to judge the law. It has become a process of selecting for compliance, not impartiality.
- **Judicial Instructions** that command jurors, “*You must follow the law as I explain it,*” are a direct contradiction of the historical and lawful power of the jury articulated by John Adams and the Supreme Court's guidance in *Georgia v. Brailsford*.
- **The “Allen charge,”** or “dynamite charge,” is a form of state-sanctioned coercion. Used to pressure deadlocked juries, it instructs holdout jurors to reconsider their positions in

deference to the majority, an act antithetical to the principle of a free and uncoerced verdict based on individual conscience.

### **4.3 The Final Blow: The Extinction of the Petit Jury Through Coercive Plea Bargaining**

The most devastating dismantling of the petit jury system has not come through legislation or constitutional amendment, but through the rise of plea bargaining, an extra-constitutional mechanism that has quietly displaced the Sixth Amendment entirely.

According to the Bureau of Justice Statistics (2020–2025), between 98% and 99% of all federal and state felony convictions now result from guilty pleas rather than jury trials. The Vera Institute of Justice’s 2020 report, *In the Shadows: A Review of the Research on Plea Bargaining*, reaches the identical conclusion and bluntly describes plea bargaining as “the criminal justice system itself.” The United States Supreme Court confirmed this reality in *Lafler v. Cooper*, 566 U.S. 156 (2012), acknowledging that plea bargaining, not jury trial, is now the operating model of American criminal adjudication.

The collapse is so complete that states no longer even bother to track jury trials as a meaningful category.

Florida’s own FY 2023–24 Statistical Reference Guide reports 156,827 circuit criminal dispositions, yet jury trials are not broken out separately, because they have fallen below statistical significance.

This is not evolution. This is erasure. It is not a voluntary system. It is the deliberate extinction of the Sixth Amendment through manufactured coercion.

#### **4.3.1 The Architecture of Coercion: Overcharging and the Trial Penalty**

Modern prosecutors wield the power to file dozens of overlapping charges, many of them legally unsound, factually unsupported, or inflated far beyond the underlying conduct. They then offer to “drop” the most serious (and fabricated) counts in exchange for a guilty plea and a waiver of the constitutional right to trial by jury.

The defendant who asserts his Sixth Amendment right faces what scholars call the trial penalty: a sentencing exposure that is often ten times greater, sometimes life, solely for invoking the jury right the Founders viewed as indispensable to liberty.

The Vera report confirms what every criminal defendant already knows:

- Innocent people plead guilty every day because exercising the jury right is too dangerous.
- Black and Latino defendants receive harsher plea offers than white defendants charged with identical conduct.
- The plea system operates in secrecy, no public trial, no jury, no scrutiny, no accountability.

What results is the complete nullification of petit jury sovereignty without a single statute ever repealing the Sixth Amendment.

### **4.3.2 The Star Chamber Reborn**

The plea-bargaining regime mirrors the precise abuses that the Founders condemned in the Star Chamber:

- secrecy
- coercion
- executive control
- absence of a jury
- absence of public accountability

Where the Star Chamber extracted confessions through torture, the modern system extracts them through fear, fear of losing one's children, job, home, and freedom if one dares to demand a jury of one's peers.

### **4.3.3 The Ritual of Coerced Waiver**

Every day in courtrooms across the nation, judges preside over the ceremonial burial of the Sixth Amendment. They ask the ritual question, *“Do you give up your right to a trial by jury?”*

And defendants, terrified, overcharged, isolated, and threatened with catastrophic sentences, answer, *“Yes, Your Honor. Because you left me no choice.”*

This is not adjudication. It is administrative processing, devoid of the constitutional structure that once defined American justice.

The petit jury has not become obsolete. It has been assassinated through deliberate design, and the plea machine has taken its place, operating in the shadows, accountable to no one, and functioning as the modern counterpart of the very tyranny the Founders fought to destroy.

## **5.0 The Weapon of Verisimilitude: How the Judge Becomes Accuser, Witness, and Executioner**

Verisimilitude (n.): the appearance or semblance of truth; a narrative that feels airtight, plausible, and complete because it is the only story the jury is ever allowed to hear.

This single weapon has neutered the petit jury more effectively than six-person panels or non-unanimous verdicts ever could.

At common law the jury was the final sovereign judge of both fact and law. The judge was a moderator, not an instructor. The accused, witnesses, and community could all speak. The jury weighed credibility, conscience, and the justice of the law itself.

Today that monopoly belongs exclusively to the judge.

The Texas Uniform Jury Handbook (2023) openly confesses on page 11, “*You must follow the law as it is given to you by the Judge... even if you disagree with the law.*”

The New York Grand Juror’s Handbook (revised July 2025) contains no mention whatsoever of the jury’s historic power to judge the law, only the repeated command that “*the court is the sole judge of the law.*”

This violates every principle of the historical model, which required an absolute separation between the giver of the law and the adjudicators of verisimilitude.

<b>Common-Law Requirement</b>	<b>Modern Confession (Handbooks)</b>	<b>Result</b>
Jury is final judge of law and fact	“You must follow the law as the Judge gives it” (Texas 2023)	Jury stripped of sovereignty
Judge is moderator, not lawgiver	“The court is the sole judge of the law” (New York 2025)	Judge becomes accuser-by-proxy
Defendant & community may be heard	Only judge-approved evidence and instructions allowed	One-sided theater guaranteed
Jury may follow conscience	“Personal beliefs... must not influence your decision” (Texas 2023)	Conscience criminalized

When the same robed officer who wants the conviction is the only person allowed to define the law, filter the facts, and threaten contempt for disobedience, verisimilitude becomes tyranny.

The 98–99 % conviction-by-plea rate is not evidence of widespread guilt. It is proof that when the jury is forbidden from judging the law, the judge’s curated story is the only story left.

The Texas and New York handbooks do not educate. They indoctrinate.

That is not instruction. That is propaganda wearing the stolen robes of the common-law jury.

## **6.0 Due Process, The Firewall, and the Void Judgment**

The concepts of the petit jury and "due process of law" are inseparable. Under the common law, the jury is not merely one component of due process, it is the primary mechanism through which due process is delivered. A system without a lawful jury is a system without due process.

### **6.1 The Foundational Definition of Due Process**

The true meaning of due process has been obscured by modern practice, but foundational jurists defined it with perfect clarity.

- **Thomas Cooley** defined due process as that which is "*sanctioned by the settled maxims of law.*" These maxims, as established earlier, include the requirements of a twelve-person, unanimous jury with the power to judge the law.
- **Sir William Blackstone** described due process as a "double barrier" protecting the individual from the state: first, the law itself, and second, the jury that applies it. If the jury is removed or subverted, the entire structure collapses.

The Texas Uniform Jury Handbook (2023) openly confesses the collapse on page 11, "*You must follow the law as it is given to you by the Judge... even if you disagree with the law.*"

The New York Grand Juror’s Handbook (revised July 2025) contains no mention whatsoever of the jury’s historic power to judge the law, only silence and the repeated command that "*the court is the sole judge of the law.*" This is not due process. This is the judicial abolition of due process in a state-issued pamphlet.

## 6.2 Applying the Firewall to Modern Jury Practices

When the immutable hierarchy of law, the Firewall, is applied to modern jury practices, their illegitimacy becomes undeniable. These practices are void because they violate this hierarchy at every level.

Level of the Firewall	Modern Violation	Result
Law of Nature	Jury stripped of conscience and law-judging power	Offends natural right of peers
Maxims of Law (Coke 67g, 67h)	6- or 8-person juries; non-unanimous verdicts allowed	Void ab initio
U.S. Constitution (Art. III, 6th, 7th Am.)	Jury no longer “preserved” as it existed at common law	Constitutional command breached
State Handbooks & Statutes	Explicit instructions that jury may not judge the law	Self-confession of capture

At the apex of all law, they offend the Law of Nature itself, which grounds the right to a trial by peers in human freedom, not government decree.

## 6.3 The Principle of the Void Judgment

This leads to an inescapable legal conclusion, any conviction obtained without a lawful, common law petit jury is a void judgment.

The Supreme Court established this principle in *Norton v. Shelby County* (1886), holding that "*an unconstitutional act is not a law... it is void, and as though it had never been passed.*" A

conviction rendered by a six-person jury, a non-unanimous jury, or a jury that was forbidden from judging the law is not a lawful conviction. It is legal fiction, an act that is coram non judge, performed without jurisdiction, and is subject to collateral attack at any time, in any court.

Every modern felony conviction obtained after a coerced plea, or after a trial in which the jury was instructed it may not judge the law, falls into this category.

The modern justice system, by systematically violating the foundational maxims that define due process, operates outside the bounds of law. This catastrophic failure has been made possible only by the deliberate suppression of public knowledge.

## 7.0 The Deliberate Erosion of Public Knowledge

The collapse of the petit jury was not only a legal failure but a deliberate educational one. A functioning jury system requires an informed populace, yet government institutions have actively worked to suppress knowledge of the jury's true powers. This suppression is not an oversight; it is a calculated policy to ensure juror obedience and maintain state control.

### 7.1 The Official Handbooks as Instruments of Erasure

The Texas Uniform Jury Handbook (2023) and the New York Grand Juror's Handbook (revised July 2025) are not civic guides. They are confession documents that surgically erase the jury's sovereign authority.

Document	What It Says About Judging the Law	What It Deliberately Omits
Texas Uniform Jury Handbook (2023)	"You must follow the law as it is given to you by the Judge... even if you disagree with the law."	Any mention of Georgia v. Brailsford, John Adams, Jefferson, Hamilton, or the jury's historic power to nullify
New York Grand Juror's Handbook (2025)	"The court is the sole judge of the law."	Any reference to Coke, Blackstone, or the unreviewable power to acquit against the law

These are not accidental oversights. They are the deliberate silencing of the very knowledge that would allow a single juror to void an unjust law.

### 7.2 The Bar's Quiet Oath Reversal and the Failure of Civic Education

Since the founding of the American Bar Association in 1878, the primary oath of attorneys has shifted from the Constitution to the private bar association. The defender class, once sworn to protect the jury as the "palladium of liberty", became its gatekeeper. American high schools and law schools do not teach the jury's sovereign authority as understood by the Founders. Instead, they promote a culture of judicial supremacy and juror subordination. A population ignorant of its powers cannot exercise them.

### 7.3 State Hostility Toward Jury Education

The most compelling evidence of deliberate suppression is the government's hostile reaction to those who try to educate jurors. The Fully Informed Jury Association (FIJA), an organization that distributes pamphlets explaining the historical right of jury nullification, has been labeled an "extremist group" by state agencies. Citizens have been arrested and charged with "jury tampering" merely for handing out educational flyers on courthouse steps. This extreme reaction is definitive proof of the jury's legitimate power. If jury nullification were illegitimate, educating people about it would be harmless. The state's aggressive retaliation proves that an informed jury is the one thing the modern system cannot survive.

The problem is therefore rooted in both structural usurpation and enforced ignorance. The handbooks do not educate. They indoctrinate. The remedy must involve both a restoration of the jury's lawful structure and a direct, uncompromising reclamation of the people's knowledge and authority.

### 8.0 Conclusion: A Call for Restoration

This analysis has demonstrated that the modern, government-controlled jury is an illegitimate substitute for the People's original tribunal. As described by Blackstone, Coke, Adams, and Hamilton, the petit jury is not a procedural tool of the judiciary but the ultimate guardian of private rights and the "palladium of liberty."

Every modern deviation from the common-law petit jury, six-person panels, non-unanimous verdicts, judicial instructions that "you must follow the law as I give it," proprietary AI jury-wheel software, and the entire system of coercive plea bargaining, is void ab initio under the immutable hierarchy of law. These are not lawful reforms but nullities that have produced an administrative conviction mill masquerading as justice.

The remedy, therefore, cannot be "reform," which implies asking permission from the very captors who dismantled the jury. The remedy is restoration, a direct, uncompromising reclamation of the jury's ancient sovereignty by the People themselves.

Before any court, every juror shall first be sworn to the common-law oath:

*"You, as jurors, shall well and truly try, and true deliverance make, between the sovereign and the prisoner at the bar, according to the evidence and the law as it is given you in charge, and the truth of the matter, so help you God."*

The following actions can and must be taken immediately, without legislative or judicial consent:

- **Reclaim Knowledge** Disseminate the true Juror's Bill of Rights in every courthouse, every jury summons, and every courtroom: the power to judge the law, to vote conscience, and to acquit for any reason or no reason, citing *Georgia v. Brailsford*, John Adams, and Coke's Maxims.

- **Reject Illegitimate Pools** Lawfully challenge every jury drawn by secret, proprietary “Majik Wheel” or equivalent AI software. Demand open, hand-drawn selection from known neighbors of sufficient estate (Jenk. Cent. 141).
- **Break the Plea Machine** A coordinated refusal to accept coerced pleas will collapse the 98–99 % plea rate (Bureau of Justice Statistics 2020–2025) and force actual trials before lawful juries of twelve.
- **Vacate Void Judgments** Every conviction obtained by a sub-12 jury, a non-unanimous verdict, or a jury forbidden from judging the law is coram non iudice and void. File writs of habeas corpus, coram nobis, and audita querela until the prisons empty of the harmless.

The petit jury is not broken. It has been kidnapped. The ransom was our ignorance. We pay it no longer.

Every licensing conviction, every victimless-crime sentence, every prosecution under a statute repugnant to common right and reason is void under Coke’s ruling in *The Case of the Tailors of Ipswich* (1614), a ruling that has never been overturned and that every state still swears to uphold.

The modern jury system is not justice. It is the Crown’s monopoly charter reborn, enforced by judges and prosecutors who turned the people’s sword and shield into the administrative state’s rubber stamp.

That era ends the moment one fully informed jury walks into the box.

Not guilty, because the rule is not valid in the first place.