

When government officials and public employees ask a court to resolve a conflict the judge always fails to consider that there is a third-party to the case. He and the parties he recognizes leave the most important stakeholder out of the loop.

On 2014 July 3, a Channel Two reporter commented on the case of public employee contract pension provisions v. a new Illinois statute that reduces benefits. The commentator said that the judge had apparently determined that 'a promise is a promise is a promise'.

The commentator - like the judge - overlooked the facts about who has promised what to whom. More than one promise is involved in the case.

The men who founded the US promised taxation with representation. Unfortunately, their definitions of representation are too vague to enforce. The vagueness defeats all taxation.

If it is possible to find a provision in any constitution that defines representation directly - rather than by implication and context clues in other provisions - the definition defies the standard definition of the word.

An individual person can have no other representative than the agent he hires himself for himself. The only exception would be a person who's been declared unfit by other persons. The exception exists only if it can be proved that the right to declare another person unfit is among the fundamental rights of all persons.

The electoral component of democracy depends entirely on the idea that 100% of adults are fit to handle government affairs as well as their personal affairs; because - if voters aren't fit to handle government affairs - how could they possibly determine which candidate is fit to handle government affairs on their behalf and in their best interest?

Nonetheless, most taxpayers suffer representatives they didn't choose, though they haven't personally been declared unfit.

The idea is fundamentally undemocratic that Person A can make a mark in a polling booth that puts Person B in an office where he can appoint Person C to sign a contract with Persons D-Z that obligates Person A's neighbor to give Persons D-Z his money - though the neighbor had decided that Person B and his opponent were both jerks and it was in the best interest of both himself and his country to not vote.

Voter turnout is often quite low at elections. A representative - as defined by context clues in constitutions - might have achieved office with votes from a minority of registered voters.

The number of registered voters is usually much smaller than the number of people qualified to vote in the district. The number of people qualified to vote in a district is often much lower than the number of people who pay property and sales taxes in a district.

Thus, what an individual member of a legislature agrees to is usually taxation without representation for the majority of taxpayers in the district.

A bill can pass into law on the vote of a mere 50% of the members of the legislature. Multiply 0.50 times the percentage of taxpayers who put the 50% in office, and representation is a pitiful pittance of the population.

The idea is doubly undemocratic when Persons D-Z are the majority of people who vote, because, as public employees, they're the only people with something to gain, rather than lose, by electing anyone to a government office and its alleged powers.

The constitutional provisions that allow such travesties disenfranchise the majority of taxpayers. Members of the disenfranchised majority are then forced by law to fulfill the provisions of contracts they never signed and never gave anyone else their consent to sign on their behalf.

Promises being promises being promises, everyone with government jobs, including the judge in the pension case, have violated one of the most fundamental principles of democratic government.

To make matters worse, if they demand money by a property tax that they enforce with a threat to seize a home if the owner doesn't give them money to fulfill the contract he didn't agree to, the seizing of his property violates the contract that a president of the United States signed at the original sale. The original contract guarantees the property to the original purchaser and his heirs and assigns forever. The template in the prototype 1785 (may) Land Act has no small print to break the promise. US governments exist to protect the persons and property of its citizens and no other purpose.

Government employees - both retired and still working - are the definition of a circular argument. When they circle around their victim, like thieves on a barrio street, they pass explanations around their circle to excuse what they're doing. Their excuses might make sense to them, but, hopefully, not to their victims and everyone else.

Social Security is good enough for most of the public. Social Security ought to be good enough for the public's servants.

To Distribution List

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Re: The Courts and Public Employee Pension Funds

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