

# REPRESENTATION

## TIME FOR DEMOCRACY

top illustration:  
Parthenon, west elevation  
Temple to Athena Parthenos (the Virgin), Athens, Greece  
Memorial in gratitude to Athena for victory against Persian invaders in the battle at Marathon in 490 BC  
The Parthenon is also a promise to Athenians that they would never again be violated as they were when Persians razed the Acropolis in 480 BC  
<https://s-media-cache-ak0.pinimg.com/736x/a2/aa/e6/a2aae60ed70c80863d26c0131fedb6e7.jpg>

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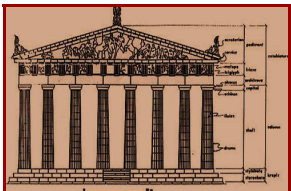


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historical records of US Congress

Consent in pdf format  
6 pages



(page 1 of 6)

We find even slaves have been enfranchised by the Great Republics in times of common danger.

Albert Gallatin, representing himself  
Contested Seat of Gallatin  
1793 December 2, 11, 31  
1794 January 1, 9, 10, 13, 16  
1794 February 10-11, 17, 19-22, 24-28  
Debates and Proceedings of the Congress of the United States  
with an Appendix, Third Congress (1793 Dec. 2 to 1795 March 3)  
Washington (DC): Gales and Seaton (1855).

Gallatin's election as a representative from Pennsylvania to the US Senate was challenged by his opponent, Conrad Laub, and others, on the ground that Gallatin didn't fulfill the requirement of citizenship. Burden of proof seemed to be on Gallatin.

1794 February 20, the debate started with a brief statement of facts by the Senate Committee assigned to the question. Gallatin arrived in Maine or Massachusetts from Switzerland 13 years before (1780). He contributed money and his services to the Revolution. He took an oath of allegiance and purchased lands in that State. He also purchased land in the backwoods of Virginia and brought in settlers from Europe. Then he went to Pennsylvania and was sent to their state convention.

Laub's attorney, Mr. Lewis, pointed out that Gallatin lived in Virginia only two months and didn't fulfill Virginia's citizenship requirements of two years residency and two oaths made in two courts. Mr. Lewis went on to say that one of the ancient Republics made it death for an alien to intermeddle in their politics. He then recurred to Blackstone, volume 1, pages 63, 64, 69, 73 and 79, though it wasn't his intention to quote British parliamentary law in support of anything, but (only) such parts of their Common Law as could be got over. It was then Gallatin's turn to speak, but because English Common Law was new to him, he asked for a recess until the next day.

1794 February 21, debate continued. Gallatin spoke of Blackstone and English Common Law, as well as the naturalization laws of Virginia. The difference between them is that, for England and its colonies, naturalization is an act of allegiance to the King by people who serve the King's interests. In the King's former colonies, naturalization is an act of allegiance to the country or to the society ('the people').

In Gallatin's understanding of the Revolution, the 1776 Declaration of Independence destroyed the colonists' allegiance to England. When the colonists joined forces against England, they became new citizens of the new states; and the citizens of each new state became citizens of all new states by reciprocity. Gallatin was in Massachusetts in 1780. Common sense dictates that he had the same rights of citizenship as the great body of Massachusetts inhabitants at the time.

Gallatin said that Laub's attorney made a mistake when he brought up the policies of the ancient Republics and other nations, 'For we find even slaves have been enfranchised by the Great Republics in times of common danger.' (pages 51-56)

1794 February 28, the Senate voted yes to void Gallatin's election. The evidence the Senate committee had worked with was then inserted in the debate. (pages 57-62)

While Gallatin's seat was contested, he voted on several propositions, including one involving the US Treasury. Though Gallatin lost his seat in the Senate, he later became US Treasurer and entrusted with the sale of US land.

The Senate doors were open during the Contested Seat of Gallatin debate because of a concurrent debate about why and how much Senate proceedings should be transparent.

1794 January 16, motion by Mr. Martin that the Senate adopt the following resolutions:

Resolved, that in all representative governments, the representatives are responsible for their conduct to their constituents, who are entitled to such information that a discriminative and just estimate be made thereof.

Resolved, that the Senate of the United States, being the representatives of the sovereignties of the individual States, whose basis is the people, owe equal responsibility to the Powers by which they are appointed, as if that body were derived immediately from the people.

...

The Congress of the United States had recently been reconstituted under the US Constitution of 1787 September.

Previously, the US Congress had been the Continental Congress; and it had operated under two previous constitutions, the 1774 Articles of Association and the 1781 Articles of Confederation. The Continental Congress had only one house; and legislators of the new, self-declared states appointed members to it.

The old Congress combined all three functions of government in the one house. Appointed Representatives performed legislative, executive and judicial functions. When the 1787 US Constitution divided the Congress into two houses, it also divided the functions of government into three branches. State legislators continued to appoint representatives to the Senate or upper house of the new US Congress until the Constitution was amended later.

The sovereignty of the new states is a constant question in US government; and not even the intense violence and destruction of the Civil War resolved the issue one way or another.

By sovereignty, debaters in the Third Congress meant that each new state, large or small, is an independent nation and has the same status as well-established nations like England, Sweden, France, Spain, and Russia. In other words, Rhode Island or Delaware could stand on its own two feet and defend itself successfully in the family of squabbling nations (The World), though even giant Virginia couldn't do it alone.

The 13 former colonies needed a term for what they were and are, but state isn't it. State is a conceit, or a grandiose pretension. State means that the former colonies didn't have to combine forces to wage and win a war against England. State means Benjamin Franklin wasn't serious when he said the colonies would hang separately if they didn't hang together. State means the revolutionary symbol of the 13 colonies as segments of a slithering snake wasn't an accurate image of how revolutionaries thought of and saw themselves.

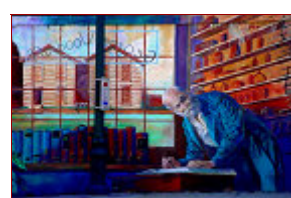
Nonetheless, the international definition of state at the time of the American Revolution was a nation that can stand on its own two feet and defend itself in the squabbling family of nations.

(continued on page 2 of 6)

The website is a work in progress.

All texts are drafts.

The author takes it for granted that you can say the same things better, and will.



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PREVIOUS

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top illustration:  
Hoe culture in the South. Negro farmhand. Near Birmingham, Alabama  
Lange, Dorothea (photographer) (1936 July)  
Farm Security Administration - Office of War Information Photograph Collection  
Library of Congress Prints and Photographs Division Washington, DC 20540 USA  
Call # LC-USF34- 009240-E [P&P]  
www.loc.gov/pictures/item/fsa1998021604/PP/  
lcweb2.loc.gov/service/pnp/fsa/8b29000/8b29500/8b29581v.jpg

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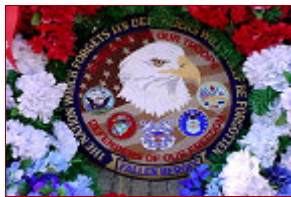


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Consent  
2010 February 3  
(war memorial on Lincoln Highway)



States  
168.4 mb  
2011 August 22  
(front porch in Rogers Park neighborhood, Chicago, Illinois)



The Stock Exchange  
a history of banking and investing  
(Hirst, 1911)  
(side yard of lakefront apartment building, Chicago, Illinois)



American Tariff  
From Journals of the Continental Congress and other records  
in which US founders wrote of taxes on imports, landed property and people  
(architectural drawing of a US customhouse at Library of Congress)



Liberty Documents  
(Hill & Hart, 1901)



Jefferson  
quotations from the works of Jefferson  
and scenes from places named Jefferson  
(mural at Library of Congress)



The committee appointed to take the state of our public affairs into consideration reported the following declaration and resolves: Whereas it is the first principle in civil society, founded in nature and reason, that no law of the society can be binding on any individual without his consent, given by himself in person, or by his representative of his own free election ...

Resolutions of the Boston Town Meeting  
1768 September 13  
Boston (MA). Boston town records [1631]-1822  
Boston: Municipal printing office, 1877-1906  
www.yale.edu/lawweb/avalon/amerrev/amerdocs/res\_boston\_1768.htm

6. ... all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage, and cannot be taxed or deprived of their property for public uses, without their own consent, or that of their representatives so elected, nor bound by any law to which they have not, in like manner, assembled, for the public good.

Virginia Bill of Rights (1776 June 12)  
in Virginia Constitution (1776 June 29)  
www.yale.edu/lawweb/avalon/18th.htm

VIII. That every member of society hath a right to be protected in the enjoyment of life, liberty and property, and therefore is bound to contribute his proportion towards the expence of that protection, and yield his personal service when necessary, or an equivalent thereto: But no part of a man's property can be justly taken from him, or applied to public uses, without his own consent, or that of his legal representatives.

Pennsylvania constitution (1776 August 28)  
www.yale.edu/lawweb/avalon/18th.htm

V. That all power being originally inherent in, and consequently, derived from, the people; therefore, all officers of government, whether legislative or executive, are their trustees and servants. and at all times accountable to them.

Vermont constitution (1777 July 8)  
www.yale.edu/lawweb/avalon/18th.htm

The voice of the representatives is not always consonant with the voice of the people. The resolution of the 15th of May has proved this. In the colonies of Pennsylvania and Maryland, it called forth the opposing voice of the freer part of the people, and proved them to be the majority. The backwardness of these two colonies might be ascribed partly to the influence of proprietary power and connections.

Jefferson, Thomas (1776 June 8).  
Notes of Debates to James Madison  
Journals of the Continental Congress, Volume 1

The ground of liberty is to be gained by inches. We must be contented to secure what we can get from time to time and eternally press forward for what is yet to get. It takes time to persuade men to do even what is for their own good.

Thomas Jefferson to Charles Clay (1790 January 27)  
Jefferson Murals. South Reading Room (east wall, left half)  
Adams Building. Library of Congress  
www.loc.gov/oc/walls/adams.html

It is little else than a name, where the government is too feeble to maintain all in the secure and tranquil enjoyment of the rights of person and property.

George Washington. Farewell Address (1796)

In place of that noble love of liberty and republican government which carried us triumphantly through the war, an Anglican, monarchical and aristocratical party has sprung up, whose avowed object is to draw over us the substance, as they have already done the forms, of the British government. The main body of our citizens however remain true to their republican principles. The whole landed interest is republican; and so is a great mass of talents. Against us are the Executive; the Judiciary; 2 of 3 branches of the legislature; all the officers of the government; all who want to be officers; all timid men who prefer the calm of despotism to the boisterous sea of liberty; British merchants; Americans trading on British capitals; speculators and holders in the banks and public funds (a contrivance invented for the purposes of corruption and for assimilating us, in all things, to the rotten as well as the sound parts of the British model). In short, we are likely to preserve the liberty we have obtained only by unremitting labors and perils, but we shall preserve them.

Thomas Jefferson to Philip Mazzei (1796 April 24)  
www.loc.gov (American Memory) (Jefferson Papers)  
Also anonymously in The Debates of Congress (1798 February 28)  
(Philip Mazzei was an Italian operative at the Spanish court)

As I would not be a slave, so I would not be a master. This expresses my idea of democracy. Whatever differs from this, to the extent of the difference, is no democracy.

(In the Declaration of Independence, US founders) grasped not only the whole race of man then living, but they reached forward and seized upon the farthest posterity. Wise statesmen as they were, they knew the tendency of prosperity to breed tyrants, and so they established these great self-evident truths, that when in the distant future some man, some faction, some interest, should set up the doctrine that none but rich men were entitled to life, liberty and the pursuit of happiness, their posterity might look up again to the Declaration and take courage to renew the battle.

(Dominant in me is) love of books, of pure science, of knowledge for its own sake, of a humanity creeping out of dark mist toward clear light.

Abraham Lincoln  
quoted by Sandburg, Carl (author)  
Abraham Lincoln, Volume 1: The Prairie Years  
New York: Dell Laurel Editions (reprinted by arrangement with Harcourt, Brace and Company, Inc.) (1926, 1954)

You can fool some of the people all of the time, and all of the people some of the time, but you can't fool all the people all the time.

Abraham Lincoln

And they sought to lay hold on him, but feared the people: for they knew that he had spoken the parable against them: and they left him, and went their way. And they sent unto him certain of the Pharisees and of the Herodians, to catch him in his words. And when they were come, they said unto him, Master, we know that thou art true, and carest for no man: for thou regardest not the person of men, but teachest the way of God in truth: Is it lawful to give tribute to Caesar, or not? Shall we give, or shall we not give? But he, knowing their hypocrisy, said unto them, Why tempt ye me? bring me a penny, that I may see it. And they brought it. And he saith unto them, Whose is this image and superscription? And they said unto him, Caesar's. And Jesus answering said unto them, Render to Caesar the things that are Caesar's, and to God the things that are God's. And they marvelled at him.

Mark 12:12-17  
King James Translation  
https://biblichub.com

Jeffrey F. Barr explains the passage from Mark 12 at:

Render Unto Caesar: A Most Misunderstood New Testament Passage  
2010 March 17  
https://www.lewrockwell.com

No more death. No more taxes.

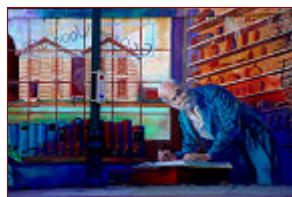
Darrell Mansfield (singer)  
in a Christian rendition of Ben E. King's Stand By Me  
long version (12 minutes 56 seconds)  
www.youtube.com/watch?v=yJWot19p4cc

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(page 3 of 6)

top illustration:  
Die helden der revolution (heroes of the revolution)  
General Washington standing with Johann De Kalb, Baron von Steuben, Kazimierz Pulaski, Tadeusz, Lafayette, John Muhlenberg, and other officers during the Revolutionary War  
Girsch, Frederick (1821-1895) (artist)  
New York (NY): H. Peters (between 1850-1890)  
Prints and Photographs Division, Library of Congress  
<http://www.loc.gov/pictures/item/95501838/>  
<http://cdn.loc.gov/service/pnp/cph/3g00000/3g03000/3g03300/3g03359v.jpg>

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historical records of US Congress

#### Baron

A member of the lowest grade of nobility.  
A feudal vassal holding his lands under a direct grant from the king.  
A member of the House of Lords.  
(US) An important financier or industrialist, especially one with great power in a particular area.

#### Baronage

The entire British peerage, including all dukes, marquesses, earls, viscounts, and barons.  
page 121 in Stein, Jess (editor-in-chief) and Urdang, Laurence (managing editor)  
The Random House Dictionary of the English Language  
New York (NY): Random House (1966-1967)

#### Baron

Originally, one of a class of tenants in chief of the king or other feudal superior holding by military or other honorable service, and apparently distinguished by the fact that the relief was not a fixed sum, but was to be agreed upon between the baron and his lord.  
Later, baron became restricted to the king's barons who were summoned to the council by writ, the greater, or great, barons by personal writ, the lesser barons by general writ.

Finally, the great barons, or peers, who were personally summoned to Parliament by writ from the time of Henry III, and hence were called barons by writ, hence, a peer of the realm; a noble.  
A nobleman of the lowest grade; or a nobleman of corresponding rank on the continent of Europe.  
One of the freeman of London, York, and certain other places, who were bound to suit and service as homages of the king.

#### Baronage

The whole body of barons or peers.  
page 185 in Webster, Noah, Harris, W.T. et al (editors)  
A Dictionary of the English Language  
Springfield (MA): G. & C. Merriam Company (1909, 1927)

#### Prerogative

In English law, prerogative means the residue of discretionary powers and legal immunities, which, by virtue of the common law, are at any time legally left in the hands of the king. English law has never clearly distinguished between the king's two capacities—

- (1) natural and confined to him, such as the rule that he is personally exempt from all jurisdiction, criminal or civil, and cannot be sued for debt;
- (2) extending to the whole government carried on in his name.

The king was completely identified with the state and even modern British constitutional law knows no such term as 'the state'. The state is the king. All writs run in his name. All indictable offenses are offenses 'against the peace of our lord the king, his crown and dignity.' All 'public' property is legally vested in the king. All statutory powers conferred upon the government are declared to be conferred on 'his majesty in council'. All money voted by parliament is voted to 'the king', even though it be appropriated by statute to public services from which the king is powerless to divert it.

The term 'crown' is occasionally used to mark the distinction between the king's government and the king's person. As the king was, and is, the 'government', the rule of immunity found a new application in the principle that no governmental acts or defaults could be the subject of legal proceedings. Carried to its logical conclusion, it would have resulted in the immunity of all the king's officers from being sued for their wrongful acts. But English law was, and is, too practical a science to be logical.

page 438E in Benton, William (publisher)  
Encyclopaedia Britannica (Volume 18: Plants to Raymond of Tripoli)  
Chicago/London/Toronto: Encyclopaedia Britannica, Inc. (c.1929-1960)

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.  
Article 1, Section 9, Clause 8 in US Constitution (1787 September)

The following pages contain the account of a Trial, for a Conspiracy against the constitution and government of this kingdom in which I have been made the principal defendant. The reader, however, will observe, that some circumstances occurred in the course of these proceedings which give them the complexion of a conspiracy against the Defendants, myself in particular. For the present, at least, I shall only briefly state that no falsehood or slander was too base or malignant, for my persecutors and their adherents, to invent and propagate, for the purpose of injuring my reputation, both as a merchant and as a man; nor was any attempt omitted that could irritate the public mind against myself and the other defendants; and consequently prejudice our cause.

When the rights of the public are attacked in the persons of individuals, the public are (and ought to feel) deeply interested in the rise, the progress, and the event of the conflict. I am in possession of a series of facts, which for this reason I doubt not would be deemed important, not only to myself, but, at least, equally to the public, and would illustrate, in some degree, the confession of Dunn (the evidence for the prosecution) that he was bribed to become my accuser.

Perhaps the secret movers of this iniquitous conspiracy may be traced, by tracing the conduct of their inferior agents; but the present publication would have been too long delayed, too much extended, and too miscellaneous, had the details been entered into, which were necessary to apprise the public of the progress of the persecution, with which the Defendants in this Trial have been harassed. But they shall not be forgotten. I may at some future time, if my health and my leisure will permit, give a sequel to this trial, which I have no doubt will throw some light on the secret machinations, and the open violence, alternately practiced against the Friends of the People.

Walker, Thomas (author)  
Advertisement (introduction)

The whole proceedings on the trial of indictment against Thomas Walker of Manchester, merchant (1794 June 28)  
<https://archive.org/details/wholeproceedings00gurn>

#### Propaganda

The making of deliberately one-sided arguments to a mass audience. Propagandists use every means of communication—oral, printed, pictorial, plastic, musical, dramatic—as soon as it is invented. The term is comparatively modern: in 1622, Pope Urban VIII established a college of cardinals to establish foreign missions for the propagation of the faith (propaganda de fe). The fact of propaganda is old. The Chinese Book of War describes propaganda for military purposes BC 400-500. Arthasastra, an East Indian classic, does the same. Ancient Greek and Roman manuals describe how to win wars and elections.

page 580 in Benton, William (publisher)  
Encyclopaedia Britannica (Volume 18: Plants to Raymond of Tripoli)  
Chicago/London/Toronto: Encyclopaedia Britannica, Inc. (c.1929-1960)

Up through the end of the American Revolution at a Treaty of Paris in 1783, the former colonies were corporations. They were as private and for-profit as Ford and Chrysler, IBM and Microsoft, ATT and Xfinity, ADM and Kellogg, Monsanto and Johnson & Johnson.

The colonies, like all other corporations, were created by charters issued by the appropriate government. The difference between royal charters for colonial corporations and allegedly democratic, so-called state charters for modern corporations is that colonial charters included a large grant of land. With the exception of state charters for railroads in the 1800s, the charters for US corporations usually don't include grants of land.

Some of the colonial corporations spoke of themselves as a Commonwealth. The corporations were chartered to the highest lords of England or to consortiums of influential merchants and other businessmen. The charters had no value unless common people were willing to travel to a colony and actually work. Noble grantees had to share colonial wealth with others to get wealth for themselves. Hence the term commonwealth.

European lords got their wealth by exchanging farm products harvested on their vast estates in Europe for products manufactured in Europe and on other continents, especially Asia. Colonizing other continents opened up new sources of raw materials and new markets for manufactured goods. But sooner or later, no matter how vast a nation's empire, the profit margin dwindles to a boring, if not downright distressing bottom line.

No matter how miniscule profits were, and regardless of whether a corporation was located in the homeland or in the colonies, noble CEOs had to pay taxes to their kings. When CEOs leased land to tenant farmers (peasants), farmers paid an agreed rent to their lord, who then paid as large or small a part of the income to his king as his king demanded. Leases were usually very long-term and covered many generations of a tenant farm family. Rent was fixed for the duration of the lease, and didn't take inflation into account. Lords had cause to unload their landed property and find another way to get and stay rich.

When CEOs used slaves (peons, serfs) to work their land, the arrangement was also long-term and perpetual. Noble estates were much more like than unlike a welfare state. If a lord or his overseer wasn't careful, slaves increased in number by sexual reproduction. Slaves who lived on the estates included helpless babies, silly children, pregnant and lactating women, and feeble-minded oldsters, as well as injured and mentally disabled persons. Slave populations were precursors of labor unions. To the extent slaves could specialize, they specialized and refused to do any work outside their specialty. Cooks didn't do stoop labor. Cleaning ladies didn't provide childcare. Slaves who tended animals avoided fence-mending and sowing. All CEOs had the same problem, so it was difficult to unload unproductive and excess slaves. Plantation owners were stuck with an increasing number of people to house, feed and clothe regardless of their productivity. Lords really, really had cause to unload landed property and find some other way to get rich.

To make matters even worse, a lord faced the possibility that as worthless as his vast estate was, he could lose it and the opportunity to unload it for whatever lump sum it would fetch at sale. By the time of the American Revolution, the practice of granting the lords titles and land had gone on for more than 1,000 years, beginning with the alleged death of the Roman Empire. A next generation king might not be thrilled with one or more of the noble families he inherited from previous kings. If a king could unload an incompatible lord and sign over his title and lands to one of his friends, a king would be as happy as a lord who unloaded excess slaves.

So, in the playbook of European monarchs and lords was a page on how to get rid of the old and bring in the new. The procedure wasn't pleasant. It involved unfounded complaints of treason, prosecution in a kangaroo court, dispossession, poverty, shame, and even death. One of the peculiarities of the 1787 US Constitution is that it specifically prohibits Old World power plays. The Constitution doesn't specify lords, but only lords could benefit from the prohibition. Nobody else had anything to lose. The Constitution prohibits the granting of new noble titles on US soil, but doesn't eliminate the old titles and the land grants associated with them. Indeed, US founders were scrupulous about respecting a law of nations that forces a new government to perpetuate the land grants of prior governments on the condition that grantees pledge allegiance to the new government.

The painting at the top of this page is of European lords lined up at Valley Forge to make their oath of allegiance to the new United States, a federation of many private, for-profit corporations. Lafayette had the benefit of large grants of future US soil from a French monarch. DeKalb, Von Steuben, and Pulaski weighed in on the democratic side in the conflict against monarchy because they expected to receive large land grants from Congress in payment for their services to the peoples' cause. Their donations were same-old-same-old. They donated their skills as military leaders along with cannon fodder conscripted from their European estates. If a lord died before Congress finalized his grant, his heirs hassled Congress until Congress gave in just to get them off the congressional back.

British lords knew that they'd keep their English grants whichever side they came out for, so they skipped the drama and photo ops during the Revolution. After the Revolution, the historical records of the US Congress referred to the lords as 'large landholders'. The reference seems to be an attempt to erase the fact that the major owners of democratic US soil had noble titles and sat in the House of Lords.

The adage that winners write history has a corollary. Winners might think it's to their advantage to portray themselves as losers.

American colonials went to war against England with a battle cry of Taxation Without Representation; and taxation without representation is exactly what the colonists got when they won the war. They were provoked to war by grossly exaggerated claims of George III and his Parliament's new Stamp Act.

Parliament revoked the Act before the shooting began. Even if the English upper crust had left the Stamp Act intact, it wasn't a tax as humans have come to know taxes. The Stamp Act was a fee schedule for government services such as processing corporate charters, bills of lading and other business papers, wills, birth, and death certificates that people pay without a whimper. Actual taxes levied on the former colonists went up and not down after they were alleged to have won the revolution.

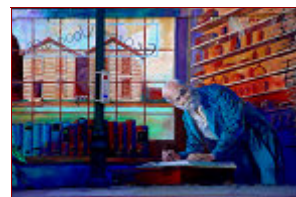
Revolution is both the worst and best word for events between 1774 and 1783. A revolution is one complete turn of a circle. At the end of a revolution, every point on the circle is back where it was when the turn started.

(continued on page 4 of 6)

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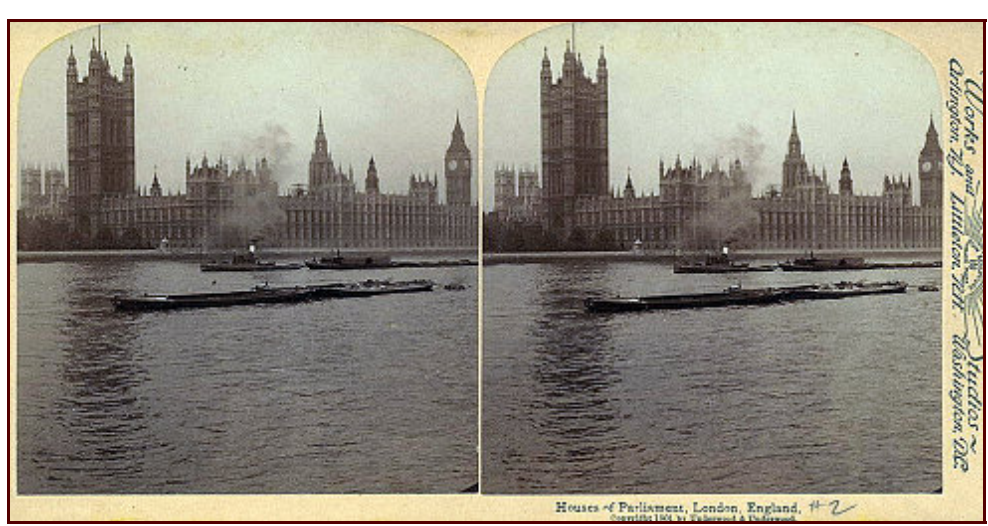
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top illustration:  
Houses of Parliament, London, England  
View of Westminster Palace from across the Thames River with tugboats and barges in the foreground  
New York: Underwood & Underwood, Publishers (copyright 1901 January 2)  
Library of Congress Prints and Photographs Division Washington, D.C. 20540 USA  
Digital ID ppmsca 06810 <http://hdl.loc.gov/loc.pnp/ppmsca.06810>  
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<https://cdn.loc.gov/service/pnp/ppmsca/06800/06810v.jpg>

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The 1970 Illinois state constitution tells people to make frequent recurrence to the Fundamental Principles of Democracy. I'm a diligent person so I went looking for the Principles. They are difficult to find. If a concise list of them exists, I didn't find it.

The 1776 Declaration lists complaints against the English King and Parliament that could be Fundamental Principles if they were stated in the positive. But they're stated in the negative.

A complaint against Taxation Without Representation should convert to a principle of No Taxation Without Representation, or Taxation Only With Representation.

The declaration that all men are created equal is neither true or good enough. All humans begin with conception, but the eggs and sperms that unite to create people are not the same and equal. Males and females are created the same way, and the genders should be considered equal, but weren't and still aren't. Backlash follows every female rise in status. In the future, regardless of gender and status, all people might be treated as truly equal by law enforcement professionals and corporate types. So far, they aren't.

The historical records of the US Congress include a compilation entitled Constitutional Principles. It includes remarks made during debates leading to the ratification of the US Constitution by state legislators, and by judges thereafter. The problem is, constitutional principles aren't democratic principles. For example, several European nations have 'constitutional monarchies'. The 1787 US Constitution and Bill of Rights is cribbed in large part from the monarchical English constitution.

Deep into my search for democratic principles, I realized that I rarely saw the words democracy and democratic. I don't recall seeing it in the 1776 Declaration of Independence. It appears rarely, if ever, in the constitutions of the original states. The words republic and republican fill in where a person would expect to see democracy and democratic. Chicago schoolchildren pledge allegiance to The Flag And The Republic For Which It Stands every morning of every school day K-8. Repetitions are reduced to assemblies only grades 9-12.

Republic is a deceptive word for Plutocracy. A plutocracy is government of, by and for a nation's lords, aka large landholders who relax and sip wine while slaves do all the work. The assumption is that government is best if the smartest people run it; and it took a lot of brains to get the most land and make everyone else slaves.

Plutocrats accumulate locally, one-by-one, depending on the dim-wittedness of the other people in their ancient tribe. One day, a tribe looks past the end of its nose for a moment, or glances up from its collective belly button to discover that one guy and his extended family have scarfed up everything all around. The new lord has all the weapons and has cut deals with every bloodthirsty rogue who'd be happy to use them on his neighbors. Even if the new slaves were willing to fight for independence and a freehold, they wouldn't have the means.

Plutocrats unionized and needed a union president. Their unions formed alliances across union lines and needed a president of higher rank. Plutocrats held elections for presidents and called the winners kings. Elections were periodic for the pagan part of human history. Hereditary kingships came later.

Pagan plutocrats had their Senates and their scribes and other authors. A study of their historical records is known as a classical education, and the word Republic is featured in it. An etymologist might be able to explain the origin of the vast differences between Republic (a noun that means government by bullies and snobs) and public (an adjective that describes private property that non-owners can use for a fee). For starters, public school used to mean a school for the sons of bullies and snobs in England and in a US congressional land act of 1785 May.

The Roman Empire is believed to have died because no government could manage forever the diversity of races, ethnicities, religions, languages, regions and local ambitions that the Roman Republic was successful at conquering. Don't believe everything you read. Rome pretended to lose its struggle against local contenders, but by converting itself and its conquered people to a catholic (unifying) religion on its way out, it has remained in control ever since.

The Catholic church pandered to ambitious locals, the old pagan lords, by positing one all-powerful and all-knowing God who rules the entire earth. But their God could stretch himself so far and no further. He needed help. Like any other competent CEO, he appointed assistants and delegated His authority to them. He gave his delegates the worn-out title of king. All the real estate, power and wealth of the earth was at stake. Local lords already knew how to intimidate people. They imposed the new religion on their slaves and enjoyed the benefits of their old fraternities. Previously, the principle that Might Is Right was their foundation. Now God was on their side.

All over Europe, lords vied to be kings and kings vied to be reincarnated Roman emperors, re-titled Holy Roman Emperors. A dynasty of Russian Czars (Tsars) emerged. Czar is a phoneme of Caesar. Several hundred years later, Germans got their Kaisers. Kaiser is a phoneme of Caesar. But now (then) Julius's namesakes had the power of an almighty God and a bamboozled public for their foundation.

Latinized French kings determined unilaterally that God intended them to rule the British Isles. During a famous incident in 1066, a French king pulled together a consortium of lords and their pitiful recruits and invaded England successfully. The French king took over the English throne. French priests took over the English church. Many English titles and estates transferred to Frenchmen.

Native English lords weren't happy. When analyzing the relationship between kings and lords, it's a good idea to remember that (a) lords came first; (b) in the beginning, lords anointed kings and not the other way around; and (c) lords are more numerous than kings. Eventually, English lords recouped and found allies among the French lords imposed on them. This gang of traitors then accomplished a widely respected gangbanging, that is often referred to as the English Revolution. It's the true and only precursor of the American Revolution hundreds of years later. The common people of England have been encouraged to take great pride in it.

The Revolution was the forcing of a hapless, outnumbered king to sign a Great Charter (Magna Carta in the Roman tongue).

(continued on page 5 of 6)

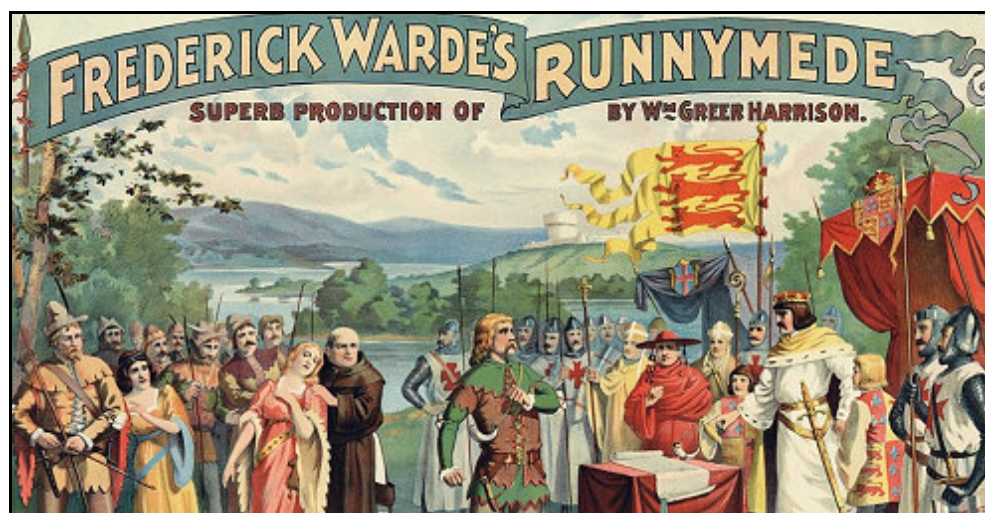
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Runnymede: Robin Hood defies King John.  
<https://cdn.loc.gov/service/pnp/var/0700/0757/0757v.jpg>



King John signs Magna Carta at Runnymede  
<https://merryfarmer.files.wordpress.com/2011/12/magna-carta-signing.jpg>



St. Stephen's Hall, Parliament, London, England  
<https://cdn.loc.gov/service/pnp/ppmsc/08500/08561v.jpg>



Ben Franklin standing before the Lords in Council in Whitehall Chapel, London in 1774, presenting the concerns of American colonists.  
Schussele, Christian (1826-1870) (artist) (1859). Whitechurch, Robert (1814-1880) (engraver).  
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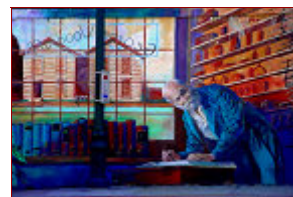


True reform of Parliament. Patriots make a bonfire of acts and charters while a mob destroys Parliament in the background.  
Gilray, James (1756-1815) (artist). London: H. Humphrey, 27 St. James Street (1809).  
<https://cdn.loc.gov/service/pnp/ds/01000/01039v.jpg>

The website is a work in progress.

All texts are drafts.

The author takes it for granted that you can say the same things better, and will.



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# REPRESENTATION

## TIME FOR DEMOCRACY



top illustration:  
Parliament with boats on water in foreground  
Brewer, J. Alphege and Brewer, Henry C. (etchers)  
London, England: Alfred Bell & Co. (copyright 1820 August 6)  
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The Magna Carta includes a lot of provisions, but the people who forced a king to sign it were mostly concerned about only one.

Theoretically, and certified by Catholic priests, the king was all-powerful, thanks to God's beneficence. God's powers included taxation, therefore, the king's powers included taxation. Feudal societies were organized so that only the lords possessed anything taxable. Lords were clever, and maybe they could figure out how to pass their taxes to lesser people, but mostly, they were locked into long-term agreements that stuck them with all taxation.

The Magna Carta forced the king to let the lords meet in Parliament assembled, as needed, to vote the king and his successors' tax plans up or down. Parliament consisted only of the House of Lords; and every lord had a seat in it. Every lord had the franchise. Every lord represented himself when a vote was taken.

The original Parliament dovetailed neatly with definitions of representation in some of the fundamental documents and original state constitutions of the United States. The definition can be summed up as One-Man-One-Vote. Every man who could suffer a tax could say yes or no to it.

There were no middlemen involved. To the extent that the word representative allows middlemen, a middleman would be an agent or employee of the person who might, potentially suffer a tax. One potential taxee has a right, or power, to choose a proxy, a person to vote for him.

Everywhere but in post-Magna Carta constitutions, a representative is still an individual that another individual chooses to take care of his business. The relationship is summed up by the term Power Of Attorney. Lawyers are the best known professional representatives.

Many so-called representatives in the various legislatures of the US have law degrees and certificates to practice law. They should know better than to do what they do. They know that they can't represent opposing sides in a case or on an issue. To do so would be a Conflict Of Interest. They know that no two people can agree on all the issues that come up in a legislative session, and yet, on election day, a large number of people appear at a polling place, sign their John Hancock to get a ballot, and proceed to vote. They vote for people, and not on issues. For the most part they know little to nothing about the people for whom they vote.

People who want to be legislators often join a political party. Political parties usually plump down on one side or the other of a variety of issues. Voters are encouraged to believe that the candidates stand on their party's platform, on the one hand, but on the other hand, they've got minds of their own.

Voters are required to sign on the dotted line to vote. None of the candidates and none of the leaders of their political parties sign anything. A voter's signature can be construed as a voter's consent to everything that legislators decide in their legislatures assembled. The legislators aren't constrained by any contractual and enforceable agreements with voters. Legislators can do anything they want to do, after the common people vote.

For common people, voting is entirely worthless. An individual has his one vote, but it is a tiny fraction of the One-Man-One-Vote the lords enjoy in Parliament. The vote of a common person is not representation. In most cases, whether are not a taxable commoner signs in at a polling place, taxation for him is taxation without representation.

A minority of common people find jobs in and get contracts with government. They don't want to pay taxes, but they do get a piece of the tax revenue pie. People who get a piece of the pie are more likely to vote than people who don't, because the entirety of their livelihood depends on election results.

Constitutions that make a big deal out of majority rule within legislatures are silent and defective about majority rule in polling places. Modern news media tell common people that Candidate R won the election with 51% of the vote. Reporters and anchorpersons leave out the fact that only 25% of registered voters signed in on election day; and registered voters aren't the entirety of people who live in a district, own property in a district, or are affected for other reasons by legislative decisions, including tax plans.

Though many people think Majority Rule is the working definition of Democracy, the actual definition is more like Minority Rule. Even if everyone who will be forced to pay a tax turned out on election day, and 51% of them voted for the candidate who will be part of the 51% in the legislature who will vote for a tax, a minority still rules. A gang of profiteers still jacks up the majority, same as the Blackstone Rangers used to do to small businessmen on 63rd Street; and certain politicians have been alleged to do much more recently where I live.

Majority rule isn't a virtue. Majority rule is mob rule. It fails to give an individual a full voice in the disposition of his property and the handling of his person. It denies him his right to say no. It fails to protect him from human predators who have exploited humans since Day One.

If the issue was rape rather than assets, most people would see the problem right away. An individual has a right to say no to a sexual predator and sexual assault. Nobody has a right to override the no. Consent is a personal right. It doesn't belong to a group, to a minority, or to a majority of other people.

(continued on page 6 of 6)

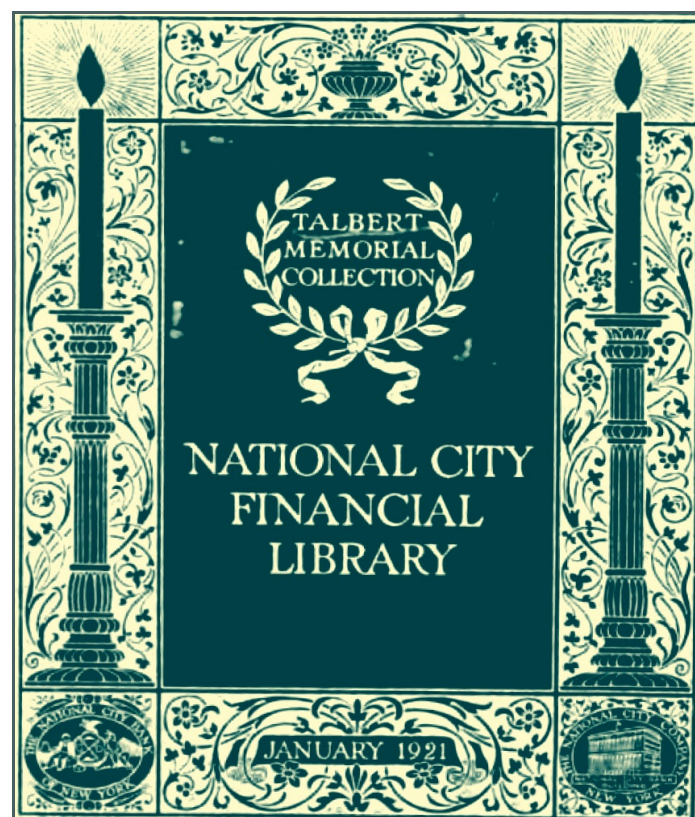
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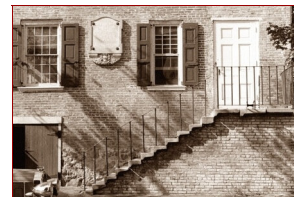


Magna Carta and Other Charters. (657 pages)  
An historical essay on the Magna charta of King John: to which are added, the Great Charter in Latin and English, the charters of liberties and confirmations, granted by Henry III. and Edward I, the original Charter of the Forests, and various authentic instruments connected with them with explanatory notes on their several privileges  
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### Blackstone's Commentaries

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Lincoln, Maine courthouse



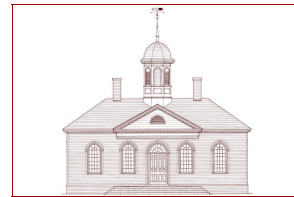
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Georgetown Courthouse (1770)



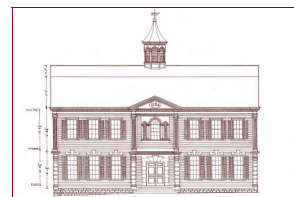
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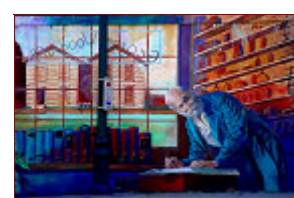


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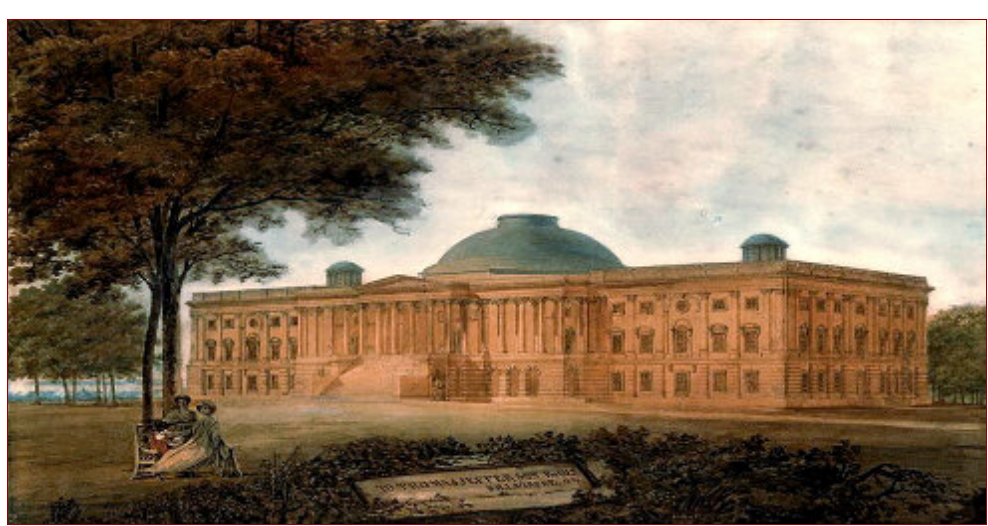
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# REPRESENTATION

## TIME FOR DEMOCRACY



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top illustration:  
U.S. Capitol, east front  
Latrobe, Benjamin Henry (artist) (1806)  
Library of Congress  
LC-USZ62-37197 (black & white film copy negative)  
LC-USZC4-1090 (color film copy transparency)

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US courthouses on the Roman model (images from www.loc.gov)

top row:  
Georgetown County Courthouse, South Carolina (1936) (Benjamin)  
Knox County Courthouse, Illinois (1935) (Gustafson)  
Knox County Courthouse, Illinois (1870) (Andreas)

row 2:  
Illinois Supreme Court (2012) (HABS IL-330)  
Illinois Supreme Court West & East Elevations (2012) (HABS IL-330)  
New York County Courthouse, 52 Chambers Street (HABS NY-5688)

row 3:  
US Supreme Court during construction (ca. 1920-1950) (Horydczak)  
US Supreme Court front portico (ca. 1920-1950) (Horydczak)  
US Supreme Court looking up spiral staircase (Horydczak)

bottom row:  
US Supreme Court looking down spiral staircase (Horydczak)  
US Supreme Court interior (ca. 1980-2006) (Highsmith)  
Roman Ruins: The Forum, St. Peter's, Guards, Palace of Justice  
The guide said, 'It has much beauty but little justice.' (1923) (Carpenter)

It is (the) landed property (of gentlemen of independent estates and fortune), with its long and voluminous train of descents and conveyances, settlements, entails, and incumbrances, that forms the most intricate and most extensive object of legal knowledge.

(The) understanding of a few leading principles, relating to estates and conveyancing, may form some check and guard upon a gentleman's inferior agents, and preserve him at least from very gross and notorious imposition.

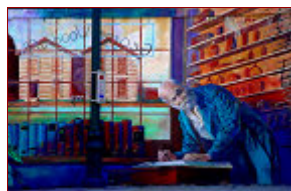
What is said of our gentlemen in general, and their application to the study of the laws of their country, will hold equally strong or still stronger with regard to the nobility of this realm.

(The nobility) have several peculiar provinces of far greater consequence and concern; being not only by birth hereditary counsellors of the crown, and judges upon their honour of the lives of their brother peers, but also arbiters of the property of all their fellow subjects, and that in the last resort. In this their judicial capacity they are bound to decide the nicest and most critical points of the law; to examine and correct such errors as have escaped the most experienced sages of the profession, the lord keeper and the judges of the courts at Westminster. Their sentence is final, decisive, irrevocable: no appeal, no correction, not even a review can be had: and to the determination, whatever it be, the inferior courts of justice must conform; otherwise the rule of property would no longer be uniform and steady.

Yet, vast as this truth is, it can no where be so properly reposed as in the noble hands where our excellent constitution has placed it: and therefore placed it, because, from the independence of their fortune and the dignity of their station, they are presumed to employ that leisure which is the consequence of both, in attaining a more extensive knowledge of the laws than persons of inferior rank: and because the founders of our polity relied upon that delicacy of sentiment, so peculiar to noble birth—as on the one hand it will prevent either interest or affection from interfering in questions of right, so on the other it will bind a peer in honour, an obligation which the law esteems equal to another's oath, to be master of those points upon which it is his birthright to decide.

William Blackstone  
Introduction (pages 7-12)  
Commentaries on the Laws of England, Volume 1: Of the Rights of Persons (1765)  
facsimile with an introduction by Stanley N. Katz  
Chicago/London: The University of Chicago Press

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The laws of England were the laws of the colonies up through the end of the American Revolution. Blackstone was an English judge who published his take on English laws shortly before the Revolution. Blackstone provided a comprehensive review but also the equivalent of Cliff Notes.

Blackstone wrote of laws that were created by absolute monarchs unilaterally and by the lords to whom they delegated their power in a constitutional monarchy. The Magna Carta wasn't the first or the last document that gangster lords forced kings to sign. Over the centuries before the American Revolution, lords eroded their kings' absoluteness, power by power until the majority of powers that had once been kingly became lordly. In theory, the powers were still God's and still monarchical, but mortal lords exerted the powers in their Parliament.

Some time before the American Revolution, the lords opened a second house in their Parliament and named it House of Commons. In theory it existed to protect the interests of everyone who wasn't a lord. In practice, it represented the notoriously corrupt officials of a peculiar kind of corporation known as municipalities.

Like the Romans who preceded them, European kings needed a place to collect taxes and to facilitate the trade that yields money with which to pay taxes. Municipal charters granted a town-sized amount of land to a town or city council, appointed councilmen, and delegated the powers of God and kings to them. City officials quickly earned a reputation for terrible corruption. City officials were the first commoners that the lords admitted to Parliament. They were already corrupted. They already saw things the way the worst class of lords saw things.

The number of people who were represented or could vote in Parliament was very small up through the American Revolution. Shortly after the Revolution, only approximately 5% of English people were represented in one or the other of the two houses of Parliament. The percentage wasn't much better in the US at the time. US leaders followed English leaders lockstep in their extension of the franchise to more and more people.

But it isn't the number of people who can vote that matters. The good and the bad of government is the topics on which people can vote.

The foundation of a true democracy is the rights of the people. To say that government is of, by and for the people is to say that government powers are severely limited by and to the rights of the people. If a person has no right to commit an act before and after he casts his ballot on election day, he can't cast a ballot that allows an un-representative to do it for anyone else, including him. People who win elections have no more power than people who lose elections and people who do and don't vote. The winner is just another common person with the same rights as everyone else, not more, or less.

Americans don't have the benefit of the fact and most don't see it

All that is wrong with the US democracy is the work of people who got in on the ground floor in the establishment of its government. Lords are the worst of the bunch; but they also knew that many people would rather be lords than common people. Lords dangled a carrot in front of them. Common people who corrupted US government would be rewarded with a ticket into a private and exclusive heaven that lords made on earth.

The US democracy has been the model for democracies worldwide. The US is to blame for all that is wrong with democracies worldwide.

(end)

(continue to Revolution)

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