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ESSAY | Collectivism or Cooperation?

by Henry Nicolle

I originally intended this essay to revisit my favorite proposed remedy for rebellion among the ranks of American Governing Institutions. All conflicts between individuals or entities which cannot be independently resolved, find themselves attached to the tar-baby of the American Legal System.

Our Founders made the sublime error of omitting the judiciary from direct accountability to the People. WE provided processes to vote out the President if our representatives will not remove by impeachment. Our Congressmen cannot escape the voters' wrath. But the federal courts and most of our State courts are encumbered by lawless, corrupted, venal or incompetent occupants immune to effective personal accountability.

Jefferson and Madison both exclaimed their dismay over the rapid dissolution of Rights and Liberty and limited powers brought about by our unrestricted courts.

This unfortunate circumstance has grown to be an intolerable, potentially fatal disease infecting our society. Appeals to judicial disciplinary bodies produce only about one action out of a thousand complaints and of the actions, only one in a thousand brings consequences more damning than an anonymous letter of rebuke, safely stored in the confidential files of the personnel office.

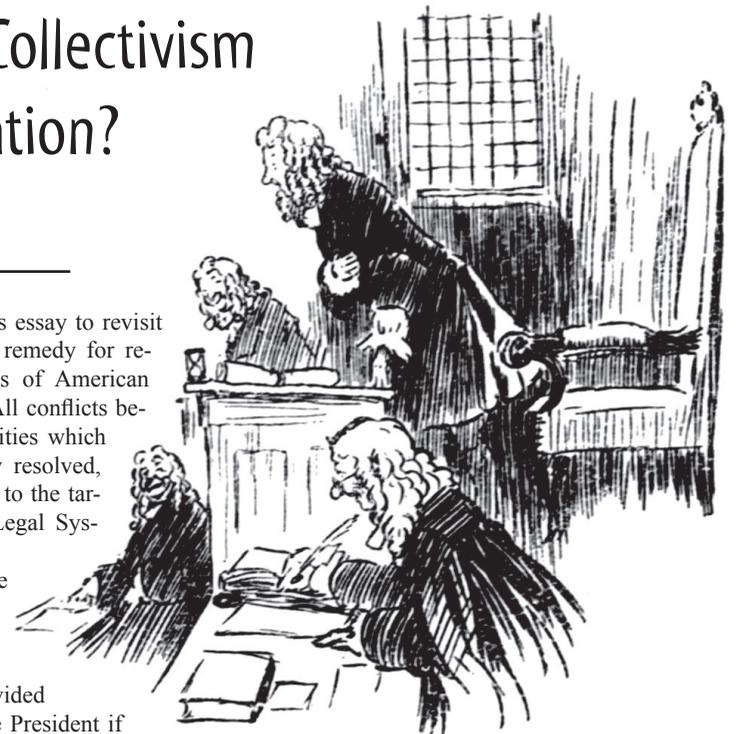
If impeachment is toothless, if complaints impotent and elections few, how do we restore integrity and law to our courts? Many proposals for institutional oversight have been offered, but all fail from dependence upon someone in governing employment to initiate or effect the processes of judicial accountability.

WE no longer find law or confidence of process in our lower courts. Justice with law is the exception in our appeals courts. Our supreme courts have effectively abandoned our fundamental Law and have abandoned the preservation of Rights and Liberty in our country.

There is a proposal which has received large common following and overwhelming, violent opposition from our judiciary, BAR associations and career government officialdom. The proposal varies from State to State as either an amendment to the State constitution or as a statute in those States where amendments are not directly proposed by the Citizens of their State.

"Judicial Accountability Initiative Law" provides that accountability for our judiciary originate with a complaint from an injured party, allows a special grand jury selected from the People to determine from the record whether or not immunity can be a shield and initiates a formal trial with the verdict of the People's jury to determine accountability and punishment. "JAIL4Judges" is the acronym.

The initiative removes the very endemic and debilitating custom of "judges shielding judges" from individual accountability. If judges im-



munity can be pierced by the People's juries, we will see better accountability of our processes of law and less protection by our courts of unlawful, illegal and unethical conduct by all other government persons. A judge would be unwise to unlawfully or unethically protect government wrongdoers when the People can vacate the bench of an unfaithful judge.

Ron Branson - National J.A.I.L.4Judges wrote "The Politics of Changing a Light Bulb" in early 2007 and the essay was published in the July 2007 *The Seattle Sinner*. Therein, Ron related my February unlawful arrest, illegal confiscation of my car and illegal abuse by the jailers. Shortly afterward, I accepted *The Seattle Sinner's* invitation to submit an essay or two on related topics. Close to 50 essays later, (with my humble thanks to the Editor for the continued opportunity) I am returning to the core of the Editor's invitation. That core relates to the question of "Who sets and enforces the rules for the conduct of government in a self-governing society?"

Well, who is it? WE elect our representatives and a few officials, (the President among those). When they betray us, our purpose or our rules for governing, do we allow the government to decide what rules they must obey and the consequences of disobedience?

These questions turn our table round again to the question I have asked fifty times in fifty ways over nearly four years - when will we have the courage to rule ourselves? When will we exercise our power to enforce our authority to make the rules that people in government MUST obey?

We are a Republic, a society self-governed via representatives to whom we delegate our personal authority to preserve our inherent individual Rights and Liberty to self-determination. Although we utilize limited democratic processes, we are NOT a Democracy except through ignorance and deception. Our representa-

tives may be selected by us, but they must also be instructed and disciplined by us. They have no authority to destroy our inherent Rights and Liberty, regardless of any democratic process which they may be contrive.

This month, an English mob overran a court and removed the judges, as we did at our Revolution.

Must our past become our present? We must Act.

