From our library of Evidence:
Exhibits A - H: Treason and The Validity of Magna Carta 1215

Contents:

Exhibit 'A' - The Kilmuir Letter

This letter from Lord kilmuir to Edward Heath dated 1971 (and released to the public in 2001) clearly show that the Heath administration was prepared to commit acts of sedition and treason in taking the UK into the 'EEC' as it was called. We have highlighted in bold the most damning sentences. Unfortunately we do not have a copy of Heath's original letter to Lord Kilmuir and therefore Heath's questions are unknown. However it will take little imagination to guess what they were:

'The Kilmuir Letter'

"*My Dear Ted,*

You wrote to me on the 30th November about the constitutional implications of our becoming a party to the Treaty of Rome. I have now had an opportunity of considering what you say in your letter and have studied the memoranda you sent me. I agree with you that there are important constitutional issues involved.

I have no doubt that if we do sign the Treaty, we shall suffer some ***loss of sovereignty****, but before attempting to define or evaluate the loss I wish to make one general observation. At the end of the day, the issue whether or not to join the European Economic Community must be decided on broad political grounds and if it appears from what follows in this letter that I find the constitutional objections serious that does not mean that I consider them conclusive. I do, however, think it important that we should appreciate clearly from the outset exactly what, from the constitutional point of view, is involved if we sign the treaty, and it is with that consideration in mind that I have addressed myself to the questions you have raised.*

He is clear that if we do sign the agreement with the EEC we will suffer some loss of Sovereignty. This is clearly an act of Treason because our Constitution allows no surrender of any part of our Constitution to a foreign power beyond the control of the Queen in parliament. This is evidenced by the convention which says:

(Parliament may do many things but what it may not do is surrender any of its rights to govern unless we have been defeated in war).

And the ruling given to King Edward 3rd in 1366 in which he was told that King John's action in surrendering England to the Pope, and ruling England as a Vassal King to Rome was illegal because England did not belong to John he

only held it in trust for those who followed on. The Money the Pope was demanding as tribute was not to be paid. Because England's Kings were not vassal Kings to the Pope and the money was not owed.

Adherence to the Treaty of Rome would, in my opinion, ***affect our sovereignty in three ways:-***

Parliament would be required to ***surrender some of its functions*** *to the organs of the community;*

Answer as above.

The Crown would be called on to ***transfer part of its treaty-making power to those organs of the community;***

The Constitution confers treaty making powers only on the Sovereign and ***the Sovereign cannot transfer those powers to a foreign power or even our own parliament because they are not the incumbent Sovereigns to give away as they only hold those powers in trust for those who follow on.***

Our ***courts of law would sacrifice some degree of independence by becoming subordinate*** *in certain respects to the European Court of Justice.*

It is a Praemunire to allow any case to be taken to a foreign court not under the control of the Sovereign. The European Court Justice or the European court of Human rights are foreign courts not under the control of our Sovereign. Praemunire is a crime akin to Treason.

The position of Parliament

It is clear that the memorandum prepared by your Legal Advisers that the Council of could eventually (after the system of qualified majority voting had come into force) ***make regulations which would be binding on us even against our wishes, and which would in fact become for us part of the law of the land.***

There are two ways in which this requirement of the Treaty could in practice be implemented:-

It is a Praemunire to allow any laws or regulations not made by the Sovereign in parliament to take effect as law in England. This is illegal under the Acts of Treason 1351, the Act of Praemunire 1392, The Act of Supremacy 1559, and the Declaration and Bill of Rights 1688/9.

Parliament could legislate ad hoc on each occasion that the Council make regulations requiring action by us. The difficulty would be that, since

Parliament can bind neither itself nor its successors, we could only comply with our obligations under the Treaty if Parliament abandoned its right of passing independent judgement on the legislative proposals put before it. A parallel is the constitutional convention whereby Parliament passes British North American Bills without question at the request of the Parliament of Canada, in this respect Parliament here has substance, if not in form, abdicated its sovereign position, and it would have pro tanto, to do the same for the Community.

No such power exists for parliament to do this. This would be an Act of Treason under the 1351 Treason Act, A Praemunire under the 1392 Act of Praemunire, an Act of Treason under the 1559 Act of Supremacy, and the 1688/9 Declaration and Bill of Rights.

It would in theory be possible for parliament to enact at the outset legislation which would give automatic force of law to any existing or future regulations made by the appropriate organs of the Community. For Parliament to do this would go far beyond the most extensive delegation of powers even in wartime that we have ever experienced and I do not think there is any likelihood of this being acceptable to the House of Commons. Whichever course were adopted, Parliament would retain in theory the liberty to repeal the relevant Act or Acts, but I would agree with you that we must act on the assumption that entry into the Community would be irrevocable, we should therefore to accept a position where Parliament had no more power to repeal us own enactments than it has in practice to abrogate the statute of Westminster. In short. Parliament would have to transfer to the Council, or other appropriate organ of the Community, its substantive powers of legislating over the whole of a very important field.

There is no constitutionally acceptable method of doing this because it would be tantamount to a total abrogation of their duty to govern us according to our laws and customs. And it would be an Act of Treason under the 1351 Treason Act, A Praemunire under the 1392 Act of Praemunire, and Treason under the 1559 Act of Supremacy, and the Declaration and Bill of Rights 1688/9.

Treaty-making Powers

The proposition that every treaty entered into by the United Kingdom does to some extent fetter our freedom of action is plainly true. Some treaties such as GATT and O.E.E.C. restrict severely our liberty to make agreements with third parties and I should not regard it as detrimental to our sovereign that, by signing the Treaty of Rome, we undertook not to make tariff or trade agreements without the Council's approval. But to transfer to the council or the Commission the power to make such treaties on our behalf, and even against our will, is an entirely different proposition. There seems to me to be a

clear distinction between the exercise of sovereignty involved in the conscious acceptance by us of obligations under treaty-making powers and the total or partial surrender of sovereignty involved in our cession of these powers to some other body. To confer a sovereign state's treaty-making powers on an international organisation is the first step on the road which leads by way of confederation to the fully federal state. I do not suggest that what is involved would necessarily carry us very far in this direction, but it would be a most significant step and one for which there is no precedent in our case. Moreover, a further surrender of sovereignty of parliamentary supremacy would necessarily be involved: as you know although the treaty-making power is vested in the Crown. Parliamentary sanction is required for any treaty which involves a change in the law or the imposition of taxation to take two examples and we cannot ratify such a treaty unless Parliament consents. But if binding treaties are to be entered into on our behalf, Parliament must surrender this function and either resign itself to becoming a rubber stamp or give the Community, in effect, the power to amend our domestic laws.

This is a surrender of our Sovereignty a clear Act of Treason under the 1351 Treason Act and a Praemunire, under the 1392 Act of Praemunire, it is Treason under the 1559 Act of Supremacy and the 1688/9 Declaration and Bill of Rights.

Independence of the Courts

There is no precedent for our final appellate tribunal being required to refer questions of law (even in a limited field) to another court and as I assume to be the implication of 'refer'- to accept that court's decision. You will remember that when a similar proposal was considered in connection with the Council of Europe we felt strong objection to it. I have no doubt that the whole of the legal profession in this country would share my dislike for ***such a proposal which must inevitably detract from the independence and authority of our courts.***

Of those three objections, the first two are by far the more important. I must emphasise that in my view the ***surrenders of sovereignly involved are serious ones and I think that as a matter of practical politics, it will not be easy to persuade Parliament or the public to accept them.*** *I am sure that it would be a great mistake to under-estimate the force of objections to them. But these objections ought to be brought out into the open now because, if we attempt lo gloss over them at this stage those who are opposed to the whole idea of our joining the Community will certainly seize on them with more damaging effect later on. Having said this, I would emphasise once again that, although those constitutional considerations must be given their lull weight when we come to balance the arguments on either side, I do not for one moment wish to convey the impression that they must necessarily tip*

the scale. In the long run we shall have to decide whether economic factors require us to make some sacrifices of sovereignty: my concern is to ensure that we should see exactly what it is that we are being called on to sacrifice, and how serious our loss would be.

It is a Praemunire to subject Her Majesty's Courts of law to the domination of a foreign court outside of Her Majesty's control."

Exhibit 'B' - 30/1048

Link to full document:
http://www.nommeraadio.ee/meedia/pdf/RRS/Brittide%20petmine.pdf

These documents again released from the public records office via the 30 year rule under the file name 30/1048 have been included on a DVD which can be found attached to this letter.

The files are mostly documents obtained via the 30-year rule which meticulously document the Heath administrations Treason, Sedition and Fraud which were used to admit us to the "common market" which later flourished into the European "Union." The file, which was originally a collection named "Shoe-horned into the EU" is an enormous batch of PDF documents which unmistakably demonstrate the subterfuge that took place to get Britain into the E.U.

The Heath Administration were fully aware at the time that there would be an inevitable "Loss of Sovereignty" which was even admitted in the Kilmuir letter. However at the time this was all hidden in secrecy and so the British people were fooled and duped into what would turn into foreign Rule. The people were voting for the Common Market, not a European Government. The British Government also committed Sedition by heavily backing the entrance into Europe. This evidence was hidden as it showed quite clearly that fundamental laws were broken.

SOVEREIGNTY:
The people have sovereignty over their Constitutional Laws; these can only be changed via true and open democracy. And for democracy in this country to truly exist the people must be their own rulers. The word democracy (origin: Demokratia) says it all, DEMO means people, and KRATOS means sovereignty or sovereign rule. It originates from the Hellenic Athenian Constitution of Government, where democracy was founded on the Rule of Law, with laws being decided via the Trial by Jury system. The following statement was made by a QC in a discussion about the recent ruling on the right of Parliament to the referendum result – "As Parliament is sovereign it can do as it pleases, including give away some of its own sovereignty." This is a VERY dangerous concept. Parliament is bound by Constitutional Law in many ways, including the prohibition to give away sovereignty to a foreign authority. The Bill of Rights 1689 clearly states and confirms that;

"no foreign prince, person, prelate, state, or potentate hath, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm."

This classified government document dated April 1971 remained secret until it was released under the 30 year rule. Also known as "Shoe-horned into the EU" as titled now, it proves Heath's government knew the 1972 EEC Treaty would lead to the loss of sovereignty, and was therefore treason. They had a stunningly accurate picture of the EU, which never was the EEC (an Economic Community), expecting Britain to be abolished after the turn of the century. The authors, all civil servants or ministers, are very pro EU, their intent is clearly to conceal the loss of sovereignty. But they understood perfectly it would all be abolished. In public Heath's government all lied the treaty would not affect our sovereignty. This includes Douglas Hurd, still an active senior Conservative, who is also both a liar and a traitor, a point we put to him at the Conservative Conference in Blackpool. He assured us his connections in the legal profession would ensure he was never convicted. Even the Bill which took us into the EEC, said: "there would be no essential surrender of sovereignty…". This mantra, in one form or another, was repeated throughout the campaign and the debates in Parliament. So we see a Government White Paper which attempted to bury the truth. Nothing changes as we shall see.

Here are just a few of the damning sentences:

Parliament controlled
11. Membership of the Communities will involve us in extensive limitations upon our freedom of action. For the first time. Parliament is binding its successors. Increasing loss of sovereignty The loss of external sovereignty will however increase as the Community develops, according to the intention of the preamble to the Treaty of Rome "to establish the foundations of an even

closer union among the European peoples ". Small threats to sovereignty, like Burgess, Blunt and Maclean's selling secrets to the Russians, attract 30 year jail sentences. The penalty for actually losing even small parts of it until 1998 was "to hang by the neck until dead." The death penalty still exists for treason as the 1795 Treasonable and Seditious Practices Act was NOT legally repealed in 1998 when the Right Dishonourable Tony Blair introduced the Crime and Disorder Act, in chapter 36 he attempted to repeal the 1795 Act and the death penalty for high treason but Blair had no lawful authority to do so, and he committed treason in his attempt. He committed three counts of high treason in all. (among other very serious crimes). For example, a year earlier at the signing of the Amsterdam Treaty in 1997 which increased the European Union's powers for action at community level, and included further European integration in legislative, police, judicial, customs and security matters and strengthened Europol. This was an Act of Treason at common law by the Blair administration. In an attempt to further protect themselves against criminal prosecution, the Blair Government removed the word 'sovereignty' from the oath of office of constables in the police reform Act 2002 (section 83), and also modified the legislation to enable non British nationals to become officers (section 82). These were also acts of both Sedition and Treason at common law by the Blair administration.

King Charles 1st was executed for treason that was, by comparison, relatively minor. Lord Haw Haw ("Germany Calling" - William Joyce) was hanged for treason on 3rd January 1946. His efforts on behalf of Germany were tiny by comparison with Edward Heath's.

Our law subservient

12. (ii) The power of the European Court to consider the extent to which a UK statute is compatible with Community Law will indirectly involve an innovation for us, as the European Court's decisions will be binding on our courts which might then have to rule on the validity or applicability of the United Kingdom statute. The writ of a foreign power is not allowed under the British Constitution, which Heath was breaking.

Predicting monetary and military union

18..but it will be in the British interest after accession to encourage the development of the Community toward an effectively harmonised economic, fiscal and monetary system and a fairly closely coordinated and consistent foreign and defence policy. If it came to do so then essential aspects of sovereignty both internal and external would indeed increasingly be transferred to the Community itself.

No withdrawal, sovereignty diminished

22. Even with the most dramatic development of the Community the major member states can hardly lose the "last resort" ability to withdraw in much less

than three decades. The Community's development could produce before then a period in which the political practicability of withdrawal was doubtful. If the point should ever be reached at which inability to renounce the Treaty (and with it the degeneration of the national institutions which could opt for such a policy) was clear, then sovereignty, external, parliamentary and practical would indeed be diminished.

Disinformation
After entry there would be a major responsibility on HMG and on all political parties not to exacerbate public concern by attributing unpopular measures or unfavourable economic developments to the remote and unmanageable workings of the Community.

Transfer of the Executive
24 (ii) The transfer of major executive responsibilities to the bureaucratic Commission in Brussels will exacerbate popular feeling of alienation from government.

Erosion of sovereignty
24 (v) ...The more the Community is developed ... the more Parliamentary sovereignty will be eroded. ...The right ... to withdraw will remain for a very considerable time. ...The sovereignty of the State will surely remain unchallenged for this century at least.

The EU Bureaucracy will rule
25. The impact of entry upon sovereignty is closely related to the blurring of distinctions between domestic political and foreign affairs, to the greater political responsibility of the bureaucracy of the Community and the lack of effective democratic control. The writer's understanding of the future of the EU was very correct. They wanted the bureaucracy to take over from the democracy. The loss of sovereignty was desirable for them, legally traitors working deep inside our government.

Exhibit ‘C’ - The 1993 Treason Charges

By 1992, the Maastricht Treaty was given assent and year later in 1993 Rodney Atkinson and the late Norris McWhirter laid before the magistrates court in Hexham, Northumberland informations under the process known as Misprision of Treason whereby there was an astonishing 7 counts of treason against the Constitution and people by two Ministers who had signed the Treaty of Maastricht in 1992.

Some weeks later in Scotland Norris McWhirter laid a further case. The Crown Prosecution Service took 4 months to consider the charges but, headed by the political post of Attorney General who in fact acted in contravention of the legal principle of non judex in re sua (you cannot be a judge in your own case), the CPS refused to address the specific charges and declared that the treason at the signing in 1992 was apparently "made legal" by the passing of the European Communities (Amendments) Act 1993. The treason of 1992 had been "legalised!". However, treason was committed in 1992 and that act remains a crime since British law recognises it was the law at the time therefore it was not made legal whatsoever.

The 1993 Treason cases which follow also showed that 500m people could move to and vote in any EU country's national elections. The Government denied this. But it happened in the Scottish National referendum.

The 8 cases that follow (the 8th of which, presented in Scotland) can be seen in a news article dated from 1993 titled 'THE TREASON CASES LAID BEFORE THE *COURTS IN ENGLAND AND SCOTLAND'. (a copy of which is proudly displayed on Freenations.net). The following are the charges which Rodney Atkinson and Norris McWhirter laid before the magistrates court in Hexham, Northumberland on 9th September 1993, under "Misprision of Treason". The procedure of "misprision" is applicable to those who know of acts of either treason or terrorism and who, in the event that they did NOT report them to the proper authorities, would themselves be guilty of those crimes.*

All the "informations" laid before the magistrates were preceded by the following words:

"It being an offence at Common Law (see Halsbury 4th edition vol 11 at 818) for a person who knows that treason is being planned or committed, not to report the same as soon as he can to a justice of the peace we hereby lay the following information."

Case 1:

Whereas it is an offence under Section 1 of the treason Act 1795 "within the realm or without…to devise…constraint of the person of our sovereign…his heirs or successors."

On 7th February 1992 the Rt Hon Douglas Richard Hurd, Secretary of State for Foreign and Commonwealth Affairs, King Charles Street, London SW1 and the Rt Hon the Hon Francis Anthony Aylmer Maude at that date Financial Secretary to the Treasury, HM Treasury, Parliament Street, London SW1 did sign a Treaty of European Union at Maastricht in the Netherlands, according to Article 8 of which Her Majesty the Queen becomes a citizen of the

European Union (confirmed by the Home Secretary in the House of Commons: Hansard 1st February 1993) therefore "subject to the duties imposed thereby", subject to being arraigned in her own courts and being taxed under Article 192 of the integrated Treaty and thereby effectively deposed as the sovereign and placed in a position of suzerainty under the power of the "European Union". Therefore the said Rt Hon Douglas Hurd and the said Rt Hon the Hon Francis Maude are guilty of treason.

Case 2:

Whereas it is an offence under section 1 of the Treason Act 1795 to engage in actions "tending to the overthrow of the laws, government and happy constitution" of the United Kingdom.....etc Hurd and Maude....etc did sign a Treaty of European Union...according to Article 8 of which "every person holding the nationality of a member state shall be a citizen of the Union" and according to Article 8a of which such citizens "shall have the right to move and reside freely within the territory" of any member state and according to Article 8b of which such citizens shall have the right to vote and according to which "Declaration on nationality" in the Final Act "the question whether an individual possesses the nationality of a member state shall be settled solely by reference to the national law of the member state concerned."

And that therefore the British people and Parliament will have no right to determine the numbers or identity of non British nationals to whom other European Union member states can give residence rights and voting rights in the United Kingdom.

And whereas according to the Act of Settlement 1700 S4 "The Laws of England are the birthright of the People".
And whereas Sir Robert Megarry (Blackburn v Attorney General, Chancery Division 1983 Ch77,89) has stated that

"And a matter of law the courts of England recognise Parliament as being omnipotent in all save the power to destroy its omnipotence."

Therefore the said Rt Hon Douglas Hurd and the said Rt Hon the Hon Francis Maude are...

Case 3:

Whereas it is an offence under the Act of Settlement (1700) for any "person born out of the Kingdoms of Kingdoms of England, Scotland or Ireland or the

Dominions thereunto…shall be capable to be…a Member of either House of Parliament"
And whereas according to R v Thistlewood 1820 "to destroy the constitution of the country" is an act of treason.

And whereas the term "municipal" has been defined by the European Court of Justice in 1972 as meaning "national": "..the treaty entails a definitive limitation of the sovereign rights of member states against which no provisions of municipal law whatever their nature, can be involved." and similarly defined by Lord Justice Cumming Bruce giving the majority verdict in McCarthys v
Smith 1979 ICR 785,798:

"If the terms of the Treaty (of Rome) are adjudged in Luxembourg to be inconsistent with the provisions of the Equal Pay Act 1970, European Law will prevail over that municipal legislation" Hurd and Maude…etc did sign a Treaty ….etc according to Article 8b of which "Every citizen of the Union residing in a member state of which he is not a national shall have the right to vote and stand as a candidate at municipal elections in the Member State in which he resides."

Therefore the said Rt Hon Douglas Hurd and the said the Rt Hon Francis Maude are guilty of treason.

Case 4:

Whereas the United Kingdom of Great Britain and Northern Ireland is a monarchy in which Her Majesty Queen Elizabeth II is sovereign and Head of State and a democracy, whereby the people of that United Kingdom rule by delegating their authority for periods of up to 5 years to the Parliament and Government in London.

And whereas, according to the Act of Settlement 1700 S4 "The laws of England are the birthright of the people" And whereas Sir Robert Megarry (Blackburn v Attorney General, Chancery Division 1983 Ch 77,89) has stated that "As a matter of law the courts of England recognise Parliament as being omnipotent in all save the power to destroy its own omnipotence." And whereas according to R v Thistlewood 1820 to "destroy the Constitution" is an act of treason.

…..Hurd and Maude…etc did sign a treaty…etc according to Article 8 of which the British people, without their consent have been made the citizens of the European Union with duties towards the same and according to Article 192 of the integrated treaty the british people can be taxed directly by that European Union without further process in the Westminster Parliament and according to

Article 171 of which the British State can be forced to pay a monetary penalty to the European Union.

Therefore the said Rt Hon Douglas Hurd……etc

Case 5:

Whereas, in accordance with the Coronation Oath Act, Her Majesty Queen Elizabeth II swore at Her Coronation in 1953 that she would govern Her subjects "according to their laws".

And whereas it is an offence under Section 1 of the Treason Act 1795 "within the realm or without…to devise…constraint of the person of our sovereign…his heirs or successors"

Hurd and Maude….etc did sign a Treaty….etc which extended the powers of the European Commission, the European Court of Justice and the European Parliament in the new "European Union" to make and enforce in the United Kingdom laws which do not originate in the Westminster Parliament. And that this loss of democratic rights was without the express consent of the British people.

And whereas, according to the Act of Settlement 1700 S4 "The Laws of England are the Birthright of the people"

And whereas Lord Justice Robert Megarry (Blackburn v Attorney General, Chancery Division 1983 Ch 77,89) has stated that "As a matter of law the courts of England recognise Parliament as being omnipotent in all save the power to destroy its omnipotence." Therefore Hurd and Maude are guilty of treason….etc

Case 6:

Whereas it was established in 1932 that "No Parliament may bind its successors" (Vauxhall Estates v Liverpool Corporation IKB 733) And whereas according to R v Thistlewood 1820 to destroy the constitution is an act of treason. Hurd and Maude etc …did sign a Treaty…according to which Article Q of which the Maastricht Treaty "is concluded for an unlimited period" and from which there is no right of nor mechanism for secession. Therefore Hurd and Maude are guilty of treason etc..

This is one of the more extraordinary aspects of the Maastricht Treaty since it provides a direct parallel with that other "Union", the American Union signed by the Southern, confederate states on the assumption that they could leave that Union whenever they wished. But they had omitted to ensure that both

the right to and mechanism for withdrawal were included specifically in the Union declaration. As a result, the American President Abraham Lincoln (inaugural address 4th March 1861) justified war against the southern states by saying:
"No state upon its own mere motion can lawfully get out of the Union"
It was this issue and not the question of slavery (for which Lincoln had expressed accomodation in his inaugural address) which caused the American Civil War in which 600,000 died. The northern states were engaged not on a moral crusade but on an imperialist adventure, using the industrial and military might of the North to conquer the largely rural, raw material producing South. Although the European Union as yet possesses no significant armed forces, this is the ultimate intention and an embryo Franco german force has already been set up. The possible exit from this "Union" of Britain, the second biggest paymaster, with the richest coal, oil and fishing reserves in Europe and with the world's largest investments in the American economy might one day tempt this new breed of Eurofascist to use the logic of Abraham Lincoln.

Case 7:

Whereas it is established by a statute in force, the Magna Carta (Chapter 29) confirmed in 1297 and last reviewed at the passing of the Statute Law Repeals Act 1967 that:
"No freeman may be…disseised…of his liberties or free customs…nor will we not pass upon him but by the law of the land." This most durable pillar of the constitution is destroyed by a "Treaty of European Union"…etc..which disseises all free men of their liberties and free customs under the law of this land by subjugating their Government to the extension of the powers of the European Commission, Court and parliament (in which latter the United Kingdom members form a minority of 87 of 567 voting members). Under Article 192 of the integrated treaty our free men are open to be taxed without further process of the United Kingdom Parliament and according to the "Declaration on nationality" in the Final Act of the treaty the number and identity of non British nationals given residence and voting rights in the United Kingdom will not be determined by the british Government. And further that the treaty extends majority voting in the Council of Ministers thus permitting other states to determine laws which govern British people. Under Article 8 of the Treaty free men are required to become citizens of the European Union "subject to the duties imposed thereby." And whereas according to R v Thistlewood 1820 "to destroy the constitution" is an act of treason.

Therefore Hurd and Maude….etc

Case 8:

"Whereas it is an offence per S1 of the Treason Act 1795: "within the realm or without…to devise….constraint of the person of our sovereign…his heirs or successors." and "to enter into measures tending to the overthrow of the laws, government and happy constitution of the United Kingdom"
and whereas to destroy the constitution per R v Thistlewood 1820 is an act of treason.

Hurd and Maude etc…did sign a treaty….for an unlimited period and without right of or mechanism for secession. This treaty is contrary to and inconsistent with the Union of Scotland Act 1706 whereby it is established per Article III of that Act the people of the United Kingdom be represented by the one and the same Parliament and none other and per Article
XVIII that no alteration be made in laws which concern private right except for the evident utility of the subjects within Scotland.

Under the treaty, the rule of a Parliament other than that of the Parliament of the United Kingdom is established whereunder, contrary to the Act of Union, subjects within Scotland become subject to laws made in an assembly in which their representatives form a minority seven fold more slender than in the parliament of the United Kingdom.

Therefore Hurd and Maude….etc"

It is one of the major safeguards for the people that past rights are enshrined in specific statutes and specific clauses. Imprecise words, confused sentences and contradictory clauses are a danger since they allow potential tyrants to exploit or bypass uncertainty in the law. It has therefore always been accepted as vital that any repeal of a statute or part of a statute should be made specific in new legislation. This is not just to "tidy up" the law books
but more important so that everyone – voters, Parliament, ministers and journalists should know precisely how their historic guarantees are being affected.

But in the text of the Maastricht Bill laid before Parliament there was no mention of any of the many contraventions of historical statutes by the terms of the Treaty. The only reference to another Act of Parliament was to that of the 1978 European Parliamentary Elections Act, the terms of which would have been contradicted had a specific Parliamentary approval not been obtained. The British people were deliberately kept in the dark about the destruction of their constitution and how the Maastricht Treaty and the European Community Amendments Act effectively threw out many of the most important statutes in British Parliamentary history.

The first strategy of the tyrant is secrecy. The second is to lose the detail in a mass of superficiality and generalisation. Both were evident in the passage of the Maastricht Treaty Bill.

S.A.N.I.T.Y

Sanity (Subjects Against the Nice Treaty) was a campaign that originally organised and assisted Lord Ashbourne with the petition. An official press release by Sanity from 2001 states:

“A petition calling on Her Majesty to withhold the Royal Assent from any Bill attempting to ratify the Treaty of Nice was this afternoon presented at Buckingham Palace. The petition was handed over by four peers - the Duke of Rutland, Viscount Massereene & Ferrard, LordHamilton of Dalzell, and Lord Ashbourne, who initiated the petition and organized it.

In torrential rain at Buckingham Palace it was heartening to see the indomitable spirit of the British. A sizeable crowd had gathered in support of the Peers and mindful of the millions of their forefathers who had risked their lives in two wars to prevent Britain being ruled by a Foreign and alien Continental EUropean power were undaunted by the rain.

The crowds cheered the Peers on their mission to Petition Her Majesty to save Britain once again from Foreign rule.

Aware of the historic importance of the occasion, to the peoples of Britain and British children as yet unborn, the Peers mingled with the crowds after their audience delivering The Petition for some time indifferent to the continuing rain.

The peers were using their rights under Magna Carta, signed by King John at Runnymede in 1215. Under clause 61, four peers, representing 25 others, can petition the monarch for redress of grievances. This is the first time these rights have needed to be exercised for over 300 years.

The Petition document was drawn up by calligraphy on parchment, and signed by 28 of Her Majesty's peers. It was supported by messages from another 60 of Her peers and over 7000 loyal subjects, many of whom signed on behalf of organizations with tens of thousands of members.

In a letter accompanying The Petition, the peers said that they had formed a committee to monitor the present constitutional situation and future developments. It will be available for consultation by Her Majesty and her advisers.”

Both the petition and the letter can be accessed immediately on the internet. The web-site is:
www.SilentMajority.co.UK/EUroRealist/OurMonarch

In a statement afterwards, Lord Ashbourne said that several articles in the Treaty of Nice agreed by Tony Blair in December will destroy fundamental British liberties and imperil the rights and freedoms of the people of these United Kingdom.

The European Union is threatening to set up a military force which will place British service personnel under its direct command, restrict the free expression of political opinion, and permit the introduction of an alien system of criminal justice which will abolish the ancient British rights of habeas corpus and trial by jury, and allow onto British soil men-at-arms from other countries with powers of enforcement over Her Majesty's subjects.

These are all issues of major constitutional importance. They directly threaten our rights and our freedoms and destroy the oaths of loyalty to the Crown sworn by Privy Counsellors, British armed forces, and the police.

Such fundamental matters cannot be considered merely the stuff of day-to-day politics. They concern every British subject, and generations yet unborn. Without this petition it is certainly true that The Queen might have found it difficult in today's political climate to raise these issues with Her ministers. With it, Her Majesty has ample constitutional justification and a duty to Her peoples. It is the clear wish of the people.

The rights we have exercised today may not have been used for three hundred years, but only because they were not needed. Well, we need them now. They may be a little dusty, but they are in good order."

Exhibit 'D' - **The Magna Carta Society research paper**

"Magna Carta Society Research Paper.
To;
Leolin Price QC

27 January 2000

First I must thank you for your time and interest when I met you in chambers just before Christmas, and again at the meeting organised by John Gouriet a few days ago.

You were kind enough to agree to look at the arguments prepared by The Magna Carta Society, to justify lodging a petition with The Queen about the UK's relationship with the EU.

You asked for a summary of our supporting evidence. Here it is.

The Magna Carta Society is currently a small group of British subjects concerned with reversing the destruction of our birthright, our rights, liberties and freedoms, our culture, traditions and way of life, our commercial practices, our economy, our nation's sovereignty, and our nationality - all of which threats stem from the European Union.

We represent no political party. Most of us belong to no political party. We speak only for ourselves and others of like mind.

We are aware, however, of a groundswell of support for our activities, both in the UK and elsewhere in the Anglo-Saxon world. In due course, we plan to open membership to all.

Meanwhile, we inadvertently find ourselves representing some 50 percent of the UK population - perhaps even more - who currently support the proposition that the United Kingdom should leave the European Union. Many thousands do so from the bitter experience of seeing their livelihoods and way of life destroyed for no good reason other than to satisfy the whims and egos of politicians, and without any discernible counter-balancing benefits.

Every one of these 20+ million people is currently disenfranchised since no major political party offers a commitment to take the UK out of the EU in its current or prospective manifesto. Neither has any political party with a realistic prospect of forming an administration ever made such a commitment since the passage of the ECA, 1972.

As you agreed when we met, whether we have a strong case or not, the real point here is the enormous publicity bomb our petition would generate, especially by using the old procedures laid down first in Magna Carta.

That is why we should proceed as far as we can - to marshal public support; to remind the nation that we have a unique constitution and that it is there to be used to protect our interests; and to change the behaviour of and - later, perhaps - the people in parliament.

Such a project might also help get the (new) hereditary House of Peers off to a flying start. They would be in the vanguard of a movement to save this country from destruction, they would be recognised as the first estate of the realm to acknowledge the birthrights of the people and they would be seen to be doing their duty under the first document of our constitution, both to the people and to the sovereign.

We greatly hope that you will be willing to help take our petition further if you are sufficiently convinced of our case. So we look forward to your comments when you have had a chance to consider the enclosed.

Ashley Mote

The Magna Carta Society

A Summary of Evidence
to Justify

A Petition to The Queen
Regarding the

Purported Imposition of Foreign Laws by the European Union
on the United Kingdom

January 2000

There is good reason to think that the Treaties of Rome, Maastricht and Amsterdam are illegal in the United Kingdom. Further, we argue that their ratification, the enactment of the European Communities Act 1972, and all consequential laws, directives, regulations and judicial decisions which purport to draw authority from that Act were and are illegal in this sovereign kingdom.

We argue that the signatories to those treaties on behalf of the United

Kingdom exceeded their powers; that, since and including the passage of the 1972 Act, successive executives have systematically compromised the constitution of this sovereign nation and that all such actions are illegal and prima facie acts of treason; and that we have the right to seek redress by petitioning the hereditary House of Lords, which has an obligation to take such a petition to The Queen, who has an obligation to resolve the matter within forty days.

Further, we argue that the United Kingdom's membership of the European Union is null and void, that it can and should be so declared, and that all consequential laws, regulations, directives and judicial decisions fall with such a declaration.

Our justification for such awesome statements starts with Magna Carta, 1215, which gave sovereign recognition to already long-standing Anglo-Saxon common law, rights and customs. Some 150 years earlier William the Conqueror had made the first attempts to acknowledge those rights and customs, which ultimately go back at least to the time of King Alfred.

Magna Carta is a treaty, not an Act of Parliament. As we understand it, Magna Carta, like all treaties, cannot be repealed. As a contract or covenant between sovereign and subjects, it can be breached only by one party or the other, but even in the breach it still stands. It is a mutual, binding agreement of indefinite duration. Any breach merely has the effect of giving the offended party rights of redress.

The present Queen referred to Magna Carta as a peace treaty in a speech in New Zealand in 1997.

So, Magna Carta is an affirmation of common law based on principles of natural justice. These principles - and the document itself - pre-date Parliament.

To summarise our understanding of these principles and customs:

**Common law is the will and custom of the people.*
**Statute law is the will of parliament. Statute can and does give expression to common law, but that common law cannot be disregarded by parliament, nor can it be repealed. It can only be extended - "improved" is the word used, but it is open to misuse.*
**No Briton, including members of the police and armed forces, is above the law. We are all subjects of the crown first.*
**Parliament is made by the law, and is not above it.*
**Parliament is answerable to the people, is elected by the people to protect their interests for a maximum of five years, after which time power is returned to the people who may grant it to another parliament for a further five years -*

and so on ad infinitum.
(Thus is the sovereignty of the people established over parliament.)

Magna Carta recognised that rights and customs were of equal importance to the people, and both were equally protected:

"And the city of London shall have all its ancient liberties and free customs…furthermore, we decree and grant that all other cities, boroughs, towns, and ports shall have all their liberties and free customs.

"If anyone has been dispossessed or removed by us, without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then let it be decided by the five and twenty barons of whom mention is made below in the clause for securing the peace."

Thus, Magna Carta recognised the authority of the House of Lords, established its constitutional role, and its composition for all time. A quorum is 25 hereditary peers:

"All fines made with us unjustly and against the law of the land, and all amercements, imposed unjustly and against the law of the land, shall be entirely remitted, or else it shall be done concerning them according to the decision of the five and twenty barons whom mention is made below in the clause for securing the peace, or according to the judgment of the majority of the same, …provided always that if any one or more of the aforesaid five and twenty barons are in a similar suit, they shall be removed as far as concerns this particular judgment, others being substituted in their places after having been selected by the rest of the same five and twenty for this purpose only, and after having been sworn."

Article 61 of Magna Carta - the famous enforcement clause - specifically establishes majority voting, and requires four of the quorum of barons to take any grievances or petitions to the monarch, and admonishes the people to rise up against the monarch if and when such grievances are not corrected:

"Since…we have granted all these concessions, desirous that they should enjoy them in complete and firm endurance forever, we give and grant to them the underwritten security, namely, that the barons choose five and twenty barons of the kingdom, whomsoever they will, who shall be bound with all their might, to observe and hold, and cause to be observed, the peace and liberties we have granted and confirmed to them by this our present Charter, so that if we, or our justiciar, or our bailiffs or any one of our officers, shall in anything be at fault towards anyone, or shall have broken any one of the articles of this peace or of this security, and the offence be notified to four barons of the foresaid five and twenty, the said four barons shall repair to

us…and, laying the transgression before us, petition to have that transgression redressed without delay. And if we shall not have corrected the transgression…within forty days, reckoning from the time it has been intimated to us…the four barons aforesaid shall refer that matter to the rest of the five and twenty barons, and those five and twenty barons shall, together with the community of the whole realm, distrain and distress us in all possible ways, namely, by seizing our castles, lands, possessions, and in any other way they can, until redress has been obtained as they deem fit…and when redress has been obtained, they shall resume their old relations towards us. And let whoever in the country desires it, swear to obey the orders of the said five and twenty barons for the execution of all the aforesaid matters, and along with them, to molest us to the utmost of his power; and we publicly and freely grant leave to everyone who wishes to swear, and we shall never forbid anyone to swear. All those, moreover, in the land who of themselves and of their own accord are unwilling to swear to the twenty five to help them in constraining and molesting us, we shall by our command compel the same to swear to the effect foresaid. And if any one of the five and twenty barons shall have died or departed from the land, or be incapacitated in any other manner which would prevent the foresaid provisions being carried out, those of the said twenty five barons who are left shall choose another in his place according to their own judgment, and he shall be sworn in the same way as the others. Further, in all matters, the execution of which is entrusted, to these twenty five barons, if perchance these twenty five are present and disagree about anything, or if some of them, after being summoned, are unwilling or unable to be present, that which the majority of those present ordain or command shall be held as fixed and established, exactly as if the whole twenty five had concurred in this; and the said twenty five shall swear that they will faithfully observe all that is aforesaid, and cause it to be observed with all their might. And we shall procure nothing from anyone, directly or indirectly, whereby any part of these concessions and liberties might be revoked or diminished; and if any such things has been procured, let it be void and null, and we shall never use it personally or by another."

Although the Magna Carta pre-dates parliament by some 50 years it was subsequently enacted in 1297 with the passage of Edward 1's Confirmation of the Great Charter Act, which included the words:

"And we will that if any judgement be given henceforth contrary to the points aforesaid by the justices or by any other (of) our ministers that hold plea before them against the points of the charters it shall be undone and holden for nought."

The text later includes words to the effect that the "charter of liberties shall be kept on every point."

This admonition was repeated at the Coronation of the young Henry III:

“...it shall be lawful for everyone in our realm to rise against us and use all the ways and means they can to hinder us...that each and every one shall be bound by our command...so that they shall in no way give attention to us but that they shall do everything that aims at our injury and shall in no way be bound to us until that in which we have transgressed and offenced shall have been by a fitting satisfaction brought again in due state....this having been done let them be obedient to us as they were before.”

Bracton’s great constitutional work written some time between 1235 and 1259, said: “...the law makes the King. Let the King therefore bestow upon the law what the law bestows upon him, namely dominion and power, for there is no King where will rules and not law.”

Sovereignty

Sovereignty must - by definition - be absolute and unqualified. It is like the concept “unique” - it cannot be limited. Either a country is sovereign or it is not. Either a monarch is sovereign or not. The title, rank and style “King” is recognition of the physical embodiment of the nation’s sovereignty. It bears no compromise.

In the context of today’s issues, we can either have The Queen as the constitutional head of a sovereign country, or we can have a president of the European Union. But, by definition - and despite John Major’s claim after Maastricht that The Queen was henceforth a citizen of Europe - we cannot have both.

The 37th of the 39 Articles of Religion passed during the reign of Elizabeth I, which still have legal force, and which can be seen in any book of common prayer, says:

"The Queen's Majesty ... is not, and ought not to be, subject to any foreign jurisdiction".

The Supremacy Act 1559 includes the words:

“...all usurped and foreign power and authority...may forever be clearly extinguished, and never used or obeyed in this realm. ...no foreign prince, person, prelate, state, or potentate...shall at any time after the last day of this session of Parliament, use, enjoy or exercise any manner of power, jurisdiction, superiority, authority, preeminence or privilege...within this realm, but that henceforth the same shall be clearly abolished out of this realm, for ever.”

The Act of Supremacy is now largely repealed, but its central intentions live

on through the use of almost identical words 129 years later, when The Declaration of Rights of 1688 was written. This, too, is a treaty, and not an Act of Parliament. It too, therefore, cannot be repealed by parliament.

The Declaration was engrossed in parliament and enrolled among the rolls of chancery. It has never been listed, however, within the chronological tables of Acts of Parliament - a fact which might be significant.

The Bill of Rights, December 1689, incorporated all the essential clauses of the Declaration of the previous February, and may be argued to form an entrenchment of the Declaration, which severely limits parliament's ability to make changes. Indeed, it could be held to be doubly entrenched.

Clause 13 lays specific responsibilities upon members of parliament to protect the best interests of the people who elected them:

"And they do claim, demand and insist upon all and singular the premises as their undoubted rights and liberties, and that no declarations, judgments, doings or proceedings to the prejudice of the people in any of the said premises ought in any wise to be drawn hereafter into consequence or example."

The last paragraph of the Bill includes the words:

"And be it further declared and enacted...that from and after this session of parliament no dispensation by non obstante of or to any statute or any part thereof shall be allowed but that the same shall be held void and of no effect."

The Bill of Rights included the Oath of Allegiance to the crown which was required by Magna Carta to be taken by all crown servants including members of the judiciary. Specifically...they were required "not to take into consequence or example anything to the detriment of the subjects' liberties". Similar words are still used today as crown servants swear or affirm that they "will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, her heirs and successors, according to law" and that they "will well and truly serve our Sovereign Lady Queen Elizabeth the Second...and will do right to all manner of people, after the laws and usages of this realm without fear or favour, affection or ill will".

Members of the armed forces swear equally unequivocal oaths of attestation which commit them to "protect her from all enemies and to uphold her in her person, dignity and crown".

None of these oaths mention parliament, which clearly indicates that parliament cannot interfere with the relationships or duties established by them.

Which brings us to one of the pivotal issues of our case - the direct, indisputable and irreconcilable conflict between the oaths sworn by privy counsellors who subsequently swear oaths on appointment as European Union commissioners.

Privy counsellors swear:

"I will to my uttermost bear faith and allegiance unto the Queen's Majesty; and will assist and defend all jurisdictions, pre-eminences, and authorities granted to Her Majesty and annexed to the crown by Acts of Parliament or otherwise, against all foreign princes, persons, prelates, states and potentates. And generally in all things I will do as a faithful and true servant ought to do to Her Majesty. So help me God."

EU commissioners swear:

"To perform my duties in complete independence, in the general interests of the communities; in carrying out my duties, neither to seek nor to take instruction from any government or body; to refrain from any action incompatible with my duties."

It is impossible to comprehend how privy counsellors who subsequently become European Union commissioners live with the contradictions inherent in these conflicting promises. By definition, one oath or the other must be broken, but the legal consequences of such breaches has - to the best of our knowledge - never been put to the test in a court of law or anywhere else. We detect an horrific prevailing mood in the highest offices in the land that mere words don't matter any more.

In times past, words and their meaning had value and were fully respected. Sir Robert Howard, a member of the Convention Parliament, and of the drafting committee for the Bill of Rights, wrote:

"The people have always had the same title to their liberties and properties that England's kings have had unto their crowns. The several charters of the people's rights, most particularly the Magna Carta were not grants from the King, but recognition's by the King of rights that have been reserved or that appertained unto us by common law and immemorial custom."

In other words, any attempts to reduce the rights, freedoms and liberties enshrined in the constitution would be ultra vires.

(Few people have ever seen the whole of the original document known as The Declaration of Rights, which is housed in the library of the House of Lords. Until very recently part of it had been creased and folded up for what must

have been many generations. Now, the entire document - including the engrossment - has been photographed and transcribed by members of our group, probably for the first time.)

The Declaration of 1688 confirmed and further clarified the governance of England. It established that the crown, both houses of parliament and the people are parts of a permanent single entity, and also made clear that abolition of the structure or responsibilities of parliament in part or in whole would be illegal:

"...the said Lords...and Commons, being the two Houses of Parliament, should continue to sit and...make effectual provision for the settlement of the ...laws and liberties of this kingdom, so that the same for the future might not be in danger again of being subverted. ...the particulars aforesaid shall be firmly and strictly holden and observed...and all officers and ministers whatsoever shall serve their Majesties and their successors according to the same, in all time to come."

So, neither Magna Carta nor the Declaration of Rights can be repealed, nor did they make any grant of freedom. They both proclaimed what were taken to be self-evident freedoms which exist by right. Equally, both were based on a concept of permanence.

Indeed, in 1661, one of His Majesty's Justices of the Peace told a grand jury:

"If Magna Carta be, as most of us are inclined to believe it is, ...unalterable as to the main, it is so in every part."

The oaths sworn by William and Mary subsequently locked those rights and that parliamentary structure into a constitutional framework which could not later be undone by parliament itself or by the monarchy.

William wrote to parliament to this effect:

"...restoring the rights and liberties of the kingdom, and settling the same, that they may not be in danger of being again subverted."

The historian GM Trevelyan writing (early 1920s) of these turbulent times some 300 years earlier, said:

"In the Stuart era the English developed for themselves...a system of parliamentary government, local administration and freedom of speech and person, clean contrary to the prevailing tendencies on the continent, which was moving fast towards regal absolutism, centralised bureaucracy, and the subjection of the individual to the State."

Is Constitutional Change Treason?

But in England - in a nutshell - since it was established that new rights can be conceded, but existing rights cannot be taken away, so it is arguable that any subsequent attempts to overthrow the laws and constitution of the United Kingdom must be treason .

"Attempts to destroy the constitution" were the defining words used in the Treason Act of 1705, and they were put to the test in the case of R. v Thistlewood in 1820. On the face of it, such a definition would appear to rule out any referendum on the adoption of a foreign currency, since it must, ipso facto, deal with a matter which is constitutional. Indeed, the previous referendum on joining what was then called the common market may also have been unconstitutional, since the executive of the day and their legal advisors have subsequently admitted that they knew then that the true purpose of the common market was full political union.

Act of Settlement 1700 (section 4) says:

"...the laws of England are the birthright of the people thereof and all the kings and queens who shall ascend the throne of this realm ought to serve them respectively according to the same."

Which brings us to The Treaty of Union with Scotland, and the obstacles placed in the way of a catholic attempting to ascend the throne. These were most recently and clearly spelled out in the Declaration of Rights and also in the Bill of Rights. Such an event was held to be inconsistent with the safety and welfare of this protestant kingdom.

The authority for this is not the Act of Settlement, but Article 11 of the Treaty of Union 1707, which embodies the substance of the Act of Settlement of 1700.

Once again, this treaty was not incorporated into statute law and therefore cannot be repealed by an Act of Parliament - yet another inconvenient fact that's been forgotten by this present government.

The Statute Law Revision Act, 1867, attempted to take common law into statute and then repeal it. But, as we have argued earlier, this cannot happen, since common law is above statute law and pre-dates it. In any case, both Magna Carta and the Declaration of Rights specifically reject any such attempt to amend or abolish them.

We can find no supporting evidence for Halsbury's claim that only clauses 1, 9, 29 and 37 of Magna Carta still stand today, while Blackstone and Dicey make no such suggestion.

Coming to more recent times...

In 1913 (Bowles v Bank of England) it was ruled that:

"The Bill of Rights still remains unrepealed, and practice of custom, however prolonged or however acquiesced in on the part of the subject, cannot be relied on by the crown as justifying any infringement of its provisions."

The case of Chester v Bateson, 1920, held that "common law is not immune from development or improvement". It does not talk about "limitations" or "destruction".

So the issue then turns on what is "improvement". The word is open to a considerable latitude of interpretation, and some future undemocratic tyrant or despotic government might - would - argue that certain freedoms and rights were dangerous and should be "improved" by abolition. That's the perverse logic used in the communist and fascist worlds of years ago. Indeed there are alarming signs of exactly that deviousness of interpretation amongst our present executive. And it represents a serious risk which cannot be ignored.

The erosion of one single right - however alluring the apparent logic and reasonableness might be - and all rights are then exposed. That's why the right to bear arms is so crucial, despite the aftermath of Dunblane.

One of the signatories to this document, Mike Burke, went to the Court of Appeal on 8 March 1998 in support of his case based on clause seven of The Declaration of Rights, 1688, and The Bill of Rights, 1689, permitting him to bear arms in self-defence. The appeal was rejected.

Despite further extensive enquiries and research, he still awaits an answer to the question: where exactly did the learned judges in the high court and the appeal court discover authority for the removal of our right to arms, and the repeal of at least one clause in The Bill of Rights?

Of equal concern is the fact that subsequent searches of legal records have so far revealed no trace of the judgement rejecting his appeal. Yet the case raised an important constitutional right, embedded in legislation which has not been repealed and which - we have argued above - cannot be repealed.

That such a case should not be reported at all in legal records raises yet more important questions about the suppression of rights by stealth, and this time apparently with the connivance of the judiciary.

It must be of some concern that the last time Britons were forcibly disarmed of

weapons held for self-defence the result was the American War of Independence.

The legal status of the Parliament Act, 1949, may also have an important bearing on our case. Some respected constitutional lawyers believe that it is not valid. It purports to enable legislation to be enacted after a year despite the opposition of The House of Lords. But, as Professor Hood Phillips pointed out over 50 years ago, the Act cannot be valid because it was rejected by the House of Lords and no power of amendment was conferred on the House of Commons by the Parliament Act, 1911.

Indeed the Parliament Act 1911 offers no authority to the House of Commons to amend primary legislation at all. And if the Parliament Act 1949 is invalid, so must be much European-led legislation, including most recently the European Parliamentary Election Act, 1999.

Of course, in recent times, the House of Commons has frequently attempted to interfere with the constitution. An attempt was purportedly made to repeal Magna Carta in 1969, when the Statute Laws (Repeal) Act was sneaked through parliament during the moon landings.

It repealed Edward 1's Confirmation of the Great Charter Act of 1297 - but it did not repeal Magna Carta itself. Yet again, as we understand the legal position, a repeal of a statute which gives effect to common law does not repeal the underlying common law itself. Neither does the distance in time between the two events have any bearing.

If parliament could be held to have repealed Magna Carta it could also be held to have acted unlawful in that, by definition, parliament must have exceeded its powers on that occasion.

On 21 July 1993, the Speaker of The House of Commons issued a reminder to the courts. She said:

"There has of course been no amendment to the Bill of Rights…the house is entitled to expect that the Bill of Rights will be fully respected by all those appearing before the courts."

Lord Wilberforce, speaking in the House of Lords in 1997 said:

"Perhaps I may remind noble lords of what our essential civil rights, as guaranteed by common law, are: the presumption of innocence; the right to a fair hearing; no man to be obliged to testify against himself; the rule against double jeopardy; no retrospective legislation; no legislation to be given an effect contrary to international law - an old principle that has been there for years; freedom of expression; and freedom of association …firmly secured

already by the common law of this country, and not intended to be superseded or modified by new inter-state obligations…"

We can put it no better than the great John Locke, when he wrote:

"A ruler who violates the law is illegitimate. He has no right to be obeyed. His commands are mere force and coercion. Rulers who act lawlessly, whose laws are unlawful, are mere criminals".

Parliamentary Limits

Ironically, it seems that the only power parliament has is to manufacture criminals. If government, any government, "believes it can do as it wishes without the constraint of a constitution which is enforceable then no-one and nothing is safe." These are the views of a lawyer who has made a special study of the EU's corpus juris proposals.

Parliament cannot do as it wishes. There are a great many things parliament cannot do. It cannot sit for more than five years, it cannot permit anyone not elected to speak in its chamber, nor anyone who has not sworn an oath of allegiance, it cannot dissolve itself and it cannot legitimately depose The Queen.

No parliament can bind its successors. This principle is itself a maxim of common law, and has been often restated:

"Acts derogatory to the power of subsequent parliaments bind not"
- Blackstone and Halsbury

Neither can parliament legislate in contravention of the treaties which established the constitution and sovereignty of this nation - a point central to our case. Furthermore, parliament has a duty of care to preserve and protect the rights and freedoms of the people who elected it.

Nor can parliament complete the passage of a bill without the royal assent.

The sovereign, on the other hand, can dissolve parliament - with or without the advice of ministers - and can withhold the royal assent.

Only the sovereign can call for new elections, and only the sovereign can sign treaties. Those powers are the embodiment of the sovereign's supremacy over parliament. They may, from time to time, be delegated.

Because the sovereign is constitutionally bound to respect the provisions of the Bill of Rights, such royal prerogative has restrictions:

** It cannot be used in an innovatory way. (If this were not so, the executive could dispense with parliament and the judiciary and become an unlimited tyranny. Any future Attorney General could claim that an edict was part of a treaty and it would become unquestionable.) *It may not be subversive of the rights and liberties of the subject. (The case of Nichols v. Nichols, 1576, stated "Prerogative is created for the benefit of the people and cannot be exercised to their prejudice".) *It may not be used to suspend or offend against statutes in force. (This comes from the Bill of Rights and the Coronation Oath Act which specifies the following form of words: Archbishop: "Will you solemnly promise and swear to govern the peoples of the United Kingdom...according to their respective laws and customs." Prospective Monarch: "I solemnly promise so to do.")*
The limitations of royal prerogative are clear. The Lord High Chancellor Command Paper 3301, 1967, Legal and constitutional implications of UK membership of the European Community:

"No prerogative may be recognised that is contrary to Magna Carta or any other statute, or that interferes with the liberties of the subject. The courts have jurisdiction therefore, to enquire into the existence of any prerogative, it being a maxim of the common law that the king ought to be under no man, but under God and the law, because the law makes the king. If any prerogative is disputed, the courts must decide the question of whether or not it exists in the same way as they decide any other question of law. If a prerogative is clearly established, they must take the same judicial notice of it as they take of any other rule of law."

Thus, we argue, while sovereigns have, over the centuries, at times devolved the royal prerogative to sign treaties to plenipotentiaries to act on their behalf, such devolved power is strictly limited, and cannot be used to remove the freedoms and liberties of the people by imposing foreign government and foreign law on them.

In other words, the signatories to the European Communities Act 1972 exceeded their powers under the royal prerogative.

We further argue that the subsequent claims made by government ministers and officials that European law is "supreme" in the UK is wholly ill-founded. At least one lawyer has suggested that anyone making such a claim is either ignorant, or lying, or bluffing, or admitting illegalities, or perpetrating a combination of all four follies.

The Cambridge Law Journal, 1955, referring to (now Professor Sir, QC) William Wade's The Basis of Legal Sovereignty, said that:

"sovereign legislation depends for its authority on (what Salmond calls) an

‘ultimate legal principle’, ie: a political fact for which no purely legal explanation can be given. If no statute can establish the rule that the courts obey (the UK) parliament, similarly no statute can alter or abolish that rule. It is above and beyond the reach of statute…because it is itself the source of the authority of statute.”

In other words, the relationship between parliament, sovereign legislation and the courts of law in the United Kingdom is unalterable.

It is surprising to us that the so-called “supremacy” of the European Court of Justice has not been tested in the courts on this point already. If Wade is right, the UK courts are supreme in this jurisdiction.

An attempt was made to bring these and other matters to court in 1972 by Ross McWhirter of The Freedom Association. He invoked the Bill of Rights to show that the government did not have authority to give away the right and liberties of the people. He was mysteriously assassinated before the matter was decided. His brother Norris made a similar attempt to question the legality of the Maastricht Treaty in 1993. Summonses were issued against the then Foreign Secretary for treason. The Attorney General used a purported power to take over the case and then drop it as "not in the public interest". Yet the Bill of Rights prohibits "suspending laws or the operation of laws". His action was also contrary to natural justice because the Attorney General was sitting in judgement in his own cause.

Applying the principle of Pepper v. Hart (1992), (the interpretation of statutes by reference to the debates in parliament during passage of the bill), the following statements during the passage of European enabling legislation are relevant:

"The house as a whole may therefore be reassured that there is no question of this bill (The European Communities Bill 1972) making a thousand years of British law subservient to the Code Napoleon".
Mr. Geoffrey Rippon, Chancellor of the Duchy of Lancaster. Hansard, 15 Feb 1972. Pg.270.

"Our sovereignty cannot be bartered away by the Solicitor General, or even by the Prime Minister, because it is not theirs to give. I speak not only of the sovereignty of this house, but also of the higher sovereignty of the British people".
Mr Alfred Morris MP. Hansard, 17 Feb 1972 Pg. 727-8.

Government statements made during the time of national debate on the question of the UK joining what became the EU can be described at the very least as deliberately misleading, and at worst as barefaced lying in the teeth of - to ministers - known facts and legal advice:

"There is no reason to think that the impact of community law would weaken or destroy any of the basic rights and liberties of individuals under the law in the United Kingdom".
The Lord High Chancellor Command Paper 3301, 1967.

"...no question of any erosion of essential national sovereignty"
White Paper on joining the Common Market, issued by the Heath government in July 1971.

Three years later, writing in support of the "Yes" campaign in the 1975 referendum, Roy Jenkins was equally misleading:

"The position of the Queen is not affected. English Common Law is not affected."

On the other hand, if we were to argue that the government's White Paper of 1971 and Roy Jenkins remarks of 1975 were correct, these statements now support our case for declaring that all European legislation in the UK is unconstitutional and therefore null and void.

Judgement in the Witham case of 1997 included the observation:

"The common law does not generally speak in the language of constitutional rights, for the good reason that, in the absence of a sovereign text, a written constitution which is logically and legally prior to the power of the legislature, executive and judiciary alike, there is on the face of it no hierarchy of rights such that any one of them is more entrenched by law than any other...at a time when common law continues to accord a legislative supremacy to parliament."

Which brings us back finally to the meaning of words, respect for their meaning, and acceptance of the force, obligations and commitments they carry. The Alice in Wonderland language - "words mean what I want them to mean" - adopted increasingly by the executive in modern times is at the very heart of the UK's current political scepticism, as governments blithely ignore almost anything that is inconvenient to them, prefer political correctness to substance, and spin-doctor their way around every obstacle.

If the words used in the Witham judgement have any meaning, legal or otherwise, the logic of the case we have argued in this document is overwhelming. Whether those in or close to the executive, the legislature or the judiciary will recognise the force of our case sufficiently to find the courage to lend support is altogether something else.

Sovereign Authority

We have already argued that the ultimate powers of sovereignty remain in the sole possession of the monarch. Indeed, it is the unique covenant between sovereign and people that stands as the bulwark supporting our constitution and rights.

The sovereign is the court of last resort, the only person who can stand finally between the people and renegade politicians. Indeed, we would go further. It is the sovereign's sworn duty, as laid down in Magna Carta (see above).

The Coronation Oath is a contract for life between the sovereign and the nation.

The present Queen swore:

"...to govern the peoples of the United Kingdom...according to their laws and customs." She also swore to preserve for the people "all rights and privileges as by law do or shall appertain to any of them."

The Coronation Oath is not a contract between the sovereign and parliament. It is a contract between the sovereign and each individual subject. It cannot be broken by a vote in parliament. It can be broken only by the sovereign or by the individual.

Like all contracts, if one party to the contract believes the terms are at risk, the other party can be called to account.

As we have indicated already, today just as for nearly a thousand years, if an individual believes his freedoms, rights and liberties are at risk, the sovereign can be called upon to protect those rights as promised in the contract.

Likewise, the sovereign can call individuals to arms to protect the realm.

We know of two occasions in modern times when the covenant between sovereign and subjects first established in Magna Carta, and renewed in every Coronation Oath since, has been put to the test by one party to the contract or the other. Conveniently, the two examples come from opposite sides of the covenant.

1975 - Australia. The Governor General, acting on behalf of The Queen, dissolved the Australian parliament and called new elections, when the then government attempted to pass legislation which was held to infringe the rights of all Australians.

1982 - Falklands. Sovereign's call to arms to prepare and despatch a task force to rescue the Falkland Islanders whose rights and sovereignty were threatened by war.

Actions of this kind enhance the status and strength of the monarchy, and re-affirm to the nation's subjects that their rights and freedoms are being preserved. They also demonstrate in a modern context that Magna Carta and the Declaration of Rights are alive and well.

The sovereign is the ultimate protector of the nation and guarantor of the rights of each individual, and those responsibilities are the sovereign's, and the sovereign's alone.

At least one constitutional commentator (Allott) agrees with us:

"For parliament to develop or improve on a fundamental right is one thing. But to enact legislation which expressly removes an already existing fundamental right, and to have that enactment blindly upheld by a court, is quite another.

"If there is one thread which runs through the whole turbulent history of British constitutional development, it is the belief that we (parliament and the courts) are the servants of fundamental constitutional rules which were there before us and will be there after we are gone."

The Ultimate Test

Despite all those rights, freedoms and protections, established over centuries, today our common laws, rights, freedoms, liberties and customs are being demolished with the speed and thoroughness of a team of statutory bulldozers.

Long ago, Magna Carta dealt with the problem of a sovereign acting above the law. Later, the Declaration of Rights confirmed the estates of the realm and their relationship to one another - a series of checks and balances. Today, that relationship has been seriously undermined. We now have a House of Commons acting above the law, plainly contemptuous of the (remaining) powers of The Queen and the House of Lords.

Such an overwhelming concentration of power in the hands of the executive, especially one with a huge parliamentary majority, means that we are currently faced with an extreme example of what Lord Hailsham famously called "an elective dictatorship".

Writing of Magna Carta in his History of The English-Speaking Peoples, Winston Churchill said:

“...and when in subsequent ages the state, swollen with its own authority, has attempted to ride roughshod over the rights and liberties of the subject it is to this doctrine that appeal has again and again been made, and never, as yet, without success.”

The Magna Carta Society, and tens of thousands like us, believe the time has come - indeed, it is overdue - to put the great principles and rights enshrined in Magna Carta and the Declaration of Rights to the test once again.

Eventually, the issue of the EU's right to rule over the UK must be tested in the highest court in the land and - given the speed and comprehensiveness of present EU legislation and its destructiveness - that test must be made as a matter of the highest priority.

Already faced with the most fundamental concerns for the structure and protection of this nation’s constitution it now appears that the battle over the EU has developed a second front - the dismantling of our parliamentary institutions and the most cavalier disregard for our constitution and rights.

Given the extracts above, there is good reason to believe that, under Magna Carta, 25 hereditary peers can convene themselves as a quorum, and sit as a House of Lords, despite the recent passage of a bill purporting to restrict its hereditary numbers.

We have reason to believe that such a quorum can be assembled.

Furthermore, under the terms of Magna Carta, that House has an obligation to hear petitions brought by free men, and take them to The Queen, who - equally - has an obligation to hear them.

That is the ultimate consequence of the unique contract first established with Magna Carta and renewed at each coronation.

To those in government and the judiciary who might try to argue that we no longer have the right of petition and appeal to The Queen, there are serious questions to answer:

When do they claim that right was taken away? By whom? And how? On whose authority? And by what right?

(We believe the last monarch to receive and act on a petition was Queen Victoria, and we can find no evidence of any attempt to prevent or hinder any such petition subsequently. Nor does there appear to be any legislation which attempts to defy the contract made between sovereign and subjects in Magna Carta and the Coronation Oath. We acknowledge that it has become custom

in the last few years for petitions to be passed to ministers of the crown for action, but that is not to say that the monarch can no longer act in her own right. Indeed, in current circumstances, the ministers themselves are party to our complaint, and cannot therefore deal with the matters complained of.)

In any case, the sovereign cannot be absolved from her obligations, responsibilities and duties to her subjects, and certainly not on the mere advice of ministers. Otherwise the Coronation Oath would be meaningless.

Which is why we are preparing a petition to be submitted to the hereditary House of Lords for presentation to The Queen, based on the following terms:

"We the undersigned seek to draw attention to and seek redress from the imposition of foreign laws, directives, regulations and judicial decisions by and from the European Union and its institutions, to the detriment and prejudice of your sovereignty and to our rights and freedoms as defined in Magna Carta, the Declaration of Rights, and by the customs of your people, and which you, our sovereign, swore to uphold and preserve inviolate in your Coronation Oath of 1953."

If Magna Carta stands, we have a right to enter such a petition.

If it does not, this kingdom stands in dire peril, the executive have some momentous questions to answer, and all free men of this kingdom should hear the call.

Whether Magna Carta stands or not, action is needed, and we intend to take it.

The Magna Carta Society

OTHER ACTIONS

The objective of this document has been to make a case for the constitutional repudiation of the United Kingdom's membership of the European Union.

There are, of course, other means by which the UK's membership of the EU may end - the government of the day might withdraw; the EU might throw us out (we should be so lucky); parliament might vote for repeal of the 1972 Act; private prosecutions of government ministers for treason might be successful. Any one of these events would have much the same practical effect as we seek.

Whichever event prevails, we argue that there are other actions, legal and otherwise, which need the urgent attention of those in a position, and with the knowledge, to take them:

Immediately

1. Determine how best to test in the courts the claim that European law is "supreme" in the United Kingdom.

2. Examine the direct conflict between the oaths sworn by privy counsellors and EU commissioners. At the very least, we advocate that those who have taken the commission's euro should be publicly stripped of their status as privy counsellors.

3. Examine the constitutionality of the two separate recent attempts made by parliament acting under instructions from the EU and the European Court of Human Rights to interfere with the oath of attestation made by all members of the armed forces. The first involves the setting up of an embryo European Army, and the second with the setting and interpretation of standards of behaviour likely to be detrimental to the efficiency of the forces. In both these actions parliament appears to have exceeded its authority, and had the effect of compromising the sovereignty of The Queen.

4. Examine the issue of citizenship (Article 8 of the Maastricht Treaty - "Citizenship of the union is hereby established"). British citizenship (we prefer the term "subject of the crown") is a birthright. Citizenship is not in the gift of a self-appointed foreign institution, which in any event is unaccountable to the British electorate and, we argue, has no standing here.

The notion of dual citizenship, implied under this Treaty, is nonsensical. Across the world, applications for dual citizenship are entirely voluntary. Furthermore, the European Union is even now only an association of sovereign nation states. It is not in itself a state, much as it might like to pretend otherwise. It is impossible to be the citizen of a non-state. At the very least, therefore, that legal non-sequitur needs to be

disputed in the courts, with the outcome providing individual subjects with a practical and effective means of rejecting so-called citizenship of the EU, and all its pathetic paraphernalia - passport covers, driving licences and the like.

5. Examine the constitutionality of the 1975 referendum and the referendum proposed on the euro, both of which concern changes which appear to have been forbidden under our constitution and, if possible, instigate proceedings to have them set aside.

6. Investigate potential cases of treason against all the plenipotentiaries acting under the royal prerogative and who signed the Treaties of Rome, Maastricht and Amsterdam on behalf of the United Kingdom.

7. Test the legality of all new EU legislation, directives and regulations, as attempts are made to introduce and enforce them. To date, insufficiently vigorous opposition has been applied. There are huge battles ahead, including: the euro and tax harmonisation, weights and measures, a European defence force, Europol and Corpus Juris. As the EU attempts to enforce its policies and law on the UK, contrary to Magna Carta, the Declaration of Rights, and common law, each and every one must be disputed to the utmost of our resources and will-power.

Post-Membership

8. The restitution of the constitution will release an avalanche of cases of maladministration, involving whole industries (fishing, for example) and many thousands of individuals and businesses, and going back over many years.

The desire for an immediate and gigantic bonfire of EU inanities will need to be balanced with an equally important desire to achieve rapid but orderly abolition of (now) illegal regulations. An immediate moratorium on enforcement seems the most practical and desirable first step.

The vital issue of making good the damage suffered by the people will come a close second. This might perhaps be addressed in much the same way as restitution and reinstatement was handled after the second world war, with the state leading a programme of national re-building. What redress do the people whose livelihoods have been damaged or destroyed over the last 30 years have against government ministers and enforcement agencies past and present? And how can it be delivered quickly and fairly, without time-consuming and expensive civil proceedings? It is possible that justice itself will demand that the state foots the bill.

We urge that a powerful independent body be set up as a matter of the highest priority and charged, primarily, with determining the best means of achieving rapid and equitable redress for all those affected by the enforcement of EU law, regulations, directives and judicial decisions in the UK since 1 January 1973.

9. Investigate potential cases of treason against all prime ministers since 1972

10. Investigate, with a view to prosecution, the past actions of ministers and officials who exceeded or may have exceeded the authority delegated to them by the people, and who attempted to defy the clear intentions of the constitution of the United Kingdom.

And Finally...

11. The people are sovereign. The monarch is the embodiment of that sovereignty. So it was and still should be. But these tenets of the constitution have been seriously threatened by the erosion of the checks and balances between the sovereign, the houses of parliament and the people - an erosion which has been insidious, lengthy and allowed to thrive by the negligence of the people, who have failed sufficiently to exercise vigilance.

It was 473 years after Magna Carta that a further treaty became necessary between the sovereign and the people. Another 312 years have passed since the Declaration of Rights.

Events of recent years, and the momentous issues raised in this document, convince us that a new treaty between the monarch and the people is now essential. It should re-state the true relationship between sovereign, the two houses of parliament and the people, re-establish the checks and balances between them, and re-affirm the covenant between sovereign and subjects.

Nothing else will do.

This document was researched and written by the founding members of The Magna Carta Society
signed:

25 January 2000

Founding members of The Magna Carta Society:
David Bourne Mike Burke
Idris Francis Adam Hartman
John Hurst Bob Lomas
Brian Mooney Ashley Mote
Bob Sims Bryan Smalley"

Exhibit 'E' - **The Barons Petition:**

THE 2001 BARONS PETITION:
February 2001 To Defend British Rights and Freedoms - A Petition to Her Majesty Queen
Elizabeth II presented under clause 61 of Magna Carta, 1215

Ma'am,
as our humble duty, we draw to Your Majesty's attention:
1. the loss of our national independence and the erosion of our ancient rights, freedoms and customs since the United Kingdom became a member of the European Economic Community (now the European Union) in 1973;
2. the terms of the Treaty of Nice, 2000, which, if ratified, will cause significant new losses of national independence, and further imperil the rights and freedoms of the British people, by surrendering powers to the European Union:
a. to enter into international treaties binding on the United Kingdom, without the consent of your Government;
b. to ban political parties, deny free association and restrict the free expression of political opinion;
c. which can be used to introduce an alien system of criminal justice, abolish the ancient British rights of habeas corpus and trial by jury, and allow onto British soil men-at-arms from other countries with powers of enforcement;
d. to create a military force which will place British service personnel under the command of the European Union without reference to British interests, and contrary to:
i. the oath of personal loyalty to the Crown sworn by British forces,
ii. the Queen's Commission, and
iii. the United Kingdom's obligations to the North Atlantic Treaty Organization;
e. which remove the United Kingdom's right to veto decisions not in British interests;
3. the creation by the European Union of a Charter of Fundamental Rights, which purports to give it the power to abolish such "rights" at will;
4. the unlawful use of the Royal Prerogative to
a. suspend or offend against statutes in ways which are prejudicial and detrimental to your sovereignty, contrary to the Coronation Oath Act, 1688;
b. subvert the rights and liberties of your loyal subjects, contrary to the ruling in Nichols v Nichols, 1576;
5. Your Majesty's power to withhold the Royal Assent, and the precedent set by Queen Anne under a similar threat to the security of the Realm in 1707;
WHEREFORE it is our humble duty TO PETITION Your Majesty to withhold the Royal Assent from any Parliamentary Bill which attempts to ratify the Treaty of Nice unless and until the people of the United Kingdom have given clear and specific approval;

to uphold and preserve the rights, freedoms and customs of your loyal subjects as set out in Magna Carta and the Declaration of Rights, which you, our Sovereign, swore before the nation to uphold and preserve in your Coronation Oath of June 1953.

We have the honour to be Your Majesty's loyal and obedient subjects.

(signed)

[Side Notes on the Nice Treaty]

The Treaty of Nice (agreed by the Heads of State or Government at the Nice European Council on 11 December 2000 and signed on 26 February 2001 includes:

Article 24 –transforms the EU into an independent state with powers to enter into treaties with other states which would then be binding on all member states, subject to agreement determined by Qualified Majority Voting.

Article 23 allows the EU to appoint its own representatives in other countries, effectively with ambassadorial status.

Article 191 –assumes for the EU the right to "lay down regulations governing political parties at European level [i.e.: in the EU]" and withdraw or prevent the funding of political parties which do not "contribute to forming a European awareness." This is a clear restriction of free speech and free political association. It also introduces two particularly abhorrent propositions – taxation without representation and the use of sanctions to suppress public opinion.

Articles 29 and 31 – establish common policing and judicial cooperation (Eurojust).

Article 67 allows matters of justice and home affairs to be agreed by QMV. These articles open the door to the imposition of Corpus Juris on the UK (article 31 specifically calls for cross-border policing and prosecution, and the removal of conflicts of jurisdiction), and the deployment of armed Europol law enforcement officers on the streets of Britain. These matters were originally dealt with under article 280, which mysteriously disappeared from the draft of the Nice Treaty at the very last minute, in part at least following heavy

pressure from British euro-realists.

Article 17 –establishes a common foreign and defence policy for the EU, with its own military force. The House of Commons was told on 11 December 2000, that: "The entire chain of command must remain under the political control and strategic direction of the EU. NATO will be kept informed"

Her Majesty The Queen is Commander in Chief of all her armed forces and Colonel in Chief of 46 of Her Regiments of the British army, every other regiment owing its loyalty directly via another member of The Royal Family as its Colonel in Chief to Her Majesty.

The loss of the UK veto applies to 39 new areas of EU "competence," including indirect taxation, the environment, immigration, trade, employment, industrial policy, and regional funding. The EU also has plans for QMV to be expended to other areas not agreed at Nice, and without further treaty negotiations.

Charter of Fundamental Rights – signed at Biarritz, autumn 2000.

Article 52 purports to give the EU the power to abolish them at will, effectively making them meaningless. The whole proposition that the state has the right to grant and abolish fundamental human rights [i.e.: those we inherit at birth and hold in trust for future generations] is not only absurd but also contrary to Magna Carta, 1215, the Declaration of Rights,1688, and the Bill of Rights 1689.

Exhibit 'F' - **Communications between Sir Robin Janvrin and the Barons Committee**

Sir Robin Janvrin, KCVO, CB
Principal Private Secretary to Her Majesty The Queen
Buckingham Palace
London
23 March 2001

"You were kind enough to invite a letter of amplification to accompany our petition to Her Majesty. Thank you.
The Treaty of Nice raises issues of major constitutional importance. It directly threatens our rights and freedoms, and undermines oaths of loyalty to the Crown. Such fundamental matters cannot be considered merely the stuff of day-to-day politics. They directly concern the Crown, the constitution and every British subject, including generations yet unborn.

We find ourselves living in exceptional times, which call for exceptional measures. Hence our petition to Her Majesty, which exercises rights unused for over 300 years – clause 61 of Magna Carta, which were reinforced by article 5 of the Bill of Rights. As you know, the wording of clause 61 says:
...and, laying the transgression before us, petition to
have that transgression redressed without delay...And we shall procure nothing from anyone, directly or indirectly, whereby any part of these concessions and liberties might be revoked or diminished; and if any such things has been procured, let it be void and null.

We have petitioned Her Majesty to withhold the Royal Assent from any Bill seeking to ratify the Treaty of Nice because there is clear evidence(which we shall address in a moment) that it is in direct conflict with the Constitution of the United Kingdom. It conflicts with Magna Carta, with the Declaration and Bill of Rights and, above all, with Her Majesty's Coronation Oath and the Oaths of Office of Her Majesty's ministers. Every one of these protections stand to this day, which is why they are now being invoked by our petition.

Ultimately, our supreme protection is Her Majesty's obligations under the Coronation Oath. The Queen has solemnly promised to govern the peoples of the United Kingdom according to the Statutes in Parliament agreed on and according to their laws and customs. Her Majesty also swore to preserve all rights and privileges as by law do or shall appertain to any of them. From the spiritual point of view, it is unimaginable that Her Majesty would seek, in effect, a divorce from her duty. From a secular point of view, the Coronation Oath is a signed contract.

Recent statements by ministers, and by the previous prime minister, confirm that they would not advise any measure which might tend to breach the Coronation Oath nor betray Her Majesty's promise to her loyal subjects. Her Majesty accepts the advice of her ministers. Conversely, it is their duty to advise in accordance with the Coronation Oath. They cannot lawfully advise a breach. Nor can they gain or remain in power without swearing allegiance to the Crown. Yet the Treaty of Nice represents precisely such a breach, and it has now been signed by the foreign secretary using the Royal Prerogative.

Blackstone's Commentaries (volume 1, page 239) says of
the Royal Prerogative: The splendour, rights, and powers of the Crown were attached to it for the benefit of the people. They form part of, and are, generally speaking, as ancient as the law itself . De prerogativa Regis is merely declaratory of the common law...

The duties arising from the relation of sovereign and subject are reciprocal. Protection, that is, the security and governance of his dominions according to law, is the duty of the sovereign; and allegiance and subjection, with

reference to the same criterion, the constitution and laws of the country, form, in return, the duty of the governed We have already observed that the prerogatives are vested in him for the benefit of his subjects, and that his Majesty is under, and not above, the laws.

For such words to have meaning, the act of signing the Treaty of Nice by the foreign secretary demonstrates that ministers have de facto renounced their oaths of allegiance. Indeed, faced in due course with a Bill seeking ratification of the Treaty of Nice, the only options appear to be for Her Majesty to dissolve Parliament, or for the government to resign and fight an election on the issue.

The ex-government would then be faced with seeking elective power to introduce new oaths of loyalty under a new constitution as part of their new manifesto. This would distil the issues as perhaps nothing else might, since it would allow the people of the United Kingdom to decide whether or not they wished the constitution to be breached in this way, their rights and freedoms to be curtailed, and the position, powers and responsibilities of their sovereign to be diminished.

Of course, for the many thousands of subjects who have supported our petition, no such option exists. As the Act of Supremacy and the Bill of Rights put it: all usurped and foreign power and authority may forever be clearly extinguished, and never used or obeyed in this realm. no foreign prince, person, prelate, state, or potentate shall at anytime after the last day of this session of Parliament, use, enjoy or exercise any manner of power, jurisdiction, superiority, authority, pre-eminence or privilege within this realm, but that henceforth the same shall be clearly abolished out of this realm, forever. So it is clear that no-one – neither sovereign, nor parliament, nor government, nor people – may tamper with, dismantle, destroy or surrender our constitution. We are all tenants of it, and trustees. We inherited these rights, and we have a supreme responsibility to pass them in good order to future generations. They are not ours to discard or diminish.

Which is why oaths of allegiance place an essential limitation on parliament's power, and the Queen's Coronation Oath is crucial. The Coronation Oath is a moral obligation, a religious obligation, a sworn obligation, a contractual obligation, a statutory obligation, a common law obligation, a customary obligation, an obligation on all who swear allegiance, it is the duty of government, and it is sworn for the nation, the commonwealth and all dominions. The Coronation Oath is the peak of a pyramid, and all subordinate oaths are bound by its limitations. The armed services swear allegiance to the sovereign, not to the government of the day. This helps clarify the principle that allegiance is necessary, and not optional – an essential"

The Reply

-The innapropriate Reply (39th day of the *“40 days”* given to *”redress the grievances without delay”)*

“I am commanded by The Queen to reply to your letter of 23rd March and the accompanying petition to Her Majesty about the Treaty of Nice.”
The Queen continues to give this issue her closest attention. She is well aware of the strength of feeling which European Treaties, such as the Treaty of Nice, cause. As a constitutional sovereign, Her Majesty is advised by her Government who support this Treaty. As I am sure you know, the Treaty of Nice cannot enter force until it has been ratified by all Member States and in the United Kingdom this entails the necessary legislation being passed by Parliament.”

Exhibit ‘G’ - **Telegraph Reports**

Telegraph report 1 (dated 7th of February 2001):

By Sarah Womack, Political Correspondent
12:00AM GMT 07 Feb 2001

“A GROUP of peers will today use ancient rights granted under Magna Carta to urge the Queen to block further European integration. Their petition, presented under Clause 61 of the ancient charter, asks the Queen to withhold Royal Assent from the Nice Treaty. It has the backing of 65 Euro-sceptic peers led by Lord Ashbourne and has been organised by Sanity (Subjects Against the Nice Treaty).

Clause 61 of Magna Carta, signed by King John at Runnymede in June 1215, permits the "Sovereign's subjects to present a quorum of 25 barons with a petition which four of their number are then obliged to take to the Monarch who is obliged to accept it. She then has 40 days to respond." The "enforcement powers" granted by King John when he signed the Magna Carta were last used in 1688 at the start of the Glorious Revolution. Lord Ashbourne, a Conservative hereditary peer ousted from the Lords under Tony Blair's reforms, said: "These rights may not have been exercised for 300 years but only because they were not needed. Well, we need them now. They may be a little dusty but they are in good order."

Campaigners said thousands of letters and postcards had been sent to Buckingham Palace urging the Queen not to grant Royal Assent to the Treaty which they described as a "major step in invading our country by treaties not tanks". They added: "It removes the right of veto in virtually all areas."

Telegraph report 2 (dated 24th of March 2001):

By Caroline Davies, Editorial staff
12:00AM GMT 24 March 2001

“FOUR peers invoked ancient rights under the Magna Carta yesterday to petition the Queen to block closer integration with Europe.

The Duke of Rutland, Viscount Masserene and Ferrard, Lord Hamilton of Dalzell and Lord Ashbourne were imbued with the spirit of the ancient Charter, thrust on King John in 1215. In accordance with the Charter's Clause 61, the famous enforcement clause, the four presented a vellum parchment at Buckingham Palace, declaring that the ancient rights and freedoms of the British people had to be defended.

The clause, one of the most important in the Charter, which was pressed on King John at Runnymede, allows subjects of the realm to present a quorum of 25 barons with a petition, which four of their number then have to take to the Monarch, who must accept it. It was last used in 1688 at the start of the Glorious Revolution.

The four peers, who were all thrown out of Parliament in November 1999, proved they had that quorum by presenting Sir Robin Janvrin, the Queen's private secretary, with the petition signed by 28 hereditaries and letters of support from another 60. In addition, they claim the support of thousands of members of the public.

They say that several articles in the Treaty of Nice agreed by Tony Blair in December will destroy fundamental British liberties. The Queen has 40 days to respond. Under the Magna Carta's provisions, if the Sovereign does not observe the Charter the people may rise up and wage war on her, seizing castles, lands and possessions until they have redress.”

Exhibit ‘H’ - The public documents; “SDI: Overview of the asselerating EU absorption of the British Military to form the EU Military and a ‘Nuclear defence shield’” (2017)

"SDI: Overview of the accelerating EU absorption of the British Military to form the EU Military and a ‘nuclear defence shield’"

"A Strategic Defence Initiative Briefing Sheet 25 January 2017 10:15 GMT media@strategicdefenceinitiatives.uk

Max Hofmann of Deutsche Welle on 20 January 2017: ‘Everything must now be put on the table — from higher [EU] military spending to a British-French nuclear defense shield for the continent.’

The short briefing sheet has been produced to highlight some of the key areas and perceived risks of the integration of the UK into a single integrated EU defence structure. The content has been compiled by those with military experience, including submarine operations — this experience is considered important in relation to comments made not only in relation to the Royal Navy, but particularly the nuclear deterrent.

In focusing in greater detail on some significant Royal Navy issues regarding size of the fleet, specific units and the nuclear deterrent, the joint risks of EU integration to both the Army and Royal Air Force are by no means belittled. On the contrary, there is much more to be said on behalf of these two services than can be covered in this summary paper.

“Brexit”

The recent British referendum has made no difference to the speed and tenacity with which the Conservative Government under Prime Minister Theresa May and Secretary of State for Defence Sir Michael Fallon (a strong EU advocate and former EU Movement supporter) are continuing the path to EU military union. There has been no change in the advancing integration of UK military forces into the EU structure — the subject is simply not discussed in political, public and media forums, which is testimony to the usual EU policy of implementation by stealth where Perhaps most dangerous here is the rapid integration of the EU commercial military procurement and supply chain, operating under an EU treasury already being declared and implemented.

Once locked together under EU procurement rules, and with ‘joint interoperability’ doctrine driving pan-EU military needs, Britain will be further

stripped of its ability to design, build and supply our own weapons systems and munitions. This will further strengthen the EU political tactic of creating 'interdependence' between EU member states as a tool for removing sovereign identity and the ability to act as an independent nation state. Understanding EU Military Integration Policy The EU has consistently and publicly stated that the goal of the EU is to form a single integrated supranational state, with law, internal security, defence and foreign policy controlled from Brussels.

The EU Organisation for External Action (Foreign Policy vehicle of the EU) recently quoted Frederica Mogherini's policy as follows:

"Security is a priority for the EU ... We have hard and soft power. We have done more on defence in the last seven months than in decades. Building on the ideas in her Global Strategy for EU Foreign and Security Policy, Mogherini has illustrated the European Union's three-pronged set of measures to strengthen the EU's security and defence capability ... In a reshaping world the only way for the Europeans to be global players is through the EU."

The implication is clear — EU security and defence capability is to be strengthened as a centralised Brussels-led objective. This is not simply an invitation for member states to contribute more to EU"

In regards to Brexit

1. Article 46A of the Treaty of Lisbon, which the traitor Gordon Brown signed in 2008, "The Union shall have legal personality" is evidence of high treason being signed and sealed by imposters within Westminster throughout several decades. Civil obedience today is suicide tomorrow.

2. Legal personality is a prerequisite to legal capacity, the ability of any legal person to amend (enter into, transfer, etc.) rights and obligations. In international law, consequently, legal personality is a prerequisite for an international organization to be able to sign international treaties in its own name.
    a. Therefore 'legal personality' brought the European Union into changing from an alleged trade agreement, to its intended state as a new supranational union. Which is a type of multinational political union where negotiated power is delegated to an authority by governments of member states.

3. That being the case in fact, Britain became a vassal state. Being a vassal most commonly implies providing military assistance to the dominant state when requested to do so; it sometimes implies paying tribute, but a state which does so is better described as a tributary state.

4. Article F3 of the Maastricht treaty;

   3. *"The Union shall provide itself with the means necessary to attain its objectives and carry through its policies."* So what policies are they referring to?

5. On 20th Feb 2008 a caucus meeting was held at the German Parliament in Munich to discuss the Lisbon Treaty. At this meeting a previously unmentioned paragraph was brought to light by Professor Schachtschneider, Humanities Faculty - University of Nuremberg.

   Professor Schachtschneider, explained that the undisclosed paragraph means on ratification of the Lisbon Treaty the DEATH PENALTY will be reintroduced to Europe. The Death Penalty will be applicable for the crimes of ;
   a. RIOTING,
   b. CIVIL UPHEAVAL and;
   c. DURING WAR. (When are we not at war and who will define riot and upheaval?)

6. Professor Schachtschneider made the point that this clause is particularly outrageous as it had been cleverly hidden in a footnote of a footnote and would not have been detected by anyone other than an exceptional expert. A quote from Helga Zepp-LaRouche in Executive Intelligence Review, 7 April 2008. Professor Schachtschneider pointed out that it [the European Union reform treaty, a.k.a. the Lisbon Treaty] also reintroduces the death penalty in Europe, which I think is very important, in light of the fact that, especially Italy was trying to abandon the death penalty through the United Nations.

   And this is not in the treaty, but in a footnote, because with the European Union reform treaty is a covert scam to destroy the Nation States, we accepted also the European Union Charter, which says that there is no death penalty, and then it also has a footnote, which says, "except in the case of war, riots, upheaval" – then the death penalty is possible.

7. Schachtschneider points to the fact that this is an outrage, because they put it in a footnote of a footnote. The "footnote" in question, directly quoted, is as follows:
   3. The provisions of Article 2 of the Charter correspond to those of the above Articles of the ECHR and its Protocol. They have the same meaning and the same scope, in accordance with Article 52(3) of the Charter. Therefore, the "negative" definitions appearing in the ECHR must be regarded as also forming part of the Charter:

(a) Article 2(2) of the ECHR:

"Deprivation of life shall not be regarded as inflicted in contravention of this article when it results from the use of force which is no more than absolutely necessary:

in defence of any person from unlawful violence;
(b) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained;

(c) in action lawfully taken for the purpose of quelling a riot or insurrection."

(b) Article 2 of Protocol No 6 to the ECHR:

"A State may make provision in its law for the death penalty in respect of acts
committed in time of war or of imminent threat of war; such penalty shall be applied only in the instances laid down in the law and in accordance with its provisions..."

8. By voting for Brexit, which is a TRAP! Those who vote WILL be granting the Lisbon treaty authority by granting Article 50 authority in order to leave the EU. To grant authority to a foreign entity overriding British law (especially Magna Carta article 61's invocation) is treason at common law. Also repeated within the Bill of Rights 1689:

   “And I do declare, That no foreign prince, person, prelate, state, or potentate hath, or ought to have any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm”

We cannot let this continue, and we are all fully responsible for our own actions under British Constitutional Law.

We now see a further attempt of eroding ancient rights by means of converting already existing EU statutes fully “into” British law. There is no power, and never has been for Parliament to do such things. These actions should be declared null and void, but it will not until this remedy is seen through.

Lord Carter once spoke of the common law rule that *“It is the heart of our constitution that no Parliament can bind a successor Parliament. That is absolutely central.”*