

Jury Rights Day

On September 5, we celebrate Jury Rights Day. On this day in 1670, Quaker William Penn of London was arrested, pled not guilty, and subsequently argued against England's Conventicle Acts, which outlawed the practice of religions other than the Church of England.

The Judge instructed the Jurors to find Penn guilty. The Jurors' refusal to enforce a bad law led to the Court jailing and withholding food and water from the Jurors.

Some of the jurors appealed their fines and imprisonment. The higher court confirmed the right of the Jurors to base their verdict on their best judgment and conscience. Even though there was a law against freedom of religion, the high court held that juries could not be required to enforce any law they thought was wrong.

This higher court ruling established that jurors cannot be punished for their verdict. It also set a foundation for our rights of freedom of religion, freedom of speech, and freedom of assembly.

This ruling established protection for the jury, and firmly established the right of the jurors to refuse to accept bad government laws. This refusal of bad laws is called jury nullification or jury veto. Through jury nullification, people can control their government by refusing to allow bad laws to be enforced.

These underlying common law concepts firmly establish the fact that Jurors cannot be punished for their verdict. As well, jurors are not required to give a reason for the verdict they render. The fundamental right of Jurors to render their verdict based on conscience is basic to the preservation of Justice, in a free society.

William Penn later came to Colonial America and founded Pennsylvania. Jurors continue to have the authority to nullify bad laws. This authority is our peaceful protection to stop corrupt government servants from violating our rights.