

# Jefferson, parliamentary law and olelo

By Boyd Ready

As we observe April as Parliamentary Law Month, we're reminded of Thomas Jefferson's services to democracy. The traditional annual fundraiser for the Democratic Party was the Jefferson-Jackson Dinner — and though Old Hickory is out of favor now, Jefferson has not gone out of style.

In honor of Jefferson, let's see what he had to do with our ability to make decisions in groups democratically, with dispatch, and with respect for members' rights. As the first vice president of the United States, he also was the first president of the Senate. He had multiple shelves of books on the English parliament, and his copy of Blackstone's Commentaries on the Laws of England is thoroughly marked up.

Parliamentary law is what is followed in legislatures and in most of our associations and organizations. It's not a random or simply fabricated set of rules, but goes back 800 years to the Magna Carta. Whenever equals gather to make majority decisions, especially in relation to taking some significant action as a group, parliamentary law is what applies. Forty-nine of our 50 states adopt the common law of England and America. It's done in the very first lines of the Hawaii Revised Statutes. Thomas Jefferson brought the traditions of the colonial legislatures and his thorough knowledge of English parliamentary procedure to the task of leading the Senate.

Jefferson's parliamentary procedures remain the foundation of American practice of parliamentary law and his rules are in fact still the basis of Congress' procedure. Jefferson emphasized that having a rule is more important than what exactly the rule is, and that custom and practice is what gives procedural laws their stability and authority. In other words, parliamentary law is not the dictate of some ruler; it is the common cultural tradition that we enjoy.

Simple rules like one thing at a time; speak to the point; not attacking the motives of the other members; that once one thing is decided, it takes a greater effort to undo it. These principles make deliberative bodies able to come to a decision, take action, and make it stick.

The National Association of Parliamentarians focuses on Robert's Rules of Order that most organizations adopt. This year is not only the 250th anniversary of the Declaration of Independence, but also the 225th anniversary of Thomas Jefferson's 1801 rules for the Senate, and it's the 150th anniversary of Henry Robert's Pocket Manual of Rules of Order for Deliberative Assemblies. The rules are now more numerous and challenging to understand, but they're all based on fundamental principles of majority rule, minority protection, members' rights, and to efficiently result in action.

Our Hawaii State Association of Par-

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liamentarians has produced, now in a second edition, Na Lula Halawai, cross-referencing the 1850s Hawaii kingdom legislatures' rules, in olelo, with the current edition of Roberts Rules of Order (available free at [hsap.org/halawai/index.html](http://hsap.org/halawai/index.html)). Many organizations now are reviving olelo and working for the good of the Hawaiian people.

The parliamentary law traditions of Hawaii's kingdom legislative bodies are still relevant. When enough people are fluent in olelo, we will find deliberative assemblies in Hawaii following this indigenous adaptation of parliamentary law and the democratic tradition.

Most people who enter an assembly do not get training, but understand that the chair runs the meeting, that people have a chance to speak if they're recognized, and that whatever is brought up will be handled one thing at a time. These and many other principles are hundreds of years old and are the common expectation when we work together.

Not only has Thomas Jefferson not gone out of style, people can still get \$2 bills from the bank upon prior request, and they are still legal tender. So in honor of Jefferson, and April as Parliamentary Law Month, why not pick up a \$2 bill? The nation, and even the early legislative history of Hawaii, derives from one of the founders of democracy, Thomas Jefferson.