

The Collapse of the Rule of Law

A Prelude to disaster!



Rule of Law
The United States View

2002 Apprendi 2000
Right to Jury
Picks Up Speed

Civil Right Act
July 2nd, 1964

Rules of Courts
enacted 1948

2016

1966 Miranda
Rights
Decision

Income Tax Passed
Congress 1909

1956 Ruling Against
Segregation

2005

Booker Decision
Guidelines
Unconstitutional

Income Tax
Begins 1913

Sherman Anti-Trust
Act 1890

2019

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A C K N O W L E D G E M E N T S

I would like to thank the many people who have been writing from around the world. It is encouraging to know that there are so many people who are interested in uncovering the truth. I have also special thanks for so many providing valuable insight into trends around the world from China, Soviet Republics, South Africa, Brazil, Australian, and India. I believe we can survive the folly of governments even if they refuse to listen. The key is understanding the nature of events, and that allows us to correctly make the decision to be on the opposite side.

I would like to also thank all my old friend and former clients for their support and to know that they have continued to gather information that serves us all in times of crisis.

We are standing on the precipice of a new era in global-social-economics. How we enter this new age is of critical importance. Government is incapable to doing anything for any reform of its own abuse of power is not up for negotiation. We must weather the storm, and to do so we need to understand its nature. Just as the 1930s Great Depression set in motion profound changes that were even manifest in geopolitical confrontations, we have now reached such a crossroads. A debt crisis has its tentacles deeply embedded into every sector right into government. This is the distinction from a mere stock market crash that never alters the economy long-term. We are seriously still over-leveraged and some banks are still trying to be hedge funds and have to speculate to make a profit. That is a key warning sign that the worse is yet to come.

Comments, Suggestions & Questions

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This Report may be forwarded as you like without charge to individuals or governments around the world. It is provided as a Public Service at this time without cost because of the critical facts that we now faced economically. The contents and designs of the systems are in fact copyrighted. At a future date, a new edition of the 1986 The Greatest Bull Market In History will be released and a new book will soon be published on the model itself - The Geometry of Time. It is vital that we do not forget this is a world economy and the arrogance that any nation can dictate to the world is just insanity. Every nation affects all others no different than if one nation were to pour all its toxic waste into the ocean. Everything is interlinked and solutions are never isolated events.

The Collapse OF THE Rule OF LAW

A Prelude To Disaster!



by Martin A. Armstrong

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RULE OF LAW has been the primary mover & shaker of the economy that is just so fundamental at its core, it is often presumed, yet overlooked as having a primary impact upon the development of man's economic interaction we call our economy. It is not difficult to imagine if there is no Rule of Law, then there can be no investment, and that will diminish the overall national wealth of the state. The destruction of the Roman Empire was truly accomplished by the ruthless acts of Gaius Julius Verus Maximinus (235-238 AD) who hated the rich and perhaps civilization itself and had waged war upon the people by declaring all private wealth belonged to the state. He invented CONSPIRACY and executed in a single case over 4,000 people. The element of CONSPIRACY is merely an agreement. The only nations that still use this manner of criminally charging people is the United States and Britain. Of course, the United States is the worst offender in history. Justice Holmes warned that if the day ever came when all crimes were prosecuted as a CONSPIRACY, it would be an abuse of that theory. For you see, as used in the United States, one person can commit a crime, and then testify for the state that you "agreed" with his acts even though you did nothing at all. You are then guilty of CONSPIRACY the same identical way that Maximinus used this crime to execute all oponents and to confiscate wealth. While the press and many in the private world do not want to believe CONSPIRACY THEORIES, that is the way the government prosecutes EVERY case today, because they do NOT have to prove you did a single thing, just that you "agreed" with someone who confesses so they do not go to jail, just you.

This, however, is merely the result. The real question is how did we get here, and how the Rule of Law was turned on its head in the aftermath of Magna Carta that transformed law into a business for the state that now threatens our ability to survive as a nation. It is true that Thomas Jefferson saw in our future that the collapse of the United States would be brought about by the Judiciary. What I am concerned about here is the history of how we got to where we are, and the cyclical timing for the retribution against corrupt judges.

What most people just assume is that the state has always prosecuted crime. That is just NOT true. You have surely heard the story about King Solomon and the two women who both claimed the baby was theirs. The background to that story is that being a judge was the DUTY of the state. Disputes were ALWAYS private and the state merely settled the dispute. Even in ancient Japan, private disputes were presented to a person, but if the parties did not reach an accord, then they were looked upon by the society as being uncivilized.

The Rule of Law has had its own cycle that swings back and forth between ruthless tyranny where the state pretends to provide "justice" for its own self-interest of just confiscating wealth, and periods of honest enlightenment. Unfortunately, today we are at the tyrannical side of the model where states are going after offshore accounts and criminally prosecuting people so they can confiscate their wealth once again just as Hitler did in 1933. When Hitler came to power that year, one of the first things he did was make it illegal for a German to have any account outside of Germany. That is what gave rise to the Swiss secrecy law that came into effect in 1934.

Today, the United States conviction rate has exceed just about every tyrant in history. The Star Chamber in England and the Spanish Inquisition who would even dig up a corpse and put him on trial so property left to his heirs could be confiscated had only a conviction rate of about 96%. The United States has even surpassed Hitler himself reaching a conviction rate of 99%.

We have all heard of "Draconian Laws" meaning that the law was exceedingly harsh. It seems the United States conviction rate even surpassed the notorious Draco (c 7th century BC) of Athens. According to the record of Aristotle, there were six junior archons (thesmottetai) who we would today call magistrates, who were directed to codify the laws in Athens about 683BC. If this is correct, then Draco's legal codes were not the first.

Draco used the law to confiscate the wealth of the people. Virtually every act was punished by death so the estate could be confiscated. The farmer was driven into debt, and then the civil law converted them into serfs who then had to work their own land. This was an act of mercy, for he had also allowed debtors to be stripped of any rights and then sold into slavery.

When we say a law is "Draconian" what is really meant is that the self-interest of the state prevails over any human right. It is believed that Draco's laws came into effect around 621-624BC. This naturally led to widespread discontent for most always revolution comes, as Thomas Jefferson made clear, from the abuse of judges. Indeed, law was to be common sense rules and the right to a fair impartial judiciary, was the alternative to force.

Once you corrupt the courts, revolution has always followed. The people will not in any way tolerate injustice when it starts to undermine their way of life. This is why the Rule of Law is so important. It is the very reason why there is any purpose for man to join together to create civilization. Aristotle defined the Rule of Law after witnessing the horror of Draco.

Law = Reason Divorced from Passion

Under Draco, Athens was a place boiling with revolution. Society became dominated by aristocracy based upon birth (the eupatridae) who owned the best land and monopolized the government as have the Investment Banks in current time. Also like today, this group is split into rival factions (Republican & Democrat) but still there is a single mind to use law as a means to further political goals.

The 6th Century Athens was divided along the lines of rich and poor. The poorer farmers were easily driven into debt and any inability to make a payment resulted in the loss of all property and liberty. If they were not sold into slavery, they were reduced to being serfs farming their own land for the benefit of the new owner. The farmers, craftsmen, and the merchants built up a deep resentment due to the Draconian Laws and from their exclusion from government altogether.

The reform that emerged came from one man who saved Athens from destruction. His name was Solon (630-560BC) who has been regarded as one of the Seven Wise Men of Greece. He himself described this period of political evil:

"The public evil enters the house of each man, the gates of his courtyard cannot keep it out, it leaps over the high wall; let him flee to a corner of his bed-chamber, it will certainly find him out."

There is no doubt that Athens was on the verge of a death spiral. Men of all classes respected Solon as being wise and fair. Had it not been for this individual, perhaps the word "democracy" would have never been born. Solon took up the office of archon (annual chief ruler) about 594BC. However, it was the turmoil that existed and thus it was most likely about 20 years later when he assumed the powers of a reformer and the legislator.

Solon's first reform was to deal with the debt crisis as we face even today. He realized

that his first concern was to relieve the debt crisis to stop what would be surely a blood-bath in the form of revolution. He redeemed all the forfeited land and freed all those who had been enslaved by fiat. This effort to now attack the debt crisis became known to the Athenians as the "shaking off of burdens." Solon himself described this chaos that had been caused by the corruption of the law by Draco.

"These things the black earth ... could best witness for the judgment of posterity; from whose surface I plucked up the marking-stones [symbols of indebtedness] planted all about, so that she who was enslaved is now free. And I brought back to Athens ... many who had been sold, justly or unjustly, or who had fled under the constraint of debt, wandering far afield and no longer speaking the Attic tongue; and I freed those who suffered shameful slavery here and trembled at their masters' whims."

Solon altered the laws established by Draco. He prohibited ever again that a loan was to be secured by the person and his family as collateral. There too, the poor demanded that the rich be stripped of their land and that all wealth be redistributed. This may be the first record of Marxism. Solon, like the renown Julius Caesar, refused to grant this demand.

Solon thus encouraged trade and skilled labor as an alternative to farming, which the Great Depression forced upon the United States during the 1930s. He allowed the export of all produces and olive oil, but prohibited the export of grain for there was often shortages and the poor would be unable to pay the price as it rose due to the lack of supply.



Athenian Silver Tetradrachm

Solon introduced monetary reform and encouraged the mining of silver that expanded trade and made the coinage of Athens truly a recognized international standard. This new expansion of trade is demonstrated by the archaeological finds of pottery throughout the ancient world exported from Athens.

Solon had saved Athens and never again did the people find themselves in such a state of poverty as created by the corruption of the Rule of Law under Draco. His political reforms ended the rule of the aristocracy and had now replaced that with government by wealthy citizens regardless of their birth. He instituted an annual income census based upon grain, oil and wine, dividing the citizens into four new groups, whereas merchants whose wealth was in cash, were most likely translated into the new equivalent of wealth.

Political privilege was allotted on the basis of these divisions irrespective of birth and everyone was entitled to attend the general assembly known as the Ecclesia. This is what now became the sovereignty of the state, and every man had the right to pass laws and decrees, elect officials, and most important, presided over appeals from any decision made in the courts. There was thus created the Council of Four Hundred which prepared the business for the Ecclesia (Assembly).

The bureaucratic posts were reserved to those citizens of only the top two ranks. This served as the foundation for democracy. It was much different than what we have today with the ruling class claiming to be the representatives of the people, yet like the aristocrats of old, aspire to such positions and never leave.

Solon repealed all laws of Draco and thus relieved the people of the corruption of the Rule of Law. Draco's laws were said to have been written in "blood" not ink. Any excuse to find citizens guilty was the goal, as we will see, was the policy of the English kings as well, also for converting law into revenue. Solon himself wrote of his objectives.

"I gave the people as much privilege as sufficed, ... and I took care that the rich and powerful should suffer nothing amiss; I stood holding a strong shield over both parties, and let neither side prevail unjustly.

It does not please me to achieve anything by force as a tyrant, or to let the nobels and the meaner sort share equally in the rich land."

Solon's laws were set into force. They were posted providing notice to all and were to be valid for 100 years. Everyone agreed to obey the laws. Solon himself left Athens and travelled throughout the world for 10 yrs feeling he did his job and saved Athens.

THE earliest legal code that was established in America is known as the Laws and Liberties of 1648. It was enacted to establish the existence of government, to provide the people with a private law setting down their rights, and to then establish the criminal law. It predates even the English Bill of Rights that came in 1689, and was thus the first attempt to establish a written law in America. It secured under the criminal law four rights based upon the abuses that were taking place in England that led to the Revolution.

- (1) Right to Trial by Jury
- (2) To be free from Double Jeopardy
- (3) Freedom from torture and any compelled self-incrimination
- (4) Freedom of Religion.

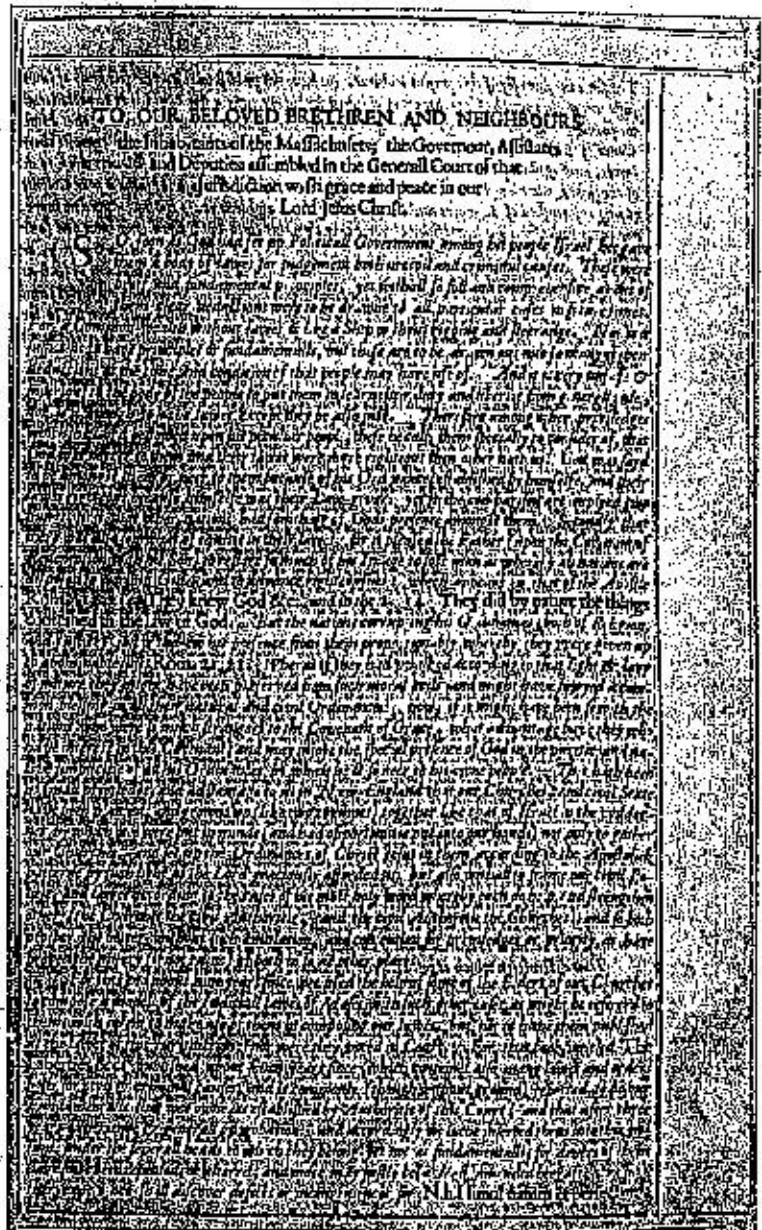
Certainly the first three rights no longer exist in the United States for they have been replaced by the constant corruption of the Rule of Law to ensure the state always wins. This has been a persistent problem in the United States that gave rise to the common saying that "You can't fight City Hall." This was a popular saying for the judges in New York City were just hopelessly for sale.

Nevertheless, the reasoning found in the Laws and Liberties of 1648 still remains an example of the importance of the Rule of Law.

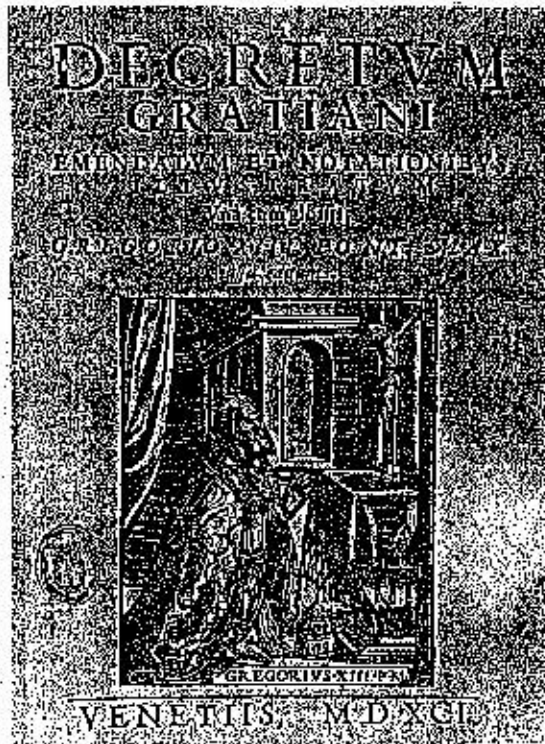
"For a common-wealth without lawes is like a Ship without rigging and steerage. ... And it is very unjust & injurious to the body of the people to put them to learn their duty and libertie from generall rule, nor is it enough to have lawes except they be also just."

Denial of the Rule of Law has been the single greatest source of revolution and the sheer economic collapse of every state in history. No matter who is in charge as we will see, the manipulation of the courts and the law is how every government has began its collapse and descent into pure tyranny.

What we are exploring in this discussion is how history repeats for the state's greed has always led it to commit economic suicide. This is why I have kept pointing out that we are not dealing with a financial speculative bubble, but a debt crisis that is far worse.



It was the corruption of the Rule of Law that sparked the American Revolution as well as the French Revolution. This is critical to understand for then you will see that we are merely on the same course. We are a ship with no rigging headed into the rocks upon which the state is going to crash. We need our Julius Caesar, or our Solon to fix this mess for our elected politicians will only act in their self-interest just as any such ruling class. The days of impartial judges are long gone. The courts are taring our world apart and there is no way to stop them.



There have been many legal reforms that have appeared throughout history. All of these have been caused by the threat of civil war. We saw with Solon, the overthrowing of the laws of Draco. Julius Caesar instituted the "Lex Julia" and we find major legal reform under the reign of Justinian I (527-565AD). We find a truly brilliant legal reform under the Roman Emperor Julian (361-363AD) known as the Apostate because he rejected Christianity after Constantine made it a state religion for personal gain. (confiscation of private wealth in the pagan temples). Julian's amazing legal reform was so truly spectacular, it would in itself turn the persistent corruption in government on its head. Julian held that even he shall be subject to the same law as the people! And this is a man who rejected Christianity yet had more nobility in his mind than any ruler ever since. Can one imagine a world where there is no Sovereign Immunity as claimed by the good old United States? Imagine a world where our public officials cannot claim immunity from prosecution all based upon the tyranny of the former English king?

Illustrated above is perhaps the first attempt to re-establish a legal code coming out of the dark ages. This was the work of an Italian monk named Gratian who is perhaps

the father of the canon law. While canon law was the established law of the Catholic Church, this has provided the foundation of European law. Gratian wrote his work during the 1100s. Pictured here, is one of the earliest printed versions after the invention of the printing press. This is a 1482 edition of Decretum Gratiani. The quest to establish a Rule of Law is as old as civilization and is entirely responsible for its success.

GREEK SOCIETY

The Greek system developed where an individual stood between the parties as an arbitrator. This person was paid a fee and the goal was reconciliation. There was thus an arbitration process before one stepped into a formal court. All evidence was thus submitted in writing before trial and it was sealed in a box, opened when the case was ready to be heard.

At this early stage in Greek history, the evidence in the box was opened and given to a panel to read. There was no actual big confrontation between the parties. Thus, we have a legal system that was at this early stage resolved without confrontation on the written material only - no witnesses.

The word we have today "rhetoric" is from the Greek system and it was what we call

a lawyer. As the Greek society matured, so did its legal system. The disputants were now just allowed to hire people to represent them and to plead their case. These were called orators or rhetors (people who practiced rhetoric).

Once people were allowed to hire professional rhetors, the prosecution of disputes now became a practice of dramatic presentations. We can thus trace the whole idea of Perry Mason back to the development in Greek legal practice. The Greek courts in many cases became a show unto themselves, filled with wonderful melodram, wild hyperbole, and sometimes even became a circus-like event. Of course, this privilege was afforded only to free men, for slaves had no right to file anything in court.

Just as today there is a negative view of anyone ever charged by the state, then too there was the same lower class view of slaves. So bad was this presumption that all slaves were just dishonest, that if ever a slave had witnessed anything that could have resulted in them being called to give witness, a slave's presumption of being a liar was overcome only by subjecting him to torture. Whatever he had said under torture, was then accepted as being perhaps true.

The torture of slaves was so severe, it is unlikely that this had encouraged the idea of even calling slaves to testify for their value became virtually worthless after giving testimony. In a Greek court, judges were then allowed to torture any slave whenever he was unable to arrive at a decision. So obviously, one did not call a slave as a witness unless he was prepared to watch his value evaporate.

The Greeks did develop the jury system. The jury voted in secret. Upon a verdict, both the citizen prosecuting and the citizen who was the defendant, then argued for what each viewed to be a just punishment. Today, even at sentencing, both sides still argue what they believe is fair, but the Republicans in 1987 tried to remove any compassion by then mandating particular sentences by guidelines.

The strikingly different practice of law in ancient Greece highlights the corruption we have today. It was NOT the state who prosecuted disputes between parties even murder since all of these were considered to be "private" disputes, not state offenses. Socrates was charged with a state crime that was offending the gods, or doing something against the state as treason.

The Greek system also had Trial By Ordeal that was commonly used as a method of ascertaining whether a party was guilty or innocent of a crime. This was a practice of subjecting the accused to a wide variety of assorted pain and torture. Guilt or innocence was established on the basis of the reaction of the accused to this Trial by Ordeal.

The Greeks had the Ordeal of water. Just may be Dick Cheney's insistence upon torturing people and using water-boarding is a throw back to a past life. The Ordeal of water was very common and very popular among the Greeks. The Greeks viewed the world as anthropomorphic whereas inanimate objects contained the spirit of the gods and thus possessed a will of their own, which embodied the thoughts of the gods as well as possessing their feelings.

The Greeks thus presumed using the Ordeal of Water, that the accused upon being thrown into the water who floated, meant that the water found him objectionable and would not embrace that person. If the accused sank, then the water accepted him in a act of embracing them. While they would try to pull the person who sank out of the water since they were now obviously innocent. The person who floated was then taken to be punished.

The Greeks also had Trial By Fire that was another popular method of settling disputes along the way. The accused could prove his innocence by walking on fire, passing through flames unharmed, or even swallowing fire. The Greeks also used boiling oils and liquids as well as hot irons. The extent of the injury was examined and if the gods were with them, they would be largely unharmed.

Trial By Ordeal among the Greeks also could take the form of snakes, poisons, and swords. Girls whose virginity was questioned were cast into a cave in which a poisonous snake was placed. The girls who were bitten by the snake, were obviously not a virgin. Boys were not expected to be virgins and thus nonvirgin boys was not a crime.

Pre-Greek

Biblical trials were carried out by the King, such as King Solomon. It was a right of a citizen to petition the King for relief. To some extent, this is why even today we have still have the right to petition the President or the governor of a state for a pardon. This is a very ancient right.



Hammurabi (1792-50BC)

The first established written laws were often said to be those of Hammurabi (1792-1750BC) the Sixth ruler of the first Amorite dynasty of Babylon. During the first Gulf War in Iraq, the bombing turned up new remains. A collection of clay tablets with a legal code pre-dating Hammurabi by about 600 years was found. A private collector from Norway whom I met in Geneva, had bought the find rescuing it and paid for the full translation. Of course idiot members of the archaeological community black-listed the find because they do not approve of the so called black market. However, states will not provide them with the full funding and there is no practical way to prevent the black market. Their pig-head and immature ideas deprive mankind of knowledge.

Nevertheless, the Hammurabi Code is in effect the first international attempt to create a legal code. There is no doubt a core similarity with the Mosaic laws. We must be realistic of the history of Mesopotamia and what emerges is an effort to harmonize the law of various cultures as now they were all under the Babylonian state.

What we have are records of individual conflicts - case law. What emerged was the "precedent" idea and thus the legal code was written by consulting individual case law. Our modern case law is so diverse and our Judicial Committees in the House and Senate are too busy to coordinate what the law now actually is, so we no longer have any hope of equal justice and the same person charged with the same offense is treated entirely different depending upon the judge, the court and the circuit (region) of the nation in which he is charged. New York City, for example, allows judges to edit the transcripts changing even the words spoken in court.

Clearly, it was the king's duty to preside over disputes between the citizens of the state. There were no fees. There was not even a state right to prosecute private disputes. As we will see, this emerges as a means to make money by the English kings.

ROMAN Society

In the earliest history of Rome, it was a priest who was the judge in legal matters. The priests were seen as having the ability of the gods to determine who was telling the truth in disputes. They kept their laws and techniques in personal secret books. As time passed, a new class emerged who became the lawyers. This new profession was trained in the law and replaced the priests. Courts also began to emerge and thus the lawyers now had the standing to plead their case to the court on behalf of their client. So in that long bar-room debate of who came first, prostitutes or lawyers, the winner is clearly the former.

The invention of lawyers and juries in Greece migrated to Rome. Thus, we see the same practices of requiring torture of slaves and there was no direct confrontation between the parties. Juries under Roman Law were much more limited. Just as in American courts federally there is an effort to eliminate juries so people can be coerced into pleas with no evidence, this corruption is a very old one and is for the benefit of the state against the people. Consequently, in Rome, a jury was only available involving senators and equites (the horse-mounted warriors with status halfway between senators and common men). However, the defendant or the plaintiff was allowed to object to the selection of particular jurors as is still practiced in American courts today, with limitations.

Under Roman practice, a defendant could have several lawyers and each would be allowed to deliver his speech and thus the practice of rhetoric was also flourishing in Rome. It is in Rome that we find law schools and an oversupply of lawyers and great competition both in price, or in oratory skills. This new profession hawked their talents in the streets and hired what became known as "clappers" to attend trials and applaud the orations of the lawyers in the courtrooms. This was a marketing ploy designed to influence magistrates and the jurors of course, but to impress the crowds and enhance the reputation of the lawyers.

What is key, is we find the prosecutor is still a private citizen - not the state. The punishment upon a guilty verdict was not

the prerogative of the state as it is today, it was the accuser's responsibility to impose the punishment. Thus, what we have is still the essence of private disputes. Just as the two women who argued over whose baby it was before King Solomon, it was never the state's prerogative to bring charges in private disputes.

The law in Rome was becoming corrupt for now bribing of judges was becoming common and justice faded with the setting sun. During the 4th century AD, the public trial simply vanished. All trials were open to the public and this provided a certain degree of public restraint. Suddenly, with the collapse of the economy in mid 3rd century, money became the real judge. The courtroom was closed and now trials were held in secret. The rationalization is the same we have today, that somehow the members of the new judicial hierarchy were beyond question. They had dedicated their entire life to the law, and that made them better than everyone else. Try recusing any federal judge today. Good luck! On April 24th 2000, Judge Richard Owen threw out the press, delayed recording these events to hide it from the public record, and what he did was the very same thing. He removed all my lawyers in a secret closed session when our very constitution demands a public trial. When I complained to the Second Circuit, Chief Judge John M. Walker, Jr (Bush's cousin), refused to even allow me to petition. So much for our honest rule of law. Judges again are just far above everyone else and how dare mere citizens even question the integrity of a judge.

The Roman collapse in justice that now allowed judges to close the courtrooms and put on trial citizens in secret was justified also as being necessary for the stability of the empire. The corruption became so widespread that the collapse of Rome was aided by the inability to obtain justice. Capital was no longer safe. Property rights vanished with the corruption. Law in Rome spiraled down in the last gasps of civilization. Centuries of the rule of law collapsed into a totalitarian state. Gone was the democratic and egalitarian legal system that had made Rome admired among those it had conquered. This was a new right of the rule of law that was respected and seen among the provinces as a sensible and valuable right. With the collapse of the rule of law, so did the collapse of the whole empire since capital was no longer safe.

There had emerged in Greece and Rome, a distinction between private disputes and the offense directly against the state such as treason or acts against the gods such as the case in the trial of Socrates. However, there was another trait that had emerged in Rome that is still with us today, yet has become the source of wide-spread abuse.

There emerged the presumption that one knew the law, and thus could not claim that he was ignorant of the law. But the vast amount of laws were in fact practical. They could be reduced to the Mosaic law. There were no thousands upon thousands of laws that a citizen was expected to know. However, it was this presumption that led to corruption as well, just as it is today.

There became two sets of laws in many respects. The state began to codify laws that dictated the conduct of citizens not between themselves, but between the state and the citizen. The first Roman Emperor Augustus (27BC - 14AD), had passed family laws. He required men to be married and he was in fact responding to a age of "free love" kind-of what we saw in the 1960s within the United States. Augustus had even banished his own daughter for her sexual exploits.

Augustus was responding to the writings of Ovid, whose formal name was Publius Ovidius Naso (43BC-17AD). Augustus was concerned with public morals and had banished Ovid to the Black Sea region. So what we have here is the emerging legal system of a public duty. The killing of one man was the duty of his family to prosecute. The same was true of a theft. These were not public crimes. However, this distinction quickly became a new source for fund raising. The Emperor Caligula (37-41AD) (Gaius Caesar) came up with a trick he thought was clever. He would decree new state laws and the tradition was that he had to post those laws so that the people now had notice. Caligula had his decrees nailed so high on columns that no one could see them. He provided the "notice" and thus the presumption that it was the duty to now know the law (as it is in America) was in fact satisfied and he could freely confiscate the property of even senators. His thirst for money became notorious. This is how we saw law crumble into a means to confiscate the property of citizens by corrupt means.

The Middle Ages

With the collapse of Rome, civilization fell into a state of feudalism. There was no city any more and that would take centuries to appear. London would be the first city to rival the size of Rome and it would come about 1,200 years later.

Because there was effectively no real wages and no private property among the common man, the need for state laws quickly vanished. It was really after the Black Death in the 1300s that we begin to see the rise of wages and property ownership, and with that came taxation and laws for the kings to figure a way to cheat their new subjects out of their wealth. The legend of William Tell being forced to shoot the apple off his own son's head was the beginning of a tax revolt against the Hapsburgs that is said to have given rise to a rebellion and the birth of Switzerland in 1291. In England it was the tax revolt of Wat Tyler in 1381 that led to the massacre of the people and the confiscation of their property.

The form of trial that emerged during this period was again the Trial by Ordeal. This form of trial was now based upon this primitive belief in God and that he somehow cared about each and every individual. It was believed that God would intervene in all cases by miraculous events to indicate if the litigant undergoing the order was indeed guilty or innocent.

Trial by Ordeal became the most popular form of trial during the Middle Ages, in all of Europe and especially England. It again reappeared as administered by the priest as history always seems to repeat. The priest administered the oath whereby the accused swears to tell the truth as is still done today. The ordeal was normally conducted on church grounds since it was believed that the land was sacred and dedicated to God. This is why we have the beginnings of Canon Law, for it was seen to be the prerogative of God to judge men.

In England, one popular ordeal was that the litigant was required to carry a red-hot iron bar a predetermined distance, or perhaps stick their arm in boiling water for also a predetermined period of time. If his burns did not fester after 3 days, he was declared innocent.

To ensure that the litigant who had undergone this ordeal by fire or boiling water did not tamper with the wound, it was wrapped in linen and sealed with the wax seal of the Judge and signed. Thus, it was ensured that there could be no tampering and the linen was cut in front of everyone.

Trial by Water again reemerged on the same principle. This was a popular in the trial of witches. If the woman sank, she was innocent and if they did not get to her in time, well she was with God. If she then floated, then she was dragged out and killed. So either way, just being accused gave you a fair chance of dying either way. Again we find presumptions that witches had sexual intercourse with Satan and the entry of his spirit was believed to have altered the body and made it lighter and thus the guilty were those who floated. This ordeal was used in America at the famous Salem witchcraft trials.

In England, Trial by Ordeal was not for the nobles. Here we find that they would have Trial by Battle. The common person did not own a horse, sword, and armor and could not really be judged by combat. The contest followed the same primitive belief that God intervened and that the righteous was thus the one favored by God in the combat.

It was the Catholic Church that finally intervened in all this superstition and thus Trial by Ordeal was declared unacceptable in 1215 by the Fourth Lateran Council. This just prohibited priests from participating in the ordeals. This is why we see the Puritans still using it with witches, but the Catholic Church did not approve of these sorts of trials.

Nevertheless, today we still have the trial by ordeal. Criminal pleas are 98.5% in the United States Federal System by the threats of more time, throwing people into solitary confinement as they did to myself, and when trials do take place, lawyers will then grill witnesses and still use trial by ordeal in the form of relentless interrogation. The Miranda decision in the Supreme Court delivered 1966, came after decades of torture in the United States. In the South, blacks would be whipped into pleas and cops often took defendants to the next town to be abused so no lawyers could find them. The right to remain silent was suppose to stop this sort of abuse, but it has not worked.

The Trial by Battle being for the real upper-class, had also evolved into Trial by Champion. The defeated litigant did not have to die. He could also admit his defeat. He could declare "Craven" that in middle English meant overthrown, cravant, or coward that is perhaps more commonly understood today. In some cases, the accusation was so serious, it was declared to be a battle to the death. This is where these terms have originated. Yet again, since God was seen to be the real judge, even here both of the parties were required to take an oath before battle. Curiously enough, the oath also was one that included the rejection of using sorcery or enchantment, that did not have the meaning of love in those days as in one enchanted evening.

Because of this superstition that was at the core of Trial by Ordeal, we still have the absurd belief that justice will always prevail and that God will see to it that good triumphs over evil. The Project Innocence exceeded 1,000 people released using DNA evidence in murders and rapes establishing that they were wrongly convicted. The trial process today is no more reliable than during Trial by Ordeal because government has replaced the plaintiff in private disputes.

Trial by Battle gave way to hiring the best fighters and thus this became the new Trial by Champion. This gives a far better definition of someone being your champion since he defended your honor in Trial by Battle. Naturally, this created a profession like lawyers and skilled soldiers now roamed the hills of England in search of very big fees.

Trial by Wager

The evolution process from the rivers and battle fields to a courtroom perhaps can be traced to the Trial by Wager. What we begin to see is the emerging signs of perhaps a bit more common sense, which was to evolve into the "common law" used in the courtrooms.

It might shock most readers, but the last trial by battle actually took place in 1571. It was abolished in England in 1819. You might recall that Alexander Hamilton

was killed in a duel in New Jersey in 1804 by Vice President Aaron Burr (1756-1836) during his term (1801-1805).



Aaron Burr (1756 - 1836)

Burr and Hamilton were bitter enemies. Burr ran for the election in 1801 and Thomas Jefferson was also a candidate. Both men were elected, but Congress failed to say who should be president. In those days, the president and vice president could be from different parties and they were effectively running for the same office. Hamilton hated Burr and did his best to make sure that a new election took place between the two men and Jefferson won with Burr assuming the roll of vice president.

Burr was nominated to be governor of New York in 1804. Again, Hamilton did his best to see Burr defeated. Burr felt he was the victim of Hamilton's persistent animosity and when he learned that Hamilton had slandered his character, a duel was then scheduled in the old fashion of Trial by Battle on July 11th, 1804 at Weehawken, New Jersey. Hamilton was killed. But dueling was also outlawed in the United States before it was in England. Warrants for the arrest of Burr were issued from New Jersey and New York. Burr fled now to Philadelphia. Burr contacted a friend General James Wilkinson. The two believed that the US would go to war with now Spain and they began to plan the invasion of Mexico with the idea of setting up a brand new independent government. Wilkinson betrayed Burr and he was arrested and put on trial in Virginia over which Chief Justice John Marshall presided. He was tried for treason, but was acquitted. He died under a cloud of suspicion thanks to the supporters of Hamilton.

So you see, the duel made famous in many movies was in fact the new Trial by Battle that emerged with the invention of the gun.

The Trial by Wager that began to then appear displacing the spectacle of two knights doing battle to the death, was a rather unique evolution in England. This method of trial required each person to take an oath that his claims were true and to produce other citizens referred to as their "compurgators" who would support their oath. These compurgators submitted their own oaths swearing to the character of the litigant, not the actual direct evidence of the dispute.

This Trial by Wager effectively was a character test in which the oath taker was to establish his or her case by showing who was more respected within the community. Thus, the compurgators did not give testimony that related to the dispute, but character references. This is still with us in sentencing so to speak.

The notion that when a person took the oath, God was now listening. Therefore, we still have this belief that God interevenes into trials to ensure the innocent do not suffer. This seems to be a throw back still to the ideas of the Greeks. Most lawyers do admit that most witnesses lie anyway as do the lawyers themselves. Even when Alberto Gonzalez, former Attorney General, testified before Congress, he lied. President Clinton was in fact impeached and his sanction for perjury was being disbarred from practicing law for 5 years.

The prosecutors cannot win cases today without lies. There is no longer a need for actual proof of a crime. Crimes are charged as conspiracy, and that means the state can put a person on the stand, they swear they committed the crime, and you agreed to be involved with them. You do not need to do anything. The proof of the crime is now just an agreement. The state need not prove any act that you did personally. This is why the conviction rates have jumped to 99% post 1987.

THE Fourth Lateran Council 1215

In 1215, the Catholic Church outlawed trial by ordeal under the drive of Pope Innocent III. This prohibited priests from taking part in these sorts of trials, but it did not prohibit the trial by battle that evolved with the gun into duels, nor did it outlaw trial by wager.

What began to emerge on the Continent was the inquisitorial system. This procedure was the product of combining various aspects of the administration of laws of ancient Rome and the judicial procedures and principles of the ecclesiastical circles of the Church that became the canon law.

There were abuses that began to emerge. This system of inquisition was effectively the judge would question litigants and what he sought was more of an instinct as to who was telling the truth. However, the abuse emerged and this led to reforms to curb the power of judges that we serious need once again.

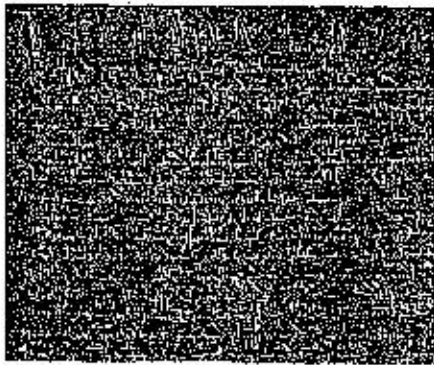
By the 16th Century, the age of a new, Enlightenment was emerging and with it came judicial reform. The judge's power was now seriously limited and no person could be convicted without two safeguards because of the rampant perjury and the lack of oaths to curb injustice. Therefore, convictions could only be found under two circumstances.

- (1) When 2 eyewitnesses were produced who observed the crime, and
- (2) when the defendant confessed.

Unfortunately, allowing a litigant to confess, prompted the use of torture. Now we have the emerging corruption when the state needed a conviction for political purposes, and no independent evidence could establish their guilt.

MAGNA CARTA

The year 1215 was critical in the very development of society. Not only was this the year of the Catholic Church's Fourth Lateran Council, it was the same year when sweeping reforms were being demanded due to complete corruption in the rule of law. This reform movement, like Democracy spread from Rome in 509BC to Athens in 508BC, we see the same "contagion" effect hit England. The year 1215 is also the year when the English barons said enough is enough. They cornered King John and forced him to sign - Magna Carta. This document now guaranteed certain rights that included the right to trial by jury, and the right to remain free from amercements that were effectively fines.



MAGNA CARTA - 1215

The English kings used law in the same manner as Caligula to provide revenue. This has always been the great threat to liberty. Charters making promises to the barons of England predate Magna Carta appearing as early as Henry I (1068-1135), Stephen (1135-1154), Henry II (1154-1189), but these were granted by the King as concessions. It was the persistent abuse of law that finally led to effectively a revolution that was largely bloodless. Under threat of civil war, Magna Carta was extracted from King John (1199-1216).

The government grew and with it the assumption of raw power to just extract any amount of tax or to fine people whatever the king desired. This trend weakened the barons during the 12th Century as we were beginning to emerge from a feudal state into a nation headed by monarchy.

The Third Crusade led to extensive taxation and then King Richard I (Lion Heart) was captured and ransomed by the Holy Roman emperor Henry VI. King John's position was also weakened by a rival claim to the throne and the French attack upon Normandy. There were again successive promises made to the barons in 1199, 1201, and finally in 1205, the barons were now promised their "rights" yet the financial demands with the loss of Normandy led to widespread fines that were called "amercements" and it was said that there had been scarcely a living subject who had not been amerced annually if not more frequently.

King John also quarrelled with Pope Innocent III who was trying to end the trial by ordeal. This led to King John's retaliation with massive taxation of the church. After 1213, the Archbishop of Canterbury Stephen Langton, helped direct the unrest among the

barons that now emerged as a new demand for liberty. The document became known as the Articles of the Barons and was at last agreed upon and this document became the final text from which the draft of Magna Carta emerged at Runnymede on the river Thames between Windsor and Staines in the modern county of Surrey. King John was forced to seal the document on June 15th, 1215. It contained 63 clauses and has formed effectively the foundation for human rights in modern times.

Some of the rights were so basic, one today cannot imagine that they even need to be stated. Clause 41 guaranteed freedom of travel to merchants that they could leave England and had a right to return to their property. Anyone who had left, the king just took the property. Clause 40 stated: "To no one will we sell, to no one will we refuse or delay right to justice."

The corruption of the law is seriously addressed as well. Clause 20 stated: "A free man shall not be amerced for a trivial offence ..." The king had his judges traveling and thus a person could be summoned and forced to travel great distances or be deemed guilty. Clause 17 stated: "Common pleas shall not follow our court, but shall be held in some fixed place."

The corruption of the judges that has always been a plague upon mankind as said by Jesus Christ himself in Luke 18, appears in Magna Carta as well.

Clause 45

"We will not make justices, constables, sheriffs or bailiffs save of such as know the law of the kingdom and mean to observe it well."

Every trick the king could create to confiscate property had been done. It was not about justice - it was about money as far too often the prosecution of law has often been.

For example, Clause 27 stated: "If any free man dies without leaving a will, his chattels shall be distributed by his nearest kinsfolk and friends under the supervision of the church, saving to every one the debts which the deceased owed him." If you died without a will, the king rushed in and threw your family on the street and confiscated all property even cheating any creditors.

The Aftermath of Magna Carta

While Magna Carta also secured the right to Trial by Jury, the restrictions upon the king prohibiting his wholesale fining of the population (amercements), had the desired effect of cutting-off his abuse of law to raise revenue (tax by another name), he then altered the entire Rule of Law to satisfy his thirst for revenue. The king now developed a whole new theory of the "king's peace" that has to this very day, denied the right to settle disputes that was an inalienable way the rule of law prevailed for thousands of years since the dawn of time.

Unable to simply "amerce" his subjects, now he took the position that anything and everything that took place between two or more of his subjects, disturbed his "peace" and now gave him standing to inject himself into every dispute demanding compensation.

This fundamental alteration of the way law was administered, also now transformed the judges from civil servants there to aid the settling of disputes as in olden days of King Solomon, becoming now agents of the king himself to collect revenue. Before the signing of Magna Carta, it was the duty of the judge to compel the offender to pay the compensation to the family in cases of death or to his direct victim. This was the purpose of the law courts and constituted their basic administration during the 12th and 13th Centuries.

With Magna Carta and the birth of this new revenue raising theory, it was now the king who was the wronged party because the "King's Peace" had been disturbed. Judges became the representatives of the king all in an effort to raise money. This had the same ignominious effect and the illicit behavior of the Roman Emperor Caligula nailing his new laws so high on pillars to ensure that the people would break the law for his benefit. Consequently, this is also where we draw the line in that law departed from "common sense" and became just the "common law" that was now prosecuted in a highly technical manner. By the 13th Century close, English law and its procedure became a maze of technicality and the job of a judge now became a full-time paid position. This also forced the rise of law schools for everything became technical violations to raise money.

After 1300, judges were now appointed only from the ranks of the serjeants (sic), a small group of now elite lawyers. However, the problem we have today with Federal judges is directly tied to this corruption of the law for revenue purposes. Judges took on the mantle of the king for they became his new agent and they began to hold themselves up as being far better than everyone else.

There was still no adversary system of justice between 1300 and 1700. The judge was an active inquisitor during the 1500 and 1600 period. The jury, although required by Magna Carta, was passive and marginalized by the judge. The judge became effectively the state prosecutor conducting the inquisition. The judge would then stop when he felt he could now establish the guilt and would summarize the case to the jury and order them to decide the guilt or innocence. While the jury was led out of the courtroom to deliberate, they found themselves locked up, denied food or drink of any kind to compel a verdict.

Criminal defendants were unarmed. There was no right to counsel at all in criminal matters. That was not created until the birth of the American Constitution. Criminal defendants were not even allowed to testify on their own behalf and they were denied the right to confront even the state witness who the judge would just inform the jury what they said and they never appeared in court.

Justice Scalia wrote a major decision Crawford v Washington, 541 US 36 (2004) that had to address this abuse, for American judges reverted to the same tyrannical practices that the American Revolution was fought over. He wrote: "The right to confront one's accusers is a concept that dates back to Roman times." id./at 43. Justice Scalia explained this very practice during the 16th and 17th centuries in England during the "great political trials" that were going on against the king's political prisoners. One of these was perhaps as Scalia classified it, "[t]he most notorious" of all such trials was that of the renown explorer Sir Walter Raleigh in 1603 for treason, Id/44.

"Lord Cobham, Raleigh's alleged accomplice, had implicated him in an examination before the Privy Council and in a letter. A Raleigh's trial, these were read to the jury. Raleigh argued that

Cobham had lied to save himself:
"Cobham is absolutely in the King's mercy; to excuse me cannot avail him; by accusing me he may hope for favour." ... Suspecting that Cobham would recant, Raleigh demanded that the judges call him to appear, arguing that "[t]he Proof of the Common Law is by witness and jury: let Cobham be here, let him speak it. Call my accuser before my face." ... The judges refused ... and, despite Raleigh's protestations that he was being tried "by the Spanish Inquisition," ... the jury convicted, and Raleigh was sentenced to death."

Id./44

Scalia stated: "One of Raleigh's trial judges later lamented that "the justice of England has never been so degraded and injured as by the condemnation of Sir Walter Raleigh." Id./at 44.

The English Rule of Law fell into such a state of corruption, it is of little doubt why there was a revolution in the 1600s. The right to remain silent comes from the abuse where John Lilburn stood and protested in his trial before the Star Chamber in 1637.

"Another fundamental right I then contended for, was, that no man's conscience ought to be racked by oaths imposed, to answer to questions concerning himself in matters criminal, or pretended to be so."

Miranda v Arizona, 384 US 436, 459 (1966)

At the trial of William Penn, the very founder of Pennsylvania, he too was put on trial for treason. The jury had remarkable courage that no longer exists today. They refused to find him guilty after the judge directed them to do so. The judge legally had to release Penn, but he then imprisoned the entire jury for contempt of court.

In 1830, the American public became so outraged over the conduct of a Federal Judge by the name of James Peck, when he threw a journalist in jail for contempt of court when he criticized a ruling the judge made. The outcry was so loud for the Americans revolted against the corruption of judges. Congress was forced to put him on trial (impeachment) but then of course acquitted him. They then

enacted a new statute 18 USC §401 limiting the power of contempt to the courtroom. In my case, Judge Richard Owen didn't bother with that small detail, and the Second Circuit which had just reaffirmed that alleged conduct taking place outside the courtroom required trial by jury, US v Crispo, 306 F3d 71 (2nd Cir 2002), but then refused to honor that decision and then allowed Judge Owen to just create contempt until death with no limitation.

Going back to 1804, the public outcry against judges was still very high. Justice Black pointed out "the Chief Justice and two associate justices of the Pennsylvania Supreme Court were actually impeached for sentencing a person to jail for contempt. In part the impeachment rested on the feeling that punishment of contempt by summary process was an arbitrary practice of the common law unsuited to this country." Green v US, 356 US 165, 213 n.29 (1958), denied trial by jury.

Where in 1577 there was the emerging view of Attorney Client privileges, this did not apply in criminal cases since the accused was not allowed counsel. Today, the Federal government gets around it by merely just accusing the lawyer. This creates a conflict of interest and allows the government to remove particular lawyers.

The jury began to rise up after 1670 for the abuse of these judges was just beyond any human capacity. This was all ironically set in motion with Magna Carta that cut-off the king's ability to fine people to raise money, and thus injected himself as a party into all private disputes demanding compensation. This led to the Rule of Law being also used as a means to criminally prosecute political prisoners.

The king abused every aspect of the law and transformed this into a purely revenue enterprise. Suddenly, every crime would be prosecuted in either a felony or misdemeanor with the penalties being substantially different. Felony penalty was death, and the king restored his ability to confiscate one's entire estate and throw your heirs out on the street. Where the King would do this under the pretense that the failure to make a will entitled the King to take everything, now being found guilty of a felony meant death, and of course the king confiscated again all your property. There became over 240 felonies by 1776.

The abuse of the law by the English king spread throughout Europe. This is why we see the French Bastille Day was the act of storming the prison to release the abused political prisoners.

The Rule of Law thus turned against the people and was used post-Magna Carta as a means to merely raise revenue. Once this was set in motion, then it was just a small step for the state to now use the law as a means to persecute anyone it just disagreed with. John Stuart Mills in his celebrated work, "On Liberty" expressed it best of all in 1859: "let us not flatter ourselves that we are yet free from the stain of legal persecution." (Oxford World Classics, 1998, p34).

Misdemeanors became statutes that gave the option to the offender of "fine or imprisonment" that was in fact intended to be coercive. The plight of English prisons was simply beyond description. Just being put in one was more than a 50% chance of death.

Many of the great plagues in London were known as "gaol fever" whereas the old English word for "jail" was "gaol" and thus there was no such thing as sanitation. Only as the historian Charles Hibbert noted in his classic work, *The Roots of Evil*, do we see that prisons started to clean up not because of any humanity, but because those in prison had to be taken to court. Since they were never cared for, taking prisoners to court would bring the plagues directly to the judges. Finally, after several judges perhaps justly died and the Lord Mayor of London, at last they began to become more concerned about health, but only for themselves and never for the prisoners.

The downside to Magna Carta, was that in cutting-off the revenue of the king, he altered the entire foundation of law. Now, people are tried by the state for private matters and where the Biblical Law prohibits inflicting a greater punishment than that caused (eye-for-and-eye), property crimes under Moses never involved imprisonment but restitution. Now, the state demands the imprisonment and restitution is secondary so the state effectively has refused to even comply with the law of Moses.

The judges became the most ruthless and sick individuals one could ever imagine. In

Charles Hibbert's work, he makes it very clear the minor misdemeanors involved typically the infliction of pain that took place in the courtroom itself. People would be branded and the bailiff would apply the hot iron branding people on their face with "SU" for Seditious Libel against the king. The bailiff would turn to the judge and ask "A fair mark my lord?" The judge could then say, a bit deeper please.

Hibbert noted a sentence imposed by one of the most ruthless judges of all time in a misdemeanor case involving a woman. Lord Chief Justice Jeffreys decreed:

"Hangman. I charge you to pay particular attention to this lady. Scourage her soundly, man; scourge her till her blood runs down. It is Christmass. A cold time for madam to strip. See that you warm her shoulders thoroughly."

The Roots of Evil

Little Brown & Co, 1963 edition, p29

Hibbert wrote of this time: "men and women [were] turned into criminals by fanaticism or conscience and punished with ferocity because of their threat to political as well as religious institutions." Id./at p23. Another famous author, Charles Dickens wrote in a novel on the English Court of Chancery in 1853, *Bleak House*, capturing the sheer ruthless corruption of judges.

"This is the Court of Chancery; which has its decaying houses and its blighted lands in every shire; which has its worn out lunatic in every madhouse, and its dead in every churchyard; which has its ruined suitor; with her slipshod heels and threadbare dress, borrowing and begging through the round of every MAN'S ACQUAINTANCE: ... Suffer any wrong that can be done you, rather than come here!"

Bleak House, Introduction, Chapter 1, p1

There is no description of how degraded the rule of law becomes. We have entered the cycle of decline once again. The drug laws are racially enforced and were a clever way for the Southern Republicans to indirectly restore Calvinism. They have stacked the courts with former prosecutors so no judge will defend the people or our constitution being attacked as liberal.

It was another notorious case that was presided over also by Lord Chief Justice Jeffreys that was a sentence of Titus Oates for perjury that most likely provided the foundation for the novel Count of Monte Christo and set the stage even for the Eighth Amendment to the American Constitution.

Lord Chief Justice Jeffreys amazingly ordered Oates to be placed in the pillory in three locations in London. That is the stocks where one's head and hands were then exposed and people could throw whatever they liked at the person. He then added that he was to walk from one end of London to the other in three days while being whipped along the way. This was still not enough. Oates was then imprisoned for life and, like the novel, on the anniversary of his crime, each year Oates would be taken from prison and made to repeat the same punishment.

This trial of Titus Oates became the battle cry for the English Bill of Rights in 1689 that included the prohibition against the infliction of Cruel and Unusual Punishments that Justice Scalia made clear was in fact directed at judges in Harmelin v Michigan 501 US 957, 973-74 (1991). He explained while the prohibition was directed at Congress not to create and cruel punishment such as the disembowelment, and being drawn & quartered (pulled apart) as was done to William Wallace in the memorable film Brave Heart about the Scottish rebellion against the English. This also included whipping and things like being beheaded.

Justice Scalia, made it very clear that an Unusual Punishment is one inflicted by the judge without statutory authority, precisely what was done to myself, where the judges Richard Owen and John M. Walker, Jr, claimed their power of contempt is "inherent" dating back to this period and citizens can be just thrown in prison without lawyers, trial, or any right to appeal like the good old days before these bothersome things people called "rights" that limited the ruthless power of judges.

We have come full circle. The wheel of fortune has completed its revolution and the federal judges are just off-the-hook and have become the greatest threat to the real liberty of the people once again. Thomas Jefferson was spot-on. In a letter to Coray dated November 31, 1823, he wrote about the federal judges, that "man is not made to be trusted for life, if secured against all liability to account." He also expressed on many occasions that the single greatest threat to the survival of the United States would be the federal judges, and he is correct.

"It has long...been my opinion...that the germ of dissolution of our federal government is in the constitution of the federal judiciary; an irresponsible body, (for impeachment is scarcely a scarecrow) working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief, over the field of jurisdiction, until all shall be usurped from the states, and the government of all be consolidated into one."

Writings of Thomas Jefferson

Chapter XV, p331-32

If government is not prohibited from profiting by the prosecution of law, then there will never be any liberty for the people. The single greatest threat to our future, is the criminalization of everything. Once the state made criminal not paying taxes, it can find anyone guilty on technicalities. This is how they control the press, and how they control society. Now they are using this law to destroy the world economy all on the pretense of bringing justice. There is no right to a trial by jury. Judges limit what can be given to a jury. And if the jury even acquits, the judge can overrule them. It may shock America, but those charged with a felony already out of prison, equals 10% of the work force, of which 60% are unemployed and 30% are homeless. These are the seeds of our own destruction with their 99% conviction rate.

Statistics of Prisoners

Note: the most quoted statistics is that 1 in 20 will be charged in the United States. This is greatly watered down because it is reflected only as a percentage of total population counting women and children. The Department of Justice concedes that the total number of felons now is 10% of the adult work force. These are people stripped of the right to vote and their property.

The FBI statistics on the total number of arrests in the United States is enlightening. In 1984, the total arrests were 8,828,447 and those that involved violence (Rape/assault/murder) was 400,877 (murder 15,126) or just 4.5% of the total arrests. In 2001 the total was 9,322,324 with 4.6% violent (434,391) with murder down to 9,426. In 2005, total arrests were 14 million with 4.3% violent. The total nonviolent felons in & out of prison is now almost 15% of the work force!

The vast majority of people in prison are nonviolent, yet the image portrayed is that the whole lot are violent. This illustrates the problem. When it is the state that is the alleged wronged victim, there is no way to ever know the extent of prosecutions that are taking place for monetary gain.

Americans want to believe that there is equal justice for all just as we all pledged in grade school. But that is a crock of shit as long as there is any hint of potential monetary gain. When my father first became a municipal judge in Cinneminson, New Jersey, he quit shortly thereafter because the local politicians wanted him to impose the maximum fines for they look at the whole ticket game as a means to raise revenue.

The problems with the enforcement of the law is that the so called "public interest" is the state interest, for they could care less whether or not the people are protected. It is always just show me the money! In a major case Int'l Union, United Mine Workers v Bagwell, 512 US 812 (1994), the judge imposed a contempt on the union and ordered it pay a "coercive" fine daily. When the case was over the court refused to dismiss the fine that

was suppose to be a coercive contempt. The inferior courts upheld the judge and claimed there was no right to appeal as they did to myself. The Supreme Court overruled and made it clear that a \$52 million fine going into the pocket of the state was a penalty, not coercion, and it had to be returned.

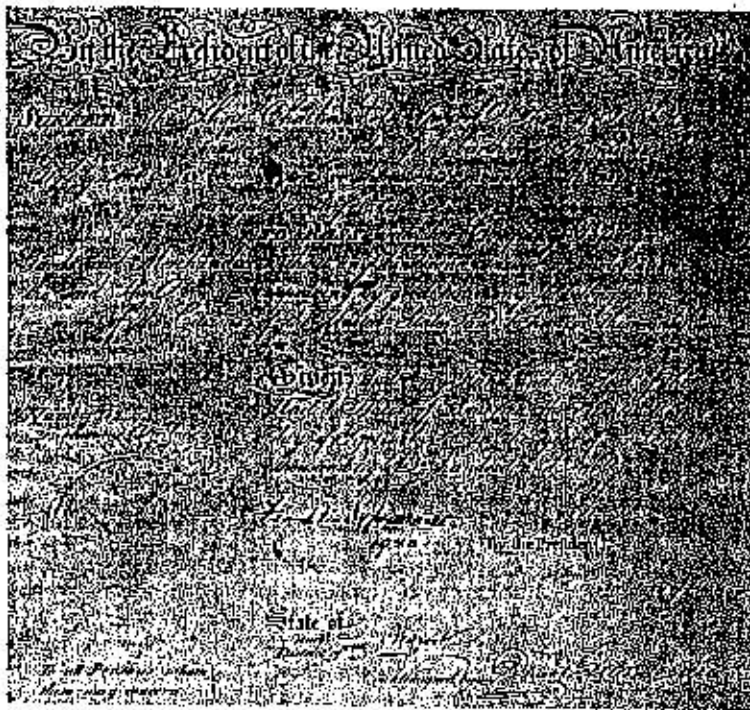
Money drives the judicial process and it is like Jefferson foresaw, the most risk that ever existed to the survival of our liberty. If judges can claim inherent power that is contrary to the constitution and contrary to what we have always asked of our citizens to die in battle for the American Way of Life, there is a deep injury to the memories of so many who have died in the name of liberty.

I lost friends to Vietnam. They did not give their lives so judges can do whatever they please. If the judiciary has no such respect for our people, then something is seriously wrong. Government cannot benefit from the enforcement of law. This has got to stop and the tyranny that has been allowed to undermine our entire society, must be put back in the bottle from whence it came.

For almost 6,000 years, government had settled private disputes because that was a duty owed to the people like King Solomon. The government must be curtailed from its relentless thirst for money. Everything that so many have died for, has been an illusion. Private disputes are private. The alleged victim must sign the complaint, not the state. They should have the right to counsel to make their claim regardless of the ability. That is equal justice. We cannot tolerate any more political prisoners. Enough is enough!

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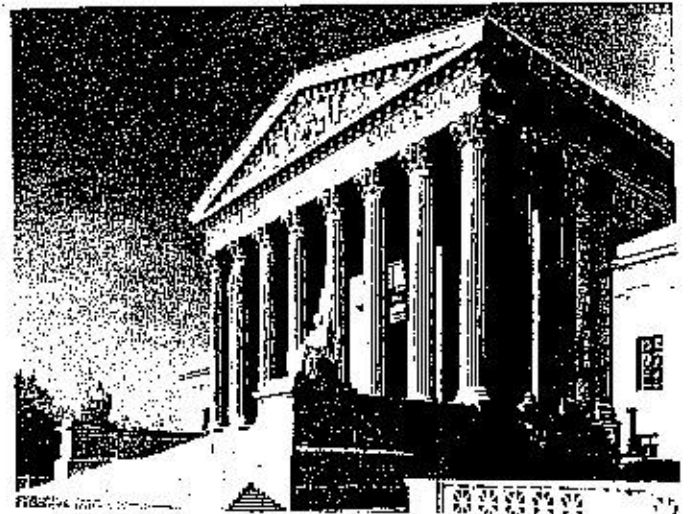
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The Rule of Law is not something to be played with. If society cannot learn this simple lesson, then we are doomed to repeat the past and this bloody battle between the people and the state.

To the left is a "Letter of Passage" signed by Thomas Jefferson. You may recall in the National Anthem the one line to the "shores of Tripoli" that refers to the defeat of the Barbary Pirates during the naval wars in 1801-1804 and 1816. The Barbary Pirates dominated the Atlantic and to gain free passage, the United States and other European nations had to pay tribute to the pirates. This illustration is a rare "Letter of Passage" that if the pirates stopped the ship, this letter demonstrated that the United States owned the ship and it had paid tribute for the free passage.

The United States Supreme Court was once the bulwark of liberty. Under Chief Justice John Marshall, it stood tall and performed the role it was given to establish the third leg to our democratic government. It was to be the check against tyranny. The warnings about giving too much power to judges was certainly not in the least limited to Jefferson. John Rutledge of South Carolina warned that granting great power to a single person will make people think the Convention was leaning toward monarchy. Even Ben Franklin argued at the Constitutional Convention that they should adopt the Scottish System allowing the private sector lawyers to nominal judges, not the government. Even James Wilson of Pennsylvania stood up on June 7th, 1787, and declared: "The British government, cannot be our model ... Our manners, our laws; ... the whole genius of the people, are opposed to it." (Constitutional Journal, by Jeffrey St John, p39-40). Everything that was ever sacred and provided the primary reason for the American



Revolution, has simply just reappeared. This is the very core of cyclical activity. It is man's inability to ever just once learn from his mistakes as a society. We may learn not to stick our finger in the flame of the fire. But society just cannot seem to ever understand that messing with the rule of law to gain political power and wealth at the expense of the people, does not work, and invited the cycle of self-destruction. Not only is man not meant to be trusted for life, neither is government.



The Contemplation of Justice

The Guardian or Authority of the Law



15th Century Illumination of the English Court for Law - The King's Bench

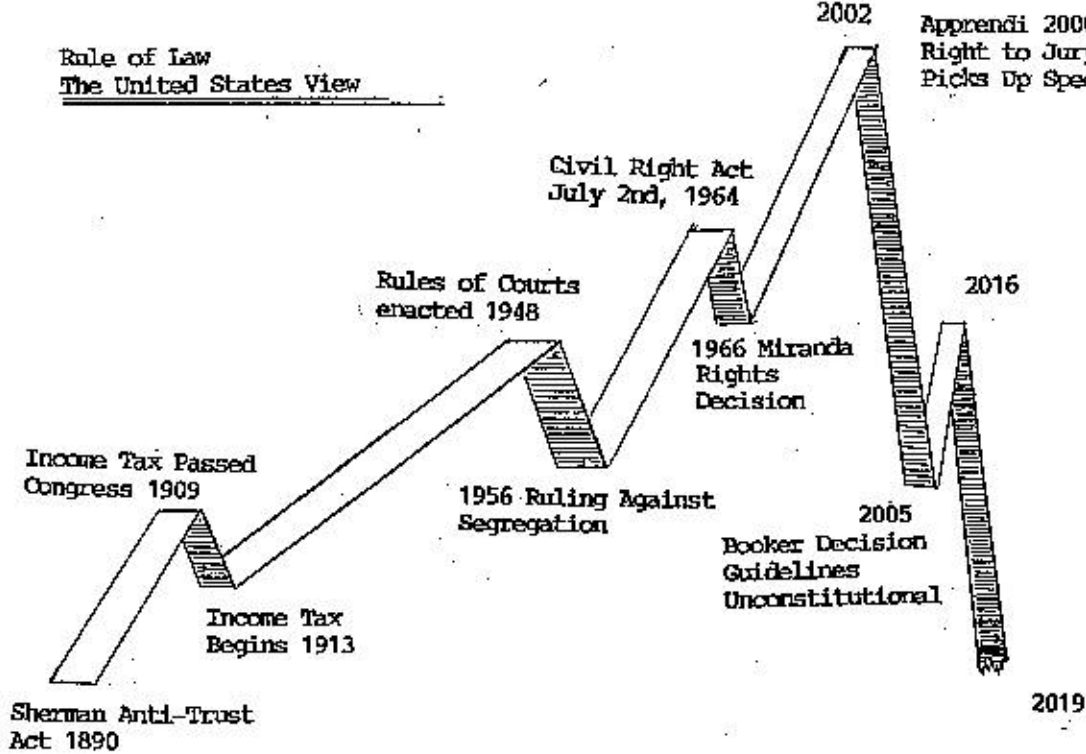
The King's Bench was stacked with some of the most ruthless men in history. What was done to Titus Oates is but one example. For misdemeanors of taking a mere apple, they took citizens and sold them into effective slavery shipping them to America and then to the new discovery, Australia. They were "relieved" of moral duty to support their family who was thrown into the street, and deported with no return ticket. (see Hibbert). This is the type of men we call judges. These are the types of men destroying our economy. The Judas for a mere pocket full of coin.

The US Supreme Court has abdicated its Constitutional duty to protect the people and the Constitution. They have instead of expanding like every other branch of government, remained basically unchanged. They have but 9 justices for both federal and state courts. So they claim they lack the time and resources to hear every case. So they have claimed discretion to pick and choose. That is not what the Framers and Founders of the United States had in mind.

There can be no equal justice for all because Americans no longer have any absolute right to be heard. The right of petition that was secured by the First Amendment along with the right to the Freedom of the Press and the Freedom of Religion, is all pretty much ignored. You have no right to be heard and because of this denial of the right to be heard, the tyranny of the judges below is secure for they know they can do as they like for there is no right to challenge even their honesty.

To the left is a depiction of the notorious English King's Bench. This is the body of justice that sparked the entire American Revolution. Where any judge who dared to uphold the real law against the king such as Lord Coke and Lord Camden, they were just removed from their post as judges.

The fate of our nation and the whole of Western Civilization hangs in the balance of justice. If we cannot obtain judicial reform and force the bums who pretend to represent us in the Senate and House Judiciary Committees to stop the bullshit and start doing their job to reform the Rule of Law, there will not be much we can do to prevent the real disaster that lies ahead.



Caligula, Commodus, and Maximinus are just three examples from Roman history who used the Rule of Law for economic gain. We find Edward Gibbon in his *Decline and Fall of the Roman Empire*, commented upon Commodus: that "distinction of every kind soon became criminal. The possession of wealth stimulated the diligence of the informers; rigid virtue implied tacit censure of the irregularities of Commodus." Chp III.

The Rule of Law has always been the most dangerous tool of the state. It has always been used to oppress the people. Once the Rule of Law was turned on its head and private disputes gave just cause to enter as a new wronged victim, we have never been able to restore liberty. No private individual need even sign a complaint. The state just seizes everything and claims its standing that may be a false claim altogether.

Gibbon also explained the very situation that we find ourselves in today. "The number of ministers, of magistrates, of officers, and of servants who filled different departments of the state was multiplied beyond the example of former times ... when the proportion of those who received exceeded the proportion of those who contributed, the provinces were oppressed by the weight of tributes." Instead of government trimming the cost of the state, they hunt down people like Hitler did searching for any spare cash. The Rule of Law bends with the will of the state.

The collapse of the Rule of Law is indeed the greatest threat to civilization. Gibbon also noted: "the decline of Roman jurisprudence the ordinary promotion of lawyers was pregnant with mischief and disgrace. The noble art, which had once been preserved as the sacred inheritance... was fallen [and was] ... exercised [in] a sordid and pernicious trade." Even Shakespeare had delivered his famous line, "the first thing we do is kill all the lawyers."

We are in desperate need of a complete and thorough revision of the Rule of Law. The federal judges must be held accountable. They must be stripped of their self-annointed immunity and be made to stand like all citizens in the light of real justice.

We are in a downward spiral of economic hell with no hope of preventing the decline and fall that is on the horizon for we have done the same as every tyrant before us. We have a chance to enter a new world and secure the inheritance that we owe our children. But it is time to just stop this insanity and do the right thing for once. Why is society so incapable of ever learning from their mistakes like individuals? Must we always end in disaster compelled to drag ourselves out of a buck like crabs that cannot ever work together?

The Rule of Law in the United States is headed toward a complete collapse by 2020. That is 72 years from the last overhaul in 1948 and 112 years from the triumph of Marxism in US courts.