The method used to corrupt federal courts

by Lyndon H. LaRouche, Jr.

Under the Trilateral Commission's Carter administration, it was proposed to the ambitious Carter White House that Carter discredit the U.S. Congress by means of use of the powers and resources of the Justice Department to entrap and "frame" members of the Congress. A prominent jurist composed a warning, delivered to then-Attorney General Griffin Bell, detailing the monstrous violation of constitutional law in the mere intent to launch what became popularized, later, by a complicit news media, as Abscam-Brilab. Nonetheless, in spite of just such clear and well-argued warnings, with Bell's replacement by Attorney General Benjamin Civiletti, the Office of Special Investigations and the so-called Abscam-Brilab operations were set into high gear.

Since the onset of an accelerating, and intentional process of destruction of law enforcement capabilities and standards, with the New York City Knapp Commission operations, entities of the New York City liberal establishment, such as one-time New York City police commissioner Patrick Murphy, the VERA Institute and the Ford Foundation-created (McGeorge Bundy) Police Foundation, have collaborated with forces such as William Kunstler, Morton Halperin, Philip Agee's associates, and representatives of the Chicago University's anti-American Law influences (Edward Levi, Ramsey Clark, et al.), to cripple courts and law enforcement agencies with respect to traditional (and currently skyrocketing) expressions of criminal activity. The diminished resources of courts and law enforcement agencies have been redirected away from combatting crime, into those activities of politically-motivated entrapment practices abhorrent to the U.S. 1787 draft of the Constitution and the attached amendments constituting the Bill of Rights.

It would be an error to view prima facie subversion of the U.S. Constitution, such as Abscam-Brilab, as originating in the twisted minds of the Carter administration as such. There was not a single instance of a national policy originated by the Carter administration which was not designed in detail by a combination of the Club of Rome, the New York Council on Foreign Relations (i.e., the *Project 1980s* papers), and the Trilateral Commission, during the 1975-1976 period preceding Jimmy Carter's inauguration. Abscam-Brilab is no exception.

The key to this ugly subversion of the U.S. Constitution at present is the commitment of forces jointly allied with David Rockefeller's Trilateral Commission and Willy Brandt's Socialist International to establish, in both North America and Western Europe, Socialist International-directed authoritarian regimes, modeled politically on the precedent of Benito Mussolini, and economically on the fascist monetarism of Nazi Finance Minister Hjalmar Schacht. The "controlled disintegration" of the Atlantic community's economies, publicly embraced as his own policy by Federal Reserve Chairman Paul A. Volcker, is a product of the Nazi-modeled component of this subversion. The destruction of "traditionalist" institutions of constituency democracy, such as law-enforcement, trade-union, and "political-machine" organization, is a leading feature of the effort to eliminate resistance to Mussolini-modeled political institutions of neo-fascism.

The Dec. 5-7, 1980 "Eurosocialism" conference of Willy Brandt's Socialist International, held in Washington, D.C., is an important part of the count-down for both "Hooverizing" the Reagan administration and a Socialist International takeover of the Democratic Party. Both of these were projected by Brandt's co-thinkers at the Washington conference, and both are rather indispensable to the neo-fascist transformation of the United States—under projected conditions of urban rioting and Volcker depression-triggered "Hooverization" of the Reagan administration.

The role of social-democratic components of both the major parties and trade-union factions in blocking resistance to both Volcker and Abscam-Brilab is reflective of two key features of the neo-fascist perspective. Firstly, more narrowly, social-democratic trade unionists are manipulated to treat the destruction of Abscam-Brilab-targeted congressmen and trade unions as a means to

increase the social-democratic union officials' gate-receipts and relative political power. Secondly, through aid of such manipulation of the cupidities of their immediate dupes, the Socialist International's witting agents and allies are working to eradicate the last popularly based bastions of resistance to fascist measures.

All of these wicked activities, including Abscam-Brilab, proceed under the auspices of accelerating corruption of practice of law, a corruption of law reaching visibly and increasingly into the ranks of the federal bench. The key to that process of corruption of the federal judiciary in respect of fundamental principles of law is the promotion of the genocidalist doctrine of "environmentalism," radiating from Aurelio Peccei's Club of Rome. It is the growing toleration among attorneys and judges of the monstrous violation of the anti-Nazi Nuremberg Code exemplified by such policies as the Carter administration's *Global 2000 Report,* which most efficiently reflects the subversive principle underlying all the principal features of corruption being spread into the decisions of members of the federal bench.

It is examination of the methods of argument employed by the more sophisticated among the defenders of genocide which exposes to a student of the matter the method by which judges and others are becoming increasingly corrupted in fundamentals of their moral capacities for judgment.

The most extreme of the cases of such defenders of genocide are usually those members of the Jesuit order, and Jesuit collaborators, engaged in defending genocidal policies against the doctrines of the Papacy. In such cases one encounters the immoral sophistry of the "delphic method" in its slipperiest form of expression.

The exemplary case of Francis X. Murphy

Formally, Francis X. Murphy is a Redemptorist priest based in Washington, D.C., as well as a member of the Executive Board for the Population Reference Bureau, Inc. In method, he is a professedly Gnostic heathen cultist, indistinguishable from the Gnostics of Louvain or of the "left-Jesuit" cult of Liberation Theology of Hans Küng and Georgetown University's schismatic, anti-Pope agents, Malachi Martin and Steven Mumford. Among Gnostic Murphy's useful distinctions for our present purposes, his 1981 "Catholic Perspectives on Population Issues II"[1] includes scholarly references respecting the history of his argument, such that one cannot accuse him of being the usual run-of-the-mill "population freak," such as the genocidalist Draper Fund's General Maxwell Taylor. Unlike Taylor, Murphy is no brainwashed, half-literate sort of immoral dupe. Rather, Murphy is a "duper."

We focus on selected passages from that article, passages employing the "delphic method" in a style become so commonplace among British liberal-arts writers and contemporary news-media interviewers that most readers might, at first glance, see nothing egregious or otherwise significant in Murphy's prose style. Yet, partly because of the cited contexts in which Murphy employs that "Delphic" confidence-man's trick of rhetorical sophistry, the fraud, the sophistry is readily adduced, and in a relevant context of policy-discussion. As we show, that method of sophistry is in and of itself the most vicious form of attack against the fundamental principles of U.S. constitutional law, as well as Murphy's more direct target of that article, the fundamental, Augustinian, doctrine of the Roman Catholic Confession.

The key to the Gnostic composition of Murphy's mind is the manner he employs the sense of the verb "to feel."

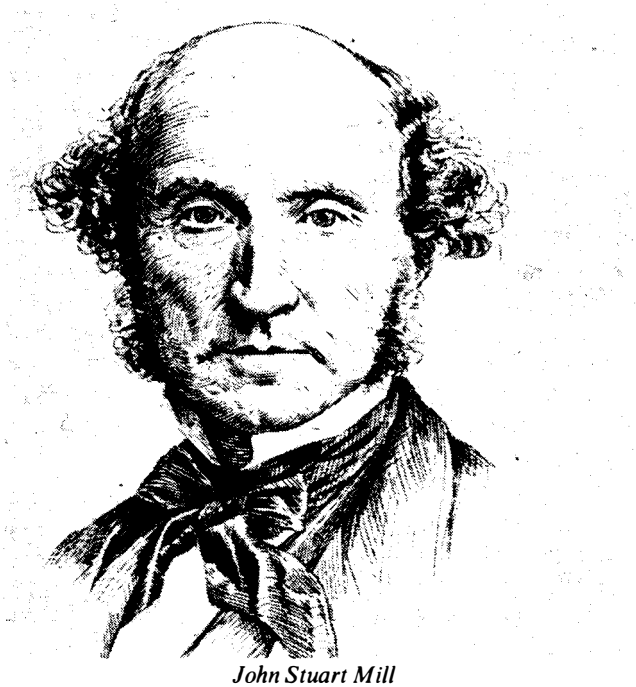
In modern English-speaking usages, the usage of the verb "to feel" encountered in Murphy's writing is most immediately congruent with the "hedonistic calculus" of the pederast Jeremy Bentham, the "hedonistic" doctrine which John Stuart Mill and William Jevons explicitly adopted as the entire basis for the immoral doctrine of political economy now prevailing in both neo-Keynesian and Mitchellite curricula (Burns, Volcker, Friedman) at nearly all universities in the United States and Britain today.

Judge Pratt's feelings

". . . Questions arise as to the propriety or legitimacy of the government's conduct and as to whether the law should punish a person for engaging in governmentally instigated criminal activities. The answers must draw on considerations of philosophy, psychology, statutory construction, constitutional law, practical needs of law enforcement, and even undifferentiated visceral feelings about right and wrong."

—Judge George Pratt, U.S. Department of Justice memorandum order and decision, July 24, 1981, U.S. District Court, Eastern District of New York, upholding convictions of the defendants tried before him as a result of Abscam.

1. Francis X. Murphy, C.SS.R. (Holy Redeemer College, Washington, D.C.), "Catholic Perspectives on Population Issues II," *Bulletin of Population Reference Bureau, Inc.*, Washington, D.C., 1981.



John Stuart Mill

Professor Milton Friedman, for example, publicly proposed the legalization of heroin on a nationwide television broadcast, using the same argument which Bentham presented in defense of the practice of pederasty then (and since) popular among ranks of the British oligarchy's public-school graduates. In brief, Bentham, like Mill, Jevons, Marshall, Keynes, and Friedman after him, insisted that choices among individuals' perception of momentary sensations of pleasure aad pain were the sole criteria which ought to be imposed upon the ordering of human behavior. Friedman's version of "free enterprise" is based on that explicit immoral rejection of any higher, lawful ordering of human behavior by society or by the individual within society.

Similarly, the Nazis, including Adolf Hitler and Nazi slave-labor czar Albert Speer most emphatically, defended the genocidal slave-labor system of eliminating unwanted "useless eaters" on the basis of economic expediency. Similarly, the Club of Rome, Jimmy Carter's *Global 2000 Report,* executives of the Bank for International Settlements, supporters of the International Monetary Fund's genocidal "conditionalities" policies, and of the policies of Robert S. McNamara at the World Bank, argue, exactly as did Hitler and Speer, that elimination of the "useless eaters" by economic-policy means is a "regrettable" but "unavoidable" expediency.

Similarly, before certain federal courts, the immoral argument has been adopted, that the irrational and implicitly genocidal arguments of "anti-technology environmentalists" must be imposed upon the majority of the U.S. and other populations, out of regard for the perceived "feelings" of a rabid, largely unwashed, irrationalist minority. So, federal courts have rendered decisions in favor of a Benthamite doctrine of "feeling" which the Supreme Court rightly recognized as a violation of the clear intent of the U.S. Constitution.[2]

Exemplary of this method in Murphy's article are the following:

> Augustine, apparently influenced by his own sexual excesses as a member during his early manhood of the Gnostic sect of Manichees, countered pessimistically that human concupiscence stemmed from the original sin of Adam and was passed through the male seed.

This is a Gnostic falsification of Augustine by a priest who, in the same article, documents a fair scholarly grasp of the issue of Gnosticism. *In other words, Murphy lies.*

The notion of original sin in Apostolic Christianity, of "man born of woman," is directly counterposed to the *tabula rasa* of John Locke et al. and the "noble savage" of such modern Gnostics as Jean-Jacques Rousseau. Augustine elaborates that at great length, and in the most rigorous fashion. The new-born infant is predominantly an irrationalist-hedonist—akin to existentialism or philosophical anarchism in the infantile regressions among adolescents and adults. This notion of "original sin," as equatable to "irrationalist hedonism" of infants and infantile regression, is otherwise elaborated, on the basis of reference to St. Augustine's earlier exposition, in Dante Alighieri's *Inferno* canticle.

To attribute, even implicitly, Augustine's notion of the "original sin" of the "old Adam" to "apparently influenced by his own sexual excesses as a member during his early manhood of the Gnostic sect of Manichees," coming from a Redemptorist such as Murphy, is willful lying and nothing else.

Writing of apostate Margaret Sanger, Murphy argues:

> From her experiences among the poor of New York City's East Side, she was convinced. . . .

The same method: "(I, thou, he, she, it, we, you, they) feel(s)."

> The principles developed in the United Nations over the two decades of its concern with world population and family problems acknowledge a legitimate variety of goals in population policies. Some nations are *satisfied* with their current levels

2. See, *Vermont Yankee Nuclear Power Corp. v. NRDC,* 435 U.S. 519 (1978).

of population growth. A few are still *seeking* increases. Still others are strenuously working to reduce fertility *in the hope of* achieving social and economic development. While some countries *are concerned more with* problems of sterility and subfecundity, *the majority seems most anxious* to control fertility and. . . [emphasis added].

"Satisfied," "seeking," "in hope of," "are concerned more with," and "most anxious to," are classically Delphic tricks of rhetorical sophistry for premising specific policies and associated beliefs on "feelings" of individuals and populations. The perception of pleasure and pain respecting isolated matters of policy and practice is made either equal to rational determination of policies, or going to more radical lengths, "feeling" is made the only basis for policy-determinations.

For example, confronted with proof that neo-Malthusian policies are necessarily genocidal in their consequences, a Murphy would argue that the proponent of that proof "feels that. . . ," and a consistent Delphic irrationalist would go further, perhaps to attribute the proponent's "feeling" on this issue to some childhood, or later personal experience.

This same immoral and irrationalist sophistry predominates in U.S. journalism today. "So-and-so *feels that* . . . whereas, the opposing side, such-and-such *feels strongly that*. . ." "Sensitivity" respecting *the irrational feelings* of others is the "pluralist" doctrine by which the news-media and allied forms of immoral agencies are destroying the rationality and morality of so much of the U.S.A.'s population. This emphasis on pandering to the irrational feelings of most is the characteristic of the dominant news-media organization which obliges us, as rational persons, to characterize most journalists and editors as "whores."

Consistent with his immoral, Gnostic doctrine and method, Francis X. Murphy centers his argument for a schismatic attack upon the Papacy on *opinion surveys!* He associates that approach not only with his own sophistry, but that of Archbishop John Quinn of San Francisco's arguments during the schismatic-dominated American bishop's participation in the 1980 Synod of Bishops. Murphy's review of those proceedings is characterized by interpretation of virtually every treated item as a matter of "feeling."

U.S. constitutional law

From the literature of the American colonies and United States during the 17th and 18th centuries, through the deliberations of the 19th-century U.S. Supreme Court under Chief Justice John Marshall, two interrelated facts are clear. First, the literate political culture of the majority of the 18th-century population of the United States was premised most immediately on the correlated influence of two literary influences, the magnificent English of the King James version of the Bible and John Milton's *Paradise Lost*. Second, that the popular writings, including the Federalist papers, which won the majority of citizens to support of the 1787 draft of the U.S. federal Constitution, prove that U.S. constitutional law is premised on *the Augustinian tradition in natural law* as mediated through the scholarly influence of, predominantly, John Milton's writings.

This U.S. perception of a body of constitutional law under the rule of Augustinian natural law set the law of the United States into direct opposition with British law on the same fundamental issues as set John Milton's faction of the English Commonwealth into absolute opposition to the immoral doctrines of public policy and law of the British monarchy under the Stuarts. American constitutional law is *republican* in irreconcilable opposition to the *oligarchical* principles as the basis for British law.

British law is premised on the doctrine of manipulated "democracy" of the cult of Apollo at Delphi from the 5th and 4th century B.C., of those "democrats" who condemned Socrates. This version of "democracy" is designed to enable a group of oligarchical "families" to rule society by keeping the majority of the population stupefied, and by playing the irrationalist demands of one section of the stupefied population against the irrationalist demands of other stupefied portions. The British doctrine, and its Delphi precedents, can be efficiently traced inclusively to the ancient Phrygian cult of Dionysos, which the cult of Apollo at Rome introduced as the cult of Bacchus.

Therefore, the war for American independence, insofar as it was a war with Britain, was essentially the second Civil War within Britain, distinct from the 17th-century overthrow of the Stuarts only in that the forces of the Commonwealth Party were, in the second instance, based in what became the United States. It was not the narrowly defined issues of 1763-76 which caused the war against Britain; rather, those issues expressed an irreconcilable difference respecting principles of law and morality between the Americans and the monarchical and parliamentary institutions, and common law of Britain.

The issue is the same today. A group of corrupted, and usually wealthy rentier-financier "families" of nominal U.S.A. citizenship have affiliated themselves with the rentier-financier oligarchical "families" of Europe, with family funds centered to the present day on the former sub-capital of the Roman Byzantine Empire, Venice, families called the "black nobility" in Italy of today. These politically and financially powerful American "families," filled with a treasonous, oligarchical

hostility against the U.S. Constitution and constitutional law, are presently determined to bring soon into being a kind of neo-Malthusian, world-federalist, oligarchical world-order, accompanying this by exertions to overthrow the U.S. Constitution, to replace that constitutional order with one modeled upon the British parliamentary system, and to subordinate the sovereignty of the corrupted United States by such measures as placing U.S. policy under control of supranational institutions such as the International Monetary Fund.

The leading instrument of this treasonous subversion of the United States, as by forces allied to the British oligarchical wife of former Governor Averell Harriman, Mrs. Pamela Harriman, is Delphic corruption of both political institutions and sections of U.S. citizenry with aid of the verb "to feel."

The true citizen of a republic is rightly an "independent cuss." The citizen of the republic is one conscious of a higher authority, higher than the opinion of any episodic majority, a higher authority which is knowable to any educated, intelligent citizen through scientific inquiry into history and matters of the lawful ordering of the universe about us. That citizen is constrained *to do what is right* according to a knowledge of higher law accessible through reason. He is swayed not by opinion, but by reason.

Such a citizen, whether professing religious adherence or not, is informed by the great traditions of St. Augustine's teaching of Apostolic Christianity and by the great teacher of Judaism, Philo Judaeus of Alexandria. *In that sense,* the political culture of the United States is predominantly an outgrowth of Judeo-Christian civilization, as the *Paradise Lost* of John Milton exemplifies this.

The undermining of the adherence to reason, and the ordering of policy according to the irrationalist's doctrine of "(I, thou, he, she, it, we, you, they) feel(s)," is the most important of the weapons of subversion employed by the immoral anglophiles and their accomplices in this treason. The corruption of our courts, to the effect of introducing British doctrines of jurisprudence contrary to reason and responsive to irrationalist "feeling," represents a moral decay of our institutions so profound and dangerous that the very existence of our republic is near its end.

If we do not rise as one fist against such corruption as is represented by the errors of federal courts and corruption of the Department of Justice in their constitutional approach to the Abscam-Brilab atrocities, then this nation will soon cease to exist as we have known it, because our people have lost the moral fitness to survive. Unless we can restore the principle of a republic ruled by law, not men, a nation self-governed according to reason, not "felt opinion," we have indeed lost the most essential qualification of moral fitness to survive.

LAW

Can Mrs. O'Connor defend America's Constitution?

by Edward Spannaus, Law Editor

With the exception of objections from the Right to Life movement, the nomination of Sandra Day O'Connor for the United States Supreme Court seems likely to be confirmed by the U.S. Senate without dissension. Amidst the general relief that President Reagan found a woman candidate for the high court who is generally uncontroversial, there has been a singular lack of discussion as to whether Judge O'Connor is actually qualified for the position.

Even a cursory look at Judge O'Connor's qualifications indicates that she is by no means the most qualified woman that could have been found. She is a relatively recent (18 months) appointee to merely the second highest court in the state of Arizona, and according to press reports she was ranked eighth out of the 10 judges on the Court of Appeals in a survey of lawyers who practice before that court.

A survey of her published decisions is no more encouraging. Nearly all those decisions dealt with issues of Arizona state law, in legal areas which seldom if ever come before the U.S. Supreme Court. In 26 cases reviewed by this writer, only four dealt with issues under the federal Constitution. In these, Judge O'Connor treated the constitutional issues in a technical, case-precedent fashion, devoid of any sense that constitutional law is of any different order than commercial case-law or landlord-tenant case-law. (This is not at all unusual; most judges today are "technicians" who have abdicated the use of reason in favor of narrow case-law precedent-searching.)

O'Connor's background

It is not unheard-of for a Supreme Court appointee to come from the state courts without any federal experience; of the current bench, Justice Brennan, for example, was on the highest court in New Jersey for a number of years before his Supreme Court appointment. But it is unusual for an appointee to come from a