A WEEKLY COMMENTARY

ON TARGET

• NEWS HIGHLIGHTS
• BACKGROUND INFORMATION
• COMMONWEALTH AFFAIRS

The price of Freedom is eternal vigilance –

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THOUGHT FOR THE WEEK: Derivatives Scam: "We didn't truly know the dangers of the market, because it was a dark market," says Brooksley Born, the head of an obscure federal regulatory agency – the Commodity Futures Trading Commission [CFTC] – who not only warned of the potential for economic meltdown in the late 1990s, but also tried to convince the country's key economic powerbrokers to take actions that could have helped avert the crisis. *"They were totally opposed to it," Born says. "That puzzled me. What was it that was in this market that had to be hidden...?*
Source: http://www.informationclearinghouse.info/article24794.htm
DVD – a must watch: ***"Fall of the Republic"***, $12.00 posted from Heritage Book Services.

DEVILS' ADVOCATES IN THE COUNSEL OF ROGUES by Ian Wilson LL.B: "The perennial problem of the lawyers". Against the Lawyers Series: Since the dawn of civilisation, lawyers have been hated. Andrew Roth and Jonathan Roth in "Devil's Advocates: The Unnatural History of Lawyers" (Nolo Press, 1989), point out that even in ancient societies where people defended themselves in law courts, there were still "lawyering tactics" – suggesting the emergence of a lawyering class behind the scenes. The ancient Egyptian "Instruction of Amen-em-opet" (late 7th Century BC), protests against such tactics, indicating that proto-lawyers may have been lurking behind the scenes to help individuals argue for a fee.

Ancient Greece swam in law suits and this was satirised by playwrights like Aristophanes in "The Clouds" and "The Peace". Socrates (469-399 BC) father of Western philosophy, also protested against the lawyers and sophists as did Plato (c.427-347 BC). In ancient Rome, people also called on legal experts, *advocati*, in assisting with their cases. In the second century BC the *advocatus* were permitted to speak on another's behalf in court and the legal profession never looked back, even in the Dark Ages.

Jesus said to the Pharisees, the lawyers of his day, in Luke 11:52: "Woe to you lawyers also! For you load men with burdens hard to bear and you yourselves do not touch the burdens with one of your fingers." Lawyers prospered from the misery of others through the deliberate creation of "burdens".

Jonathan Swift (1667-1745) said that lawyers were "a society of men bred up from their youth in the art of proving by words multiplied for the purpose that white is black and black is white according as they are paid." Dick in Shakespeare's Henry VI (part 2, 4.2) went further: "The first thing we'll do, let's kill all the lawyers." Indeed, the Peasant's Revolt of 1381 in England saw more judges and lawyers killed than persons in any other type of profession. In London one observer described how the lawyers fled from the flames: "It was marvellous to see how even the most aged and infirm of them scrambled off with the agility of rats or evil spirits" (Richard Du Cann, "The Art of the Advocate", Penguin Books, 1980, p.14).

The English poet Keats (1795-1821) concluded: "I think we may class the lawyers in the natural history of monsters."

Journalist and cynic H.L. Mencken (1880-1956) agreed: "Every invasion of the plain rights of the citizen has a lawyer behind it. If all lawyers were hanged tomorrow...we would be freer and safer and our taxes would be reduced by almost one-half." The very good reason for this is, lawyers as "hired guns" go where the big bucks are – and that is to big business and finance.

American financier J.P. Morgan (1837-1913) summed it up thus: "I don't want a lawyer to tell me what I cannot do; I hire him to tell me how to do what I want to do" (for more see Frank Cramer, "The Case of the People Against the Lawyers and the Courts: Interviews with an Outdoor Philosopher" (2009) at Google books, online).

In a nutshell, lawyers according to the standard conception, may act in representing and defending clients, in ways that would be immoral outside of the professional role of lawyering. Lord Macauley asked how "it be right that a man should, with a wig on his head and a band around his neck, do for a guinea what, without these appendages, he would think it wicked and infamous to do for an empire?" The standard answer to this – as articulated by Time Dare in "The Counsel of Rogues?" (Ashgate 2009) – is that the professional role itself makes a difference as lawyers have a special moral obligation to their clients, which permits them to act in ways which would be immoral outside of this professional capacity. It is important to have these obligations to ensure that the overall justice system works as if it was not so some people would not get any legal defence.

On the other hand, Ysaiah Ross in "Ethics in Law" argues that the amoral lawyer raises the difficulty that professional codes are more vague than legal codes and do not cover many situations. Morality is inescapable. However, morality and a theological dimension is lacking from contemporary law so there comes to be something of a moral vacuum in legal practice.

The problem of the lawyers is thus part of the general theological/existential crisis of our society which pursues secular/materialist goals over spiritual ones. Lawyers represent the crude nuts and bolts workings of an essentially spiritually bankrupt social order. The hatred of lawyers is perhaps our instinctual recognition of this void at the centre of our lives, caused by the creation of a system that puts money before man. Only by resolving these financial and economic problems can we hope to transform, decentralise and re-humanise society and deflate the role of the lawyering class. In other words, what looks like a philosophical problem has a real, economic, social credit solution.

PUBLIC BANKING: **Source:** socialcredit@googlegroups.com What has happened in the last number of years is that banking regulations have been dismantled to the point where shyster operators, working for the largest banks such as Goldman Sachs, have been bending whatever rules are left as hard as they can to generate as much money for themselves as possible... The result of all this activity is that a lot of banks have ended up with so called "assets" on their books that don't have any value because nobody wants them any more. So the book keepers pretend that they have a value so that the balance sheets of the banks are not wrecked, showing the huge losses that are there. As a result of all the speculative activity that has taken place, there is a loss of confidence in the system by the very people who operate it and the size of risk factors in bankers' equations have increased significantly...

What has happened in the last number of years is that banking regulations have been dismantled to the point where shyster operators, working for the largest banks such as Goldman Sachs, have been bending whatever rules are left as hard as they can to generate as much money for themselves as possible... [They] deliberately, through fraud, and whatever means available, are stealing our collective wealth. They are using the banking system to that end.

Last night I attended the Annual General Meeting of our local Chamber of Commerce and got to meet the new manager for our branch of "... Financial". His name is ......, he grew up near Stalingrad in Russia and came to ... as a 21 year old. Now, at the rather tender age of about 30, he is the local bank manager and speaks excellent English.

Anyway, his parents still live in Russia and I asked him about developments there when the Soviet Union collapsed. He told me that there are now two classes of people in Russia: The filthy rich and the poor, nothing much in between. When the Soviet Union collapsed the political bosses simply gave themselves ownership to Russia's productive resources. There was no organized citizenry to stop them. This is exactly what our bankster friends want to do here by expropriating for themselves the tickets to wealth that belong to us collectively. That is why we need to organize on the ground before it is too late – and take back the commons. Public banking will be an important piece in that mosaic.

WHAT OTHER DANGERS ARE LURKING IN THE SHADOWS? by Betty Luks: The Lavoisier Group (www.lavoisier.com.au) did the Australian people a great service by producing the tract "Back to the 19th Century: Australia under the Carbon Pollution Reduction Scheme Act 2009". (Can be downloaded at: http://www.lavoisier.com.au/articles/climate-policy/science-and-policy/backtothe19C.pdf)

Brought out last September 2009 it warned Australians of the consequences should the Labor ETS legislation be passed. The Senate did reject the Labor legislation prior to the Copenhagen Conference, much to Mr. Rudd's chagrin, but it has since been re-introduced. Not to be outdone, the Coalition has introduced into federal parliament its own ETS version.

The Lavoisier Group tract states: "The EM is a collation of fantasy and deceit, coupled with an ambit claim for political power which is unprecedented in Australian history and which justifies the use of the term *coup d'état*. The discretion which is vested in the minister is breathtaking. The use of regulation rather than legislation to impose the will of the salvationists upon the people brings back the ancient claim of kings 'The law is in my mouth'.

The Australian Climate Change Regulatory Authority: At the heart of the new power structure is The Australian Climate Change Regulatory Authority, shortened prophetically in the EM to the Orwellian term 'The Authority'. This body will administer the emissions trading scheme, the reporting regime, and the renewable energy target. It has, for example, the power to issue free permits to coal-based electricity generators, so that they can keep operating. But, on the other hand, the Minister has the power 'to make a determination withholding those permits, in the event that the Authority finds that the provision of assistance under this Part is likely to deliver a "windfall gain" in respect of a particular generation asset...

Further very serious inroads into the rule of law occur in clause 300-1 where the right to silence is abolished, and the right not to incriminate oneself is not allowed. "The onus of proof is reversed in clause 336-3 and privacy laws are set aside since The Authority has the right to pass on private information to practically anyone, including the U.N. and foreign governments (clause 48-1).

A characteristic example of The Authority's power is set out in Para 6.138, which deals with permits issued for reforestation.

6.138 The Authority will be able to use a computer programme to determine whether forest stands established and maintained for the purposes of the forest maintenance obligation will achieve an amount of net greenhouse gas removals that is equivalent to the net total number of units that have been issued for the project.

6.139 The forest maintenance obligation will cease when:

• The penalty payable under clause 2867 of the bill in respect of the carbon sequestration right holder's failure to comply with the relinquishment notice is paid in full, including any late payment penalty; or

• the forestry right holder relinquishes the net total number of units issued in respect of the eligible reforestation project; or

• at the end of 130 years after the first occasion on which an Australian emissions unit was issued in relation to the project...

The first reaction to this document, and to the legislation which it purports to explain, is one of awe. How many thousands of hours of bureaucratic endeavour have gone into the creation of this huge structure of regulation and control? For how long have the global warming enthusiasts now entrenched within the Department of Climate Change been refining their ambitions?...

As it became clear that what was being planned was going to be extremely harmful to major industries, lobbyists were appointed and consultants engaged to try at least to seek a delay in the execution warrants for those industries which could no longer exist in the"new carbon-free world which would come about with this great project of salvation.

The complexity and ministerial-bureaucratic discretion which is intrinsic to this project is the consequence of seeking to achieve something in real life which can only be accomplished in the fantasy world of the economic models of Treasury and Professor Garnaut...

As soon as our climate prophets impose salvation upon us by imposing new and unpredictable taxes, under whatever label, so that we are forced, through the weight of taxation, to use less and less electricity, and less and less petrol and distillate, with all the growing upheaval and uncertainty which follows, **then the political consequences will be immediate and certain.**

The only way in which salvation can be made secure against slipping back into sin is through the construction of a tight and effective political cartel, which can successfully hold the line against any new political entrants, such as Family First, into the market for votes. This cartel must be strong enough, and wealthy enough, to impose huge economic dislocation, manifest in reduced incomes, higher costs, and growing unemployment, on the Australian people, and still retain power. This salvation project, then, has been built from the beginning on fantasy and deceit...

Recently, a growing number of economists have discovered that the Emissions Trading Scheme, under which tax receipts, euphemistically called 'emission permits' can be traded, just as taxi-cab licences can be bought and sold, is not the most efficient way of reducing emissions of carbon dioxide when compared with a good old fashioned tax, as in the excise on cigarettes and alcohol. In particular, the opportunities which will be created for 'shorting the market' and creating a 'carbon bubble' will seize the imagination of the traders and speculators in the new 'carbon' market, and cause great uncertainty and volatility in a market which was advertised as providing 'business certainty'.

Continued in **The Bulletin**

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