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GOD'S NEW MILLENNIUM

KNOWING TRUTH IS NOT ENOUGH,
SUCCESSFUL CHANGE REQUIRES ACTION

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The FINAL Voice Is With THE PEOPLE

6/5/03—#2 (16-293) WEAPONS OF MASS DESTRUCTION

GCH—RE: CENSURE OF JAPANESE AMBASSADOR TO PHILIPPINES. UPDATE ON WHAT'S IT ALL ABOUT IN MANILA; SUPREME COURT IMPEACHMENT, ESTRADA ATTEMPTS TO REESTABLISH FREEDOM, RECOGNITION, AND ALSO THE PRESIDENCY.

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JUST WHEN YOU THINK IT'S SAFE
TO DIVE BACK IN THE WATER…

MANILA, Philippines—Miscellaneous topics of interest. These could be anywhere, world or U.S.A. **Only the incidents change to fit points on the globe—but the concept and lies are the same globally.**

Where specifically? Surely NOT in Iraq—never were—and those that could have been considered remotely troublesome came directly from the U.S. with her "Axis of Purity" partners. Iraq didn't even have enough radioactive material to treat cancer.

Note that not even "smoking guns" have been noted. However, they have unearthed a couple of gold stashes of which you hear very little. THAT, however, was the big push and the search goes on! Even the U.S., however, will note the worst of the WMDs are the manipulators in the seats of power conducting the terrorist activities in every downtown "Citizenville" around the globe.

JAPAN AND INSULTS OF VARIOUS KINDS
IN MANILA

A funny thing happened early this week as PGMA (President of the Philippines, GMA) was preparing to trundle off to official visits with the Japanese and on to pre-summit economic meetings with APEC members.

The Japanese Ambassador to the Philippines spoke for a press conference with the foreign press corps which also included local press. Interesting things happened as they asked him about his opinions, etc., on being in the Philippines. He said he had not had even one good night's sleep in his over-a-year tour of duty in Manila. He spoke of fear and concern about many things including safety, security and business confusion. He stressed that these where "his opinions" but a lot of foreigners felt the same "fear" and trepidations. This was immediately turned into a typical political demand for his ouster, demand for an apology and thus and so as the Filipinos are quick to demand.

The fact IS that we foreigners are all scared spitless all the time, can't make an inch in business because of the kickbacks, rip-offs and outright criminal demands—not to mention the 100% record of LYING.

At the same time with the new close-puppet-stance of the U.S. and GMA lap-puppy, the U.S. Ambassador,

(Continued on page 2)

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ALSO IN THIS ISSUE

when set upon for comment, said that there had been problems but recently it hadn't come up. Really? All the travel advisories are still IN PLACE and we couldn't go anywhere if we chose to. (Less than a year ago he got into the same hot water when he observed that the judiciary were corrupt.)

The Japanese Ambassador did, in fact, apologize as demanded—but not for his statements. He said he was sorry it offended the Philippines but would not retract his statements. Japan, however, is more than irritated and the meetings were indeed cool in spite of the photo-ops trying to present otherwise.

More interesting perhaps is the article yesterday, June 4, 2003, in all of the papers:

"AMERICANS READY TO PACK UP
IF GMA FAILS TO REFORM

"The release of a recent American Chamber of Commerce (AmCham) paper critical to policies of the Arroyo administration belies President Arroyo's claim that she is focusing her remaining days at Malacañang, the group stressed the crying need for policy reforms and have indicated failure in the investment climate may lead to an exodus of American business from the country.

"The AmCham gave a presentation yesterday on its Advocacy Paper entitled *The Roadmap to More Foreign Investment* **[H: Note the new hip term now going around of "Roadmaps" from Israel to Botswana. More brainwash, as is "WMD".]**, which it earlier submitted to the President. AmCham said the paper summarized the results of two surveys the group conducted last year covering 700 American executives in the country.

"The presentations, conducted by AmCham treasurer and chairman of legislative commission John Forbes, carries a set of policy recommendations that it hopes will improve the business climate in the Philippines.

"The recommendations touched on improving governance, accelerating legal reform, modernizing power and transport infrastructure, improving security, slowing down of population growth and reversing the deterioration of English skills of workers." …

This goes on for some length longer and more probingly but is not particularly important to this notation. It is serious time in the Philippines and, therefore, an act to IMPEACH and entire sitting bench of Supreme Court Justices is, at the least, a bit embarrassing—especially noting that even law "students" have uncovered the atrocious injustice and unconstitutional actions actually unseating a duly elected Head of State.

One of the authors of pure garbage has gone underground while trying to recall all the published books he is now sorry he wrote while at the time he was just after glory and position. That pride will get you every time if you don't watch out very, very carefully. The Chief Justice had to take a sudden "official" trip to South America and has since found it necessary to extend his stay.

Well, he need not bother, for it is noted that the papers just got filed NOW and the Congress goes on recess until the end of July TODAY. It will sit and ferment; should be a nasty but interesting two months.

This will also bring most of the Erap Estrada legal things to a slow pace. However, Erap is gaining steam and the other politicians aren't going to like what he has brewing. He was amazingly popular with THE PEOPLE and by pitching hard now he may be able to bat that hardball right out of the park.

The Supreme Court tries to act unconcerned because they are, after all, the FINAL court and they have ruled. Ah but, **the final voice is with THE PEOPLE** because they are still sovereign in this "sovereign republic". And now there is double the reason for them to make their voices heard. If they will all again join with the Marcos people and push together—there is no power here to stop them.

Are we interested? Of course, but if you ask if we are "involved", no. We have a program and present it and yes indeed, to the very parties involved—but that is not new. What is relatively new in realization is our agreements with the Maharlika (actual Philippines) OWNERS with their assets stashed in the Central Bank and orders from several courts *RES JUDICATA* (FINAL judgments entered and beyond further appeal even to that Supreme Court). It is surely a plan made in Heaven (☺).

I believe it not only interesting but important to offer the article covering Erap's appeal to the people. If you are not interested, then keep the article because it will certainly BECOME interesting.

"ERAP CALLS ON PEOPLE"

This basically appeared in all the papers but we choose the *STAR* because we don't want to appear biased in any way as to sources.

[QUOTING *The Philippine STAR*, Thursday, June 5, 2003, page 4:]

ERAP CALLS ON PEOPLE TO HELP HIM
RECLAIM 'STOLEN' PRESIDENCY

Manila—Detained former President Joseph Estrada appealed directly to the electorate yesterday to help him reclaim the presidency that he claims was "stolen" from him with the collusion of the Supreme Court.

Emphasizing that he never signed a resignation letter, Estrada insisted that he was still president and claimed he was forced out of office illegally.

"When I was forcibly and illegally removed as your President, I was not the only victim. They also stole it from you, the Filipino people who put me in office in a clean election," he said in a letter in Filipino.

Estrada released the letter to the press after asking Congress last Monday to impeach eight Supreme Court justices that ratified his ouster and installed President Arroyo in his place in January 2001.

"I do not expect to get justice from the Supreme Court or from any court in this country," he said. Currently on trial for plunder, Estrada theoretically faces the death penalty if convicted. The former movie star, who won a landslide victory in the 1998 elections, remains popular in spite of the charges.

"It is now up to you, the Filipino people, to be the judge and give me justice. True justice is all in your hands because power resides in you," Estrada said without elaborating.

He said the Supreme Court's decision to declare his office vacant, paving the way for Mrs. Arroyo's assumption of the presidency, was "clearly against the Constitution".

"They did it on the prodding of the rich, vested interests, the controlled media, some generals, and a prince of a church who loves to meddle in politics," he said, referring to influential Manila Archbishop Jaime Cardinal Sin, one of the leaders of the 2001 uprising against him.

Presidential Spokesman Ignacio Bunye said Malacañang is worried that the impeachment complaint might create political instability anew and hinder economic recovery efforts.

Bunye said Estrada should "stop indulging in games of personal power in the guise of defending the Constitution."

"The President has made a call for national unity and she herself is making a personal sacrifice for it. We ask the opposition to heed the call for patriotism and statesmanship," he said in a statement.

People should respect court decisions however unpopular, Bunye added. "It will not be conducive to stability of the judicial system if every time there is a contrary opinion somebody raises the question."

[END QUOTING EXCERPTS]

This particular paper drifts off into the full defense of the Court and bashes Estrada and I don't believe I will play that game today. We too are weary and the garbage put forth is knee deep all the time—just like the waters in the STREETS of Manila because the grafters have ripped off the funds for good drainage.

It is truly sad that a respected newspaper publisher sold out his paper and his reputation for a photo-op and dinner with Bush. He is already paying the price for such short-sighted privilege. Erap is going to be PROVEN right as well as "correct" in this Supreme Court mess and neither Max nor anyone else eventually will be able to cover it up. Yes indeed, it might well be a very interesting break for the Congressional crew sitting in Manila this day.

We are not amused but saddened that, as a matter of fact, some three weeks ago a young man picking fruit jumped almost over an air vent in the water system and fell to his death. His body lodged and it took until TODAY just to recover the body which is now badly decomposed. All this in the middle of a typhoon flooding everything and now polluted water is in the Manila water system.

So, how does it end? God wins—every time! Ah but, do YOU win as well? Depends on where you ARE, doesn't it? It works for me! This is a bit short compared to our usual "too long" writings but the world goes right on turning and calling to service.—GCH

dharma

Doris' Corner

6/2/03—#1 (16-290)

RE: CUT THAT LEGAL BIBLE (*BLACK'S LAW DICTIONARY*) AND GET A FEW REAL SHOCKERS—BUT ALSO A WHOLE LOT OF INFORMATION! UPDATE ON CURRENT EVENTS IN OUR OWN FOCUS

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IN THIS HALL OF SHAME

DJE—Every day comes as an "experience" only to be topped by whatever may come tomorrow, it appears.

We have had a lot of interesting refresher courses in foolishness by this "cutting" of the "good books" as we seek answers, etc. Very definitely the most useful to daily survival is the information dumped on us all in every expression of life—by the corrupt "law pronouncers" who obviously can't even read their own *Bible*. However, the funny "miracle" happened yesterday and today.

I started "cutting" and up came *Psalm 35 verse 1* (Of David):

"Oppose, Lord, those who oppose me; war upon those who make war upon me."

Wow, and I thought God was an "allowing God", so I read on a bit to flesh out my meditation exercise:

2. "Take up the shield and buckler; rise up in my defense." 3. Brandish lance and battle-ax against my pursuers. Say to my heart, 'I am your salvation.' 4. Let those who seek my life be put to shame and disgrace. Let those who plot evil against me be turned back and confounded. 5. Make them like chaff before the wind, with the angel of the Lord driving them on. 6. Make their way slippery and dark, with the angel of the Lord pursuing them. 7. Without cause they set their snare for me; without cause they dug a pit for me. 8. Let ruin overtake them unawares; let the snare they have set catch them. Let them fall into the pit they have dug. 9. Then I will rejoice in the Lord, exult in God's salvation. 10. My very bones shall say, 'O Lord, who is like You. Who rescue the afflicted from the powerful, the afflicted and needy from the despoiler?

"11. Malicious witnesses come forward, accuse me of things I do not know. 12. They repay me evil for good and I am all alone. 13. Yet I, when they were ill, put on sackcloth, afflicted myself with fasting, sobbed my prayers upon my bosom. 14. I went about in grief as for my brother, bent in mourning as for my mother. 15. Yet when I stumbled they gathered with glee, gathered against me like strangers. 14. They slandered me without ceasing; without respect they mocked me, gnashed their teeth against me. 17. Lord, how long will you look on?"

Then comes the pity-party blathering:

"18. Then I will thank you in the great assembly; I will praise you before the mighty throng. 19. Do not let lying foes smirk at me, my undeserved enemies wink knowingly. 20. They speak no words of peace, but against the quiet of the land they fashion deceitful speech. 21. They open wide their mouths against me. They say, 'Aha! Good! Our eyes relish the sight! 22. You see this Lord; do not be silent; Lord, do not withdraw from me. 23. Awake, be vigilant in my defense, in my cause, my God and my Lord. 24. Defend me because you are just, Lord; my God, do not let them gloat over me. 25. Do not let them say in their hearts, 'Aha! Just what we wanted!' Do not let them say, 'We have devoured that one!' 26. Put to shame and confound all who relish my misfortune. Clothe with shame and disgrace those who lord it over me. 27. But let those who favor my just cause shout for joy and be glad. May they ever say, 'Exalted be the Lord who delights in the peace of his loyal servant.' 28. Then my tongue shall recount your justice, declare your praise, all the day long."

This is perhaps a good way, after all, to meet a bit of soul thought. I think I will leave the book "cut" to the next chapter, *Psalm 36*, which speaks to the topic of Human Wickedness and Divine Providence. I wonder if doing so will break the magical act of happenstance on a daily basis or if I have to meditate on the "off-cut" on my own time?

As a matter of fact I find this one quite supportive and fits some of my needs for the day—although I don't believe I would use it to break "constitutional law" as the good Supreme Court Judges found it suitable to do at the swearing in of GMA and the overthrow of a sitting, duly elected President on that fateful day of meditation in black robes from a Grandstand at Edsa II.

By the way, this is from "*HOLY BIBLE, the New American Bible (NAB)*, the New Catholic Translation, Authorized Publisher: Philippine Bible Society.

Feeling a bit less "put upon", I then really got some confidence and grabbed up that 25-pound Bible of the Law. *Black's Law Dictionary, Sixth Edition.* Centennial Edition (1891-1991) as sent a few years ago by Bruce Tracy because we couldn't get a copy in the Philippines—maybe the sneaky lawyers have cornered the supply.

The term that caught my eye and thus my attention was:

DE FACTO: In fact, in deed, actually. This phrase is used to characterize an officer, a government, a past action, or a state of affairs which must be accepted for all practical purposes, but is illegal or illegitimate. Thus, an office, position or status existing under a claim or color of right such as a de facto corporation. In this sense it is the contrary of DE JURE, which means rightful, legitimate, just, or constitutional. Thus, an officer, king, or government *de facto* is one who is in actual possession of the office or supreme power, but by usurpation, or without lawful title; while an officer, king, or governor *de jure* is one who has just claim and rightful title to the office or power, but has never had plenary possession of it, or is not in actual possession.

A wife *de facto* is one whose marriage is voidable by decree, as distinguished from a wife *de jure* or lawful wife. But the term is also frequently used independently of any distinction from *de jure*, thus a blockade *de facto* is a blockade which is actually maintained, as distinguished from a mere paper blockade.

"De facto doctrine" will validate, on grounds of public policy and prevention of failure of public justice, the acts of officials who function under color of law.

Ok, there it is without much need for a lot of meditation, when one also looks up "CONSTITUTION" AND "LAW", THAT GMA was UNLAWFULLY AND UNCONSTITUTIONALLY PLACED INTO OFFICE BY JUDGES (13 OF THE 15) OF THE SUPREME COURT, IN ROBES IN A POLITICAL RALLY (PROHIBITED BY LAW) AT EDSA SHRINE AFTER AGREEING (AMONG THEMSELVES) TO HAVE ESTRADA FORCEFULLY EVICTED FROM THE PALACE.

WOW, PLAINLY THAT REPRESENTS A "DE FACTO" PRESIDENT ANY WAY YOU CAN VIEW THE MATTER.

Ah BUT, wait a minute and why this becomes such a good game of "watch the lawyers at their games, along with the media manipulators".

HEADLINE BLARING FROM THE FRONT PAGE OF *THE DAILY TRIBUNE,* Monday, June 2, 2003:

"PALACE INSISTS GMA IS *DE JURE* PRESIDENT. *"THE SUPREME COURT RULING IS FINAL"—BUNYE.* *Bunye is the presidential spokesman.* I bet that doesn't surprise anyone.

This shocker of having just "cut" the book to this very subject caused me to go restudy (meditate as per instructions) and work harder on my degree in "law". There are, however, a lot of very interesting smiling faces with a bit more respect for my "law professor". But then, I am still a bit hung-up on God's "whacking at my enemies" in the PSALMS, *de jure* AND *de facto.*

In addition, we learned all about the law and that wondrous CONSTITUTION and found that there are NO, other than the four listed, ways to remove a PRESIDENT duly elected and actually in the seat of government. BLACK DAY IN PARADISE!

DE FACTO GOVERNMENT: One that maintains itself by a display of force against the will of the rightful legal government and is successful, at least temporarily, in overturning the institutions of the rightful legal government by setting up its own in lieu thereof.

DE FACTO JUDGE: A JUDGE WHO FUNCTIONS UNDER "COLOR" OF AUTHORITY BUT WHOSE AUTHORITY IS DEFECTIVE IN SOME PROCEDURAL FORM.

DE FACTO OFFICER: **One who, while in actual possession of the office, is not holding such in a manner prescribed by law.**

And they went further in their deceit:

DE FELSO JUDICIO: Writ of false judgment

Ah, but personally speaking, I found on that same "cutting" of the open pages an even more useful and abundantly satisfying further definition of:

DEFAMATION: An intentional false communication, either published or publicly spoken, that injures another's reputation or good name. (Yes indeed, like OURS by our proclaimed adversaries.) Holding up of a person to ridicule, scorn or contempt in a respectable and considerable part of the community; may be criminal as well as civil. Includes both libel and slander. (We have several on our list—don't we?)

Defamation is that which tends to injure reputation; to diminish the esteem, respect, goodwill or confidence in which the plaintiff is held, or to excite adverse, derogatory or unpleasant feelings or opinions against him. Statement which exposes person to contempt, hatred, ridicule or obloquy.

The unprivileged publication of false statements which naturally and proximately result in injury to another.

To recover against a public official or public figure, plaintiff must prove that the defamatory statement was published with malice. Malice as used in this context means that it was published either knowingly that it was false or with a reckless disregard as to whether it was true or false.

A communication is defamatory if it tends so to harm the reputation of another as to lower him in the estimation of the community or to deter third persons from associating or dealing with him. The meaning of a communication is that which the recipient correctly, or mistakenly but reasonably, understands that it was intended to express.

DEFAMATORY LIBEL: Written, permanent form of defamation as contrasted with slander which is oral defamation. (We have BOTH.)

DEFAMATORY PER QUOD: In respect of words, those which require an allegation of facts, aside from the words contained in the publication by way of innuendo, to show wherein the words used libel the plaintiff. (So, how about all those fraudulent documents regarding this program as furnished to INTERPOL, the Internet, various press publications, to bankers and specific banks in point as in "Central Banks", etc., and even to yes indeed, the president *de facto AND de-jure* of several countries internationally. It just sort of makes our day, doesn't it?

Now please bear with us while we address another topic on this page which actually has personal interest in Utah:

DEFAULT: By its derivation, a failure. An omission of that which ought to be done. Specifically, the omission or failure to perform a legal or contractual duty to observe a promise or discharge an obligation. The term also embraces the idea of dishonesty, and of wrongful act, or an act of OMISSION DISCREDITABLE TO ONE'S PROFESSION.

DEFAULT JUDGMENT: Judgment entered against a party who has failed to defend against a claim that has been brought by another party. Under Rules of civil Procedure, when a party against whom a judgment for affirmative relief is sought has failed to plead (i.e. answer) or otherwise defend, HE IS IN DEFAULT AND A JUDGMENT BY DEFAULT MAY BE ENTERED EITHER BY THE CLERK OR THE COURT.

DEFAULTER: One who is in default. ***One who misappropriates money HELD BY HIM IN AN OFFICIAL OR FIDUCIARY CHARACTER, OR FAILS TO ACCOUNT FOR SUCH MONEY.***

FIDUCIARY DUTY: A duty to act for someone else's benefit, while subordinating one's personal interests to that of the other person. It is the highest standard of duty implied by law (e.g., trustee, guardian).

THERE IS NO EXCUSE, THEREFORE, FOR ANY OFFICER OR DIRECTOR OF A CORPORATION, LAWFULLY FORMED, TO ACT OTHER THAN WITH TOTAL FIDUCIARY DUTY (RESPONSIBILITY) TO THAT CORPORATION.

There is, however, another reference which fits with full recognition of, at least, Nevada Corporation LAW:

FIDUCIARY SHIELD DOCTRINE: Equitable doctrine which holds that actions taken by individual defendants solely in their capacity as corporate officers could not provide the basis for the exercise of jurisdiction over their persons, absent circumstances making such exercise appropriate. This doctrine confers jurisdictional immunity upon corporate officials, even though their conduct be tortuous as long as the actions taken were in the interests of the corporation and not purely personal and the corporation is not merely a shell for the individual and does not lack sufficient assets to respond.

THAT ONE SAYS A WHOLE BUNCH AND DON'T WE ALL WISH WE KNEW "THEN" WHAT WE JUST LEARNED "NOW"?

I believe at least one copy of this dictionary should reside and be mandatory reading for every household, corporation or office on the globe today. The lawyers can do us in because WE DON'T KNOW ANY BETTER! I FINALLY GET THE PICTURE: GET INFORMED AND AT LEAST THE FEAR ELEMENT WILL EVAPORATE.

Back, however, to the beginning of this ramble through the thorns:

[QUOTING *Daily TRIBUNE*, Monday, June 2, 2003, Front-Page headline:]

PALACE INSISTS GMA IS *DE JURE* PRESIDENT

Detained President Joseph Estrada's new counsel, Ateneo law lecturer Alan Paguia's Omnibus motion before the Sandiganbayan Special Division and former Sen. Rene Saguisag's suggestion to the Supreme Court (SC) to "vacate" its ruling legitimizing Mrs. Arroyo's ascension to Malacañang, as well as the focus on the latest book authored by senior Associate Justice Artemio Panganiban, *Reforming the Judiciary* have once again placed Mrs. Arroyo and her Palace aides on the defensive, once more justifying her ascension to the presidency, which is again clouded with legal and constitutional doubts.

Amid strong moves questioning the high court's earlier decision legalizing Mrs. Arroyo's ascension to the presidency, Malacañang yesterday insisted that Justice Panganiban's confessions in his book do NOT constitute a strong basis to oust Mrs. Arroyo from power.

In a radio interview, presidential spokesman Ignacio Bunye stressed [that] the appeal of the lawyers of the deposed leader for the high tribunal to have Estrada returned to Malacañang is an exercise in futility.

"It's already final (the SC decision on Estrada) and there's the (SC) doctrine that states that and there's the (SC) doctrine that states that the finality of decisions cannot be altered and changed," Bunye said over RMN News Manila, adding, "We have to have stability in our judicial process and not even the book of (SC) Justice Panganiban is likely to get the SC decision changed." **[H: NEVER MIND THAT STUPID OLD CONSTITUTION OR "THE LAW".]**

But critics have pointed out that, precisely, the decision of the high court was unconstitutional and, as pointed out by Paguia, the SC justices have ousted themselves from their jurisdiction over the case as they had not only violated their Code of Judicial Conduct, but have also denied Estrada due process and a clear denial of his rights, having prejudged the case brought before the court by Estrada, as the SC justices, save for two or three, were all present at the Edsa Shrine, with the admission of Panganiban that even as there was no vacancy in the Office of the President, as Estrada had not even resigned, SC Chief Justice Hilario Davide Jr. still went ahead and swore in Mrs. Arroyo as President.

It is the contention of the lawyers of Estrada that the ruling of the SC on the legitimacy of the Arroyo presidency is null and void ab initio.

It was also pointed out by Estrada's counsels that which has been disclosed by Panganiban in his book was not known to Estrada's counsels at the time the case was being argued, which was sometime in February 2001.

Bunye said the 17-page (Saguisag) letter to Chief Justice Davide and the members of the SC questioning their move in the ouster of Estrada is just a waste of time and effort since it is the SC that is the final arbiter on the question of law and nobody can argue with its decision.

"The Supreme Court is our final arbiter on the question of law, so it's up to them. But based on the judicial and legal doctrines, if there is already a final decision of the Supreme Court, it stays final," he added.

[D: Right there on the basis of that statement it would appear the justices themselves would recognize that they probably acted WITHOUT full information or factual presentation. Would that not, in itself, be grounds for reconsideration of their own ill-advised, if not outright criminal, action?]

A new legal dissertation detailing the many constitutional violations committed by the SC in its decision to legitimize the ascension of Mrs. Arroyo, written by three new law graduates from the State University, also shows that a strong constitutional principle states that no one is above the Constitution when it is violated, and this includes the high court justices.

The law graduates' dissertation is serialized by the *Tribune*, starting today. **[D: We will try to serialize it for you readers as well but perhaps in a different format to indicate an ongoing separate topic in serial form. Please remember that Philippine law is a direct COPY of the U.S. statutes and *Constitution*. There are a few different things selective to the Philippines in length of office for elected officials, etc., but the laws governing in "governance" are identical.]**

Bunye, however, claims that it was not only the SC decision that has legitimized the presidency of Mrs. Arroyo.

"There had been many events that led to Mrs. Arroyo's takeover of the administration of Estrada," he said, citing as example the time 'when she was elevated to the presidency, there was a vacancy in the position of the Vice President and this followed the appointment of Sen. Teofisto Guingona to the vice presidency,' which Bunye said has 'been ratified by our Congress'."

He added aside from this, "We all know that the international community has already recognized and legitimized this present administration." **[D: Please read that again and barf now!]**

The presidential spokesman instead advised Saguisag and Paguia to put to rest this issue because it would not in any way prosper.

"That book of Justice Artemio Panganiban is not a strong basis to change the 13-0 decision of the Supreme Court… that is not a strong basis," he stressed.

A Palace insider told the *Tribune* that this stand being taken by the Palace merely demonstrates the worry they have over the ruckus being raised as a result of the moves taken by the Estrada lawyers.

[D: Please keep in mind that not only was Estrada "deposed through force" after a FAILED PARTIAL IMPEACHMENT FARCE, BUT, to get him out of the way officially there were charges of Graft and Plunder (death sentence charges) and no BAIL allowed. Really makes this puny punk's prattling somewhat arrogant, doesn't it?]

"They are now truly worried over that book of Justice Panganiban. They were not worried before because it was still at a time when she was enjoying support from various sectors. But not now, when she (Mrs. Arroyo) is highly vulnerable," the insider said.

It was also pointed out that adding to the problems of Mrs. Arroyo was that the prosecution in the plunder case against the detained leader has failed to prove the charges against Estrada.

"Times are different today. Where before, people were willing to believe that the (SC) had legal basis to declare Estrada as having resigned from the presidency, the book by Justice Panganiban and Paguia's book, *Rule of Law vs Rule of Force,* show that Estrada's removal from power was unjustified."

The insider also noted that radio stations have been picking up the latest questions on the legitimacy of the Arroyo presidency, and the discussions on radio tend to fortify the position taken by the lawyers of Estrada. [Radio is by far the most influential media in the Philippines.]

"What makes it worse for President Arroyo," the Palace insider said, "is that she has lost the support of too many sectors, and she has been unable to get the support of the masses."

The insider added the biggest problem Mrs. Arroyo and her aides face is the fact that from the time she was sworn in as president, her legitimacy was always under a cloud of grave doubt.

"With the recent revelations, the doubts have gotten stronger," the Palace insider said.

[END QUOTING]

To bring current another topic as to the "DOCUMENTS" leaked regarding military actions and games "down South", well, as expected, the orchestrators are claiming they are "spurious"—forgeries, etc. The fact that PROOF is in hand has no meaning to the lies scattered abundantly around the globe. The U.S. has to have "terrorists" and that is the bottom line.

Good old Paul Wolfowitz is this day in Southeast Asia making his rounds with full intent to establish military bases all over the area. I doubt the U.S. wants an angry Estrada back on THIS throne so let's expect sparks along with Rumsfeld, Powell and Rice to flit hither and yon in full array—starting with Wolfowitz, of course.

So much information and so little space and time. From the IMF to the Euro-Dollar standoff, it needs to be told but these old fingers are simply not fast enough.

Are we making headway? YES! If it is nothing more than in integrity and respect—we are "there".

I am reminded of another term being bandied about a lot these days in these latest games people-politicians play is "Stonewall". That one is really a good one—for it is exactly what the Treasury Department told us they would have to do to the Bonus program. They couldn't deny it but they would certainly have to "Stonewall" it because of the size and magnitude of potential realizations. Wow, "little us"?

Well, they have been true to their word but what a foolish thing to take Bellringer's garbage as supplied by the miscreants and V.K. and USE IT AS IF IT HAD MEANING—IS BEYOND COMPREHENSION. We even have the asset nicely LIMITED to suit their requirements and of course that is undoubtedly what ticked off V.K. to hysteria in the first place. Oh well, that too falls now under "defamation" and "libel" and since they have come "personally" by NAME, we will, should we choose to, confront it PERSONALLY in our own behalf. Ah but, damages to corporate business are entirely separate from individuals so we get to come to bat twice. God bless Mr. Black and Mr. Webster.

I will try to get to the *Rule of Law* in PART 1 of the series a bit later today.

"Walk on through the storm…" and yes indeed, you will get wet! We tried it and it worked out exactly that way. The typhoon has passed but the monsoon rain remains. However, so too does the cooler temperature, so we are blessed indeed.—**DJE**

6/2/03—#2 (16-290)

RE: THE RULE OF LAW SERIES, PART 1

[*CONTACT*: P.O. Box 27800, Las Vegas, NV 89126. Phone: (800) 800-5565.]

PART 1 OF SERIES:
THE RULE OF LAW

[QUOTING from *The Daily TRIBUNE*, Monday, June 2, 2003:]

PART 1

LEGITIMIZING THE ILLEGITIMATE

By Sabrina M. Querubim, Ana Rhia T. Muhi and Charisse F. Gonzales-Otalia

Editor's note: The legal paper entitled "Legalizing the Illegitimate," is brilliant legal dissertation on the violations committed by the justices of the Supreme Court in their actions and decisions from the impeachment trial to the Edsa II swearing-in and to the SC decision in the Estrada vs. Macapagal-Arroyo, is authored by three new graduates from the University of the Philippines College of Law who are now reviewing for the Bar examinations. The Tribune *offers a condensed version in serialized form.*

In order to have a good understanding of the basis of criticism of the Estrada decision, a brief discussion on the Rule of Law is necessary.

THE RULE OF LAW

There is no specific definition of the "rule of law," in much the same way as there is no single meaning attributed to "law". The rule of law maintains society's stability by preventing arbitrariness.

It is the rule of law which enables the state to exercise political control through principles of conduct. It consists of legal principles, standards and rules, which are enforced by civil or criminal sanctions.

Traditionally, the rule of law is defined as the principle "that no man is punishable or can be lawfully made to suffer in body or goods except for a distinct breach of law established in the ordinary legal manner before the ordinary courts of the land.

In this sense the rule of law is contrasted with every system of government based on the exercise by persons in authority of wide, arbitrary or discretionary powers of constraint.

Thus, rule of law may be understood as the absolute supremacy or predominance of law as against arbitrary powers. In this sense, arbitrariness, prerogative, or even the exercise of wide discretionary powers on the part of the government is excluded.

THE SUPREMACY OF THE CONSTITUTION

Let justice be done though the heavens may fall. The rule of law is primarily characterized by the supremacy of the Constitution. According to the principle of constitutional supremacy, any act that violates the Constitution shall have no legal effect.

Under the rule of law, therefore, every governmental act must follow the letter of the Constitution and any derogation (deviation?) therefrom is consequently unconstitutional and violative of the rule of law.

The Constitution is the basic and paramount law to which all other laws must conform and to which all persons, including the highest officials of the land, must defer. No act shall be valid, however noble its intentions, if it conflicts with the Constitution.

Expediency must not be allowed to sap its strength nor greed for power debase its rectitude. Right or wrong, the Constitution must be upheld as long as it has not been changed by the sovereign people lest its disregard result in the usurpation of the majesty of law by the pretenders to illegitimate power.

DEMOCRACY AND SOVEREIGNTY

"The Philippines is a democratic and republican state. Sovereignty resides in the people and all government authority emanates from them." **[D: So too is the United States of America (that red, white and blue flag "…and to the Republic for which it stands…").]**

A government, republican in form, is one where sovereignty resides in the people and where all government authority emanates from the people.

A democracy, on the other hand, is a government where the sovereign power resides in and is exercised by the whole body of free citizens, as distinguished from monarchy, anarchy and oligarchy.

In a democracy, every person is presumed equal before the law. This presumption is concretized in the due process and equal protection clauses where each person is presumed to have the same rights and duties as the rest.

In a democracy, the vote of one person, for instance, carries the same weight and value as the vote of any other person, regardless of the wealth, education or other personal circumstances of each.

The rule of the people is equated with the rule of the majority because of the presumption of equality of persons, and the will of the majority of them shall be presumed the will of the people.

Under the rule of law, the people rule, but they rule according to law. The Supreme Court had underscored the importance of the rule of law in a democracy:

"It is said that in a democracy the will of the people is the supreme law. Indeed, the people are sovereign, but the will of the people must be expressed in a manner as the law and the demands of a well-ordered

society require. The rule of law must prevail even over the apparent will of the majority of the people, if that will had not been expressed or obtained, in accordance with the law. Under the rule of law, public questions must be decided in accordance with the Constitution and the law."

It is thus unacceptable for the people to exercise their sovereignty in any manner outside the parameters of the Constitution. Hence, the term "sovereignty resides in the people", according to Constitutionalist Joaquin Bernas, is principally expressed in the election process and in the referendum and plebiscite process as provided by the Constitution.

[END QUOTING PART 1]

I would suppose that these portions will run consecutively day-to-day. I will attempt to get them to *CONTACT* timely so that they might be combined for easier reading and paper layout.

I would comment, however, that young lawyers fresh from the classroom might well have been taught a more basic [philosophy], sans manipulation, than the tampering politicians. How can we even begin to explain the incredible usurpation of a movement from constitutional common law into a whirlwind of corruption and malfeasance?—**DJE**

6/5/03—#1 (16-293)

RE: THE RULE OF LAW SERIES, PARTS 2, 3, 4

[*CONTACT*: P.O. Box 27800, Las Vegas, NV 89126. Phone: (800) 800-5565.]

PART 2 OF SERIES: THE RULE OF LAW

[QUOTING from *The Daily TRIBUNE,* Tuesday, June 3, 2003, MANILA, Philippines:]

PART 2

LEGITIMIZING THE ILLEGITIMATE

By Sabrina M. Querubim, Ana Rhia T. Muhi and Charisse F. Gonzales-Otalia

DISSECTING THE DECISION:
UNRAVELING THE SOPHISTRY

Under the 1987 Constitution, there are only four modes of which a vacancy in the Office of the President is created, namely in case of death, permanent disability, removal from office, or resignation. In the case of President Joseph Estrada, the Supreme Court held that a vacancy occurred as a result of his resignation.

In the United States, resignation is defined as the formal renunciation or relinquishment of a public office. Resignation involves a formal renunciation or relinquishment of a public office. Resignation involves a formal notification of relinquishing an office or position. This definition has been adopted by our courts in numerous cases. According to Philippine jurisprudence, to constitute a complete and operative resignation of public office, there must be an intention to relinquish a part of the term, accompanied by the act of relinquishment. Resignation implies an expression by the incumbent in some form, express or implied, of the intention to surrender, renounce, and relinquish his right to the office and its acceptance by competent and lawful authority. Except when the law provides otherwise, resignation may be effected by any method indicative of purpose. In general, it need not be in writing, it may be oral or implied by conduct. But in order for a resignation to be valid and effective, it must be done voluntarily. When procured by fraud or duress, the resignation may be repudiated.

It is a rule in our jurisdiction that a strict interpretation should be observed in construing the resignation of Constitutional officials whose removal from office entails an impeachment proceeding, such as the Office of the President.

[D: It might be pointed out here that we were present in Manila and witnessed every televised event as it happened. We experienced personally the "pay-off" to "rally" participants by the Elite business community right in Makati with, actually, huge banquet-style food buffets for the "rally participants" (marchers) in the park areas we can see from our window.

During the entire period of time of marching and shouting, the theme was "Erap Resign". "Erap's" response was "never", "no", and yes indeed: "I will never resign." Watching on "eviction" day, he still maintained that he would "never resign". Even after the military withdrew, UNLAWFULLY, their support for their "Commander in Chief" he continued to be ensconced in Malacañang (the house of the President).

Later in the day General Reyes, head of the military, did in fact GO TO MALACAÑANG AND BRING ESTRADA AND HIS FAMILY TO A WAITING BOAT ON THE PASIG RIVER UNDER ARMED GUARD, BEFORE HUNDREDS OF WITNESSES. THIS IS HARDLY "WILLING" OR VOLUNTARY ABDICATION, READERS.

One of the only ones who were leaving, as pressures were applied to shut down the Administration operation, was "Ping" Lacson, head of the Philippine National Police. On that fateful day, THAT ACT took GUTS!

Erap and his family were gracious and caused no act or notion of violence, giving the appearance of total dignity. It was noted, as well, that General Reyes seemed to be acting with dignity in the removal and actually saluted his "Commander in Chief" for all the world to see.

However, to construe the events as "willing resignation" is reaching about as far as Hell and back. Moreover, the "Masa" later responded by an even larger showing at Edsa which was dubbed "EDSA III"—in an attempt to recover the "house of government", Malacañang, on behalf of Estrada. There were troublemakers PUT INTO PLACE by Estrada's adversaries who were given alcohol and drugs which resulted in isolated violence. This was proven, people were arrested and then released to move back into the woodwork, probably to be used another day.

Hard to fool people? No—EASY! We watched this unfold for weeks and actually thought this represented a "republic" working. Erap was convicted in the public and we watched Congressman (Speaker) Villar ram through the impeachment papers by taking the stage, reading the documents loudly as he allowed NO ONE TO SPEAK, although other congressmen were lined up demanding recognition. When he finished reading, he slammed down the gavel and closed the session. We all applauded his daring when we should have insisted he be hauled away and himself impeached. And yes indeed, we do like now Senator Villar.

Did these people think themselves doing the "right" thing? We cannot evaluate that position but certainly the accusations SHOULD be evaluated in a Senate Impeachment hearing to indict or clear the person in point. IT IS THE LAW! It turned into a media circus of now known conjured evidence and witnesses and evaporated into chaos without a decision of any kind.

After that, Estrada was REALLY dangerous to the usurpers, so charges of plunder were brought against him which demand arrest, no bail, and a possible sentence of DEATH. Estrada was subsequently arrested and has been in detention since that arrest. The court sessions were called performances of circus quality with Estrada refusing to attend, claiming that court had no jurisdiction.

We hope this insert might help you understand the circumstances and to realize that <u>Erap Estrada NEVER RESIGNED in any way, shape or form</u>—and for the "law" to say otherwise should be a grossly criminal action, in our opinion as objective observers.]

A. THE TOTALITY TEST

The main question brought before the Supreme Court was whether or not President Estrada had resigned. The answer to this question was determined by the Court from the president's "acts and omissions, before, during and after 20 January 2001 or by the totality of prior, contemporaneous and posterior facts and circumstantial evidence bearing a material relevance to the issue."

The decision cited the case of Gonzales v. Hernandez, wherein it was held that in resignation, there must be intent to resign and the intent must be coupled by acts of relinquishment. However, nowhere in the Gonzales decision was there mention of any doctrine of totality as a mode to determine the existence or non-existence of a resignation by a public official.

In the absence of a resignation letter, the Court considered the different circumstances that transpired before, during and after Vice-President Gloria Macapagal-Arroyo's oath-taking at the EDSA Shrine. Taking cue from the very name of the test, one would reasonably expect the Court to have considered all or the entirety of the facts and circumstances materially relevant to the controversy. However, as will be established, the Court failed to properly consider facts and circumstances materially relevant to the case that, had it done so, the outcome would have been drastically different.

WHAT THE COURT CONSIDERED

Relying heavily on a diary published in a newspaper, a press statement issued after the Macapagal-Arroyo oath-taking took place, and the departure of the Estrada family from Malacañang Palace after said oath-taking, the Court concluded that President Estrada had resigned.

THE ANGARA DIARY,
RULES ON EVIDENCE, AND
MISAPPRECIATION OF FACTS

The Supreme Court cited the newspaper-published diary of President Estrada's former Executive Secretary,

now Senator, Edgardo Angara, as an "authoritative window on the state of mind" of the president during the events that led to his fall from power not granted to it by law, by Providence, or by its professional expertise. Psychology—especially one practiced at a distance—is not the Court's field of competence.

The Angara Diary is HEARSAY.

Evidence is called hearsay when its probative force depends, in whole or in part, on the competency and credibility of some persons other than the witness by whom it is sought to produce it. It is a primordial rule that hearsay evidence is inadmissible except when such evidence falls under certain exceptions. The basis for excluding hearsay evidence is the fact that it is not subject to the tests which can ordinarily be applied for the ascertainment of the truth of testimony, since the declarant is not present and available for cross-examination.

The Supreme Court has held in numerous cases that newspaper articles are "hearsay evidence, twice removed" and have no probative or evidentiary value, whether objected to or not, unless offered for a purpose other than proving the truth of the matter asserted.

It is quite evident that the diary of Senator Angara published in the *Philippine Daily Inquirer* is hearsay and therefore inadmissible as evidence. As mandated by a long line of *stare decisis*, the Court should not have given any evidentiary value to the diary. In its April 3, 2001 Resolution the Court contended the diary was an exception to the hearsay rule, for it contained direct statements of Estrada which can be categorized as admissions of a party. The problem with the Court's reasoning is the fact that the statements alluded to were contained, not in a sworn testimony of a witness, but in a journal *reprinted* in a newspaper article which remains to be "hearsay evidence, twice removed", or in this case, thrice removed. Since the Court had decided to act as a trier of facts in Estrada's case, when as a rule it only resolves questions of law and does not entertain questions of facts, then it should have ensured that the evidence it was relying on were admissible. The least it could have done was to summon Angara to personally appear before the Court and, under oath, attest to the truth of the contents of his published diary so that Estrada and all the parties concerned would have the opportunity to test the veracity of the diary's contents. Fundamental rules of fairness demanded that minimum.

The Court reasoned further that Estrada was estopped from questioning the admissibility of the diary, as he had not objected [to] its use in his pleadings and during the oral arguments of then-Secretary of Justice Hernando Perez. The Court seemed to have forgotten its recent February 15, 2000 ruling that newspaper articles amount to hearsay evidence and such evidence are not only inadmissible but without any probative value at all, *whether objected to or not*. According to the Court's own ruling, it was not incumbent upon Estrada to object to its admissibility. Moreover, Estrada had constantly questioned the use of the diary in his pleadings, citing jurisprudence ruling on the inadmissibility of newspaper articles for being hearsay, so it is difficult to understand why he would be deemed to have not objected to its use and admissibility.

[END QUOTING PART 2 IN SERIES]

PART 3

LEGITIMIZING THE ILLEGITIMATE
MISAPPRECIATION OF FACTS

However, notwithstanding its hearsay character and consequent inadmissibility, for one reason or another, the court decided to cite certain excerpts from the serialized diary to support its finding that there was resignation. The court considered President Estrada's call for a snap election for President in May 2001 where he would not be a candidate as an indicium that he had decided to give up the presidency even at the time. Assuming the court was correct in saying there was intent on the part of the President to give up the presidency, it is clear that he did not intend to give up the presidency on Jan. 20, 2001 when Mrs. Arroyo was sworn in as President, but rather in May of 2001.

President Estrada's non-objection to the suggestion for a graceful and dignified exit, and his statement to Secretary Angara that he had been guaranteed by Gen. Reyes five days to a week in Malacañang, were regarded by the Court as "proof that petitioner (Estrada) had reconciled himself to the reality that he had to resign." The Court said that at this point, Estrada was already concerned with the five-day grace period he could stay in the Palace. On the contrary, there was no mention of Estrada that he was to resign in five days. Moreover, when the President said, "*Pagod na pagod na ako. Ayoke no, masyado ng masakit. Pagod na oka sa* red tape, bureaucracy, *intrigo*. I just want to clear my name, then I will go." The court states that this statement by the President was *high-grade evidence* that he had resigned. Again, nowhere in this statement can it be inferred that Estrada would resign. He may have felt exhausted and exasperated about the situation but he never said he would resign. Why the court would describe such a vague and equivocal statement, and from a newspaper source at that, as "high-grade evidence" is beyond the authors.

THE RES INTER ALIOS
ACTA DOCTRINE

When former President Ramos called Secretary Angara to discuss a peaceful and orderly transfer of power to which Secretary Angara had agreed, the court said that at this point, the resignation of Estrada was implied. **[D: Moreover, what in the name of good conscience would Ramos be doing in the picture at all—although he was the foremost "player" in the whole overthrow affair while having NO POSITION OR STANDING IN ANYTHING.]** The difficulty in accepting the assertion that there was an implied resignation at this point is the fact that it was NOT Estrada who had agreed to a peaceful and orderly transfer of power. It was Angara who had agreed. According to the doctrine *res inter alios acta alteri nocere non debet*, the rights of a party cannot be prejudiced by an act, declaration, or omission of another, except as provided for by the Rules of Court.

The court argues that Angara's act of agreeing to the suggestion of President Ramos was an exception to the *res inter alios acta rule*, admission by a co-partner or agent under Rule 130, Section 29 of the Rules of Court. The court reasoned that Executive Secretary Angara was an alter ego of the president; he was the "Little President" and he was authorized to act for Estrada in the critical hours and days before he abandoned the Palace, and thus Angara's admission during that time bound the President.

The court was rather hasty in concluding that Angara's declarations came within the purview of admission by agent. An essential requisite is missing. The Rules expressly state that such admissions may be given in evidence against the party *after such agency is proven by evidence other than the admission itself*. It is thus necessary that *the agency be proven by other evidence* before the admission of an agent can be held against the principal. In President Estrada's case, no other evidence was relied upon by the court in holding that the President was bound by Angara's declarations of one who is alleged to have been an agent is that the agency must be proved *aliundi* and not by the declarations themselves. The declarations of the alleged agent are not competent to prove the existence of the relation of the principal and agent although they are accompanied by acts purporting to be acts of agency.

If the court, in saying that Executive Secretary Angara, being the alter ego of the president and was the Little President, was implying that Angara's being Executive Secretary was its proof of the existence of the agency, then such reasoning is troubling. It is in effect saying that an Executive Secretary has the power, as Executive Secretary, to resign the presidency in behalf of the President or to enter into negotiations to secure the resignation of the President. Though it is granted that the Executive Secretary may be considered an "agent" under the theory of qualified political agency, the powers exercisable by the Executive Secretary pertain to the executive power conferred in the President by the Constitution and by law. Under this doctrine, as the President cannot be expected to exercise his control powers all at the same time and in person, he will have to delegate some of them to his Cabinet members. The powers exercisable by Cabinet members, including the Executive Secretary, do not include powers to be exercised in "cases where the Chief Executive is required by the Constitution or the law to act in person or the exigencies of the situation demand that he act personally." The act of resignation by a president is a personal act, in the same vein that the assumption to office by a president is a personal act. Thus, even if Angara was acting as an ordinary agent during the negotiations, he could not resign the President either directly or by declaration. Even if Angara was acting as an agent in the civil law sense, his act of agreeing to terms and conditions set by the opposition would not be binding upon Estrada. This is simply because the act of resignation is a purely personal act, and cannot be delegated or effected by a person in behalf of another. Angara had acted beyond the scope of his authority and his declarations will not bind his principal under the admission of agent exception.

Moreover, even assuming that Angara had been acting as President Estrada's agent within the contemplation of the admission by agent exception, President Estrada would still not be bound by Angara's admissions on resignation, if indeed he had made such admissions. A cursory reading of the diary reveals that it contained express statements that there was no resignation at all. The proposed resignation of President Estrada was not to take place unless some conditions were met. When General Reyes notified Angara that the Supreme Court had decided to administer the oath to Gloria Macapagal-Arroyo as President, the conditions

precedent for the proposed resignation never came to be and were never agreed upon. Angara had instructed Presidential Management Staff (PMS) head Marcel Fernandez to delete the provision on resignation in the agreement, as it was already moot and academic. It was evident that no resignation took place.

In fine, the court, in using the Angara diary, violated not only rudimentary rules and principles on evidence, but grossly misinterpreted the contents of the diary itself.

[END QUOTING PART 3]

PART 4

THE ESTRADA PRESS STATEMENT AND
THE DEPARTURE FROM MALACAÑANG

Although the court did not treat the issued press statement as President Estrada's resignation letter, it held that the statement was proof of his resignation. The court ruled that President Estrada's press statement and his family's departure from the Palace on the afternoon of Jan. 20, 2001 confirmed his resignation from office and these were overt acts which leave no doubt that Estrada had resigned. This is yet another flawed conclusion by the court. Assuming that these were indeed the overt acts of resignation, how was it possible for the court to have granted Chief Justice Davide the authority to administer the oath as president to then-Vice President Gloria Macapagal-Arroyo on the morning of Jan. 20, 2001 if there was yet no confirmation that Estrada had resigned as President at the time? How was it possible for the court to have known on the morning of Jan. 20, 2001, when it had deliberated and decided to grant Arroyo's request, that Estrada would "resign" on the afternoon of that day? Remember that the oath-taking took place before these two acts occurred.

Moreover, the court itself said resignation is a factual question and its elements are beyond quibble: There must be an intent to resign and the intent must be coupled by acts of relinquishment. If we are to accept the contention that Estrada had indeed exhibited intent to resign during the negotiations prior to Jan. 20, 2001, and that the press statement and the departure from Malacañang were the overt acts of resignation, then the act of resignation was not completed until the occurrence of the two overt acts mentioned. Apart from these two "overt acts," the court never mentioned any other act of relinquishment. This necessarily means that President Estrada had not resigned when Vice President Arroyo took the oath as president for the simple reason that at that moment, the overt acts referred to by the court had not happened yet. If Estrada had not resigned, there would be no vacancy in the Office of the President. If there was no vacancy, then the court did not have any basis in fact and in law to authorize the chief justice to administer the oath as President on Vice President Macapagal-Arroyo. And consequently, if there was no legal or factual basis for the court to grant the authority to administer such oath, then the oath-taking of Vice President Macapagal-Arroyo as president was unconstitutional and therefore a complete nullity.

In the Omnibus Motion, President Estrada asserted that it was fear of bloodshed and the safety of his person and family that made him decide to leave the Palace. He also explained that the statement he had issued was a call for sobriety in the face of clear and present danger from a threatening mob outside the Palace. It was not an act of relinquishing the presidency. The court belittled Estrada's expressed fears, saying the Malacañang ground was fully protected by the Presidential Security Group (PSG) armed with tanks and high-powered weapons. The court then cited the assurances of General Reyes that no harm would befall the President as he left the Palace and the fact that no actual physical harm was inflicted upon Estrada or his family. Thus, the court held the voluntariness in President Estrada's resignation could not be said to have been vitiated by the pressure exerted upon him.

President Estrada never said he had resigned. In fact, it is his principal contention that he never resigned. So the issue of vitiated voluntariness is irrelevant. But assuming *arguendo*, that Estrada had indeed resigned, the court's conclusion that there was lack of sufficient duress to render the resignation voidable and revocable was erroneous. There was more than sufficient duress. Any reasonable man, if placed in the same situation as Estrada at the time, would feel not only tremendous pressure but also fear of the clear and present danger of violence. Joseph Estrada was the elected President of the Philippines and his entire military and police force had just withdrawn support from him. They no longer recognized him as President of the Republic and, at any time, they could use all the force necessary to have him vacate the Palace so their newly recognized Commander-in-Chief could occupy it. President Estrada had no other protection apart from the PSG vis a vis the angry anti-Estrada mob outside the Palace gates, the entire Armed Forces of the Philippines and the Philippine National Police. He only had 11 tanks and a handful of PSG members to protect him, as opposed to the entire arsenal of the military and police force. At that precise moment, emotions were still running high and had President Estrada refused to vacate the Palace, violence would have definitely ensued, as the PSG would have been bound to defend Malacañang. In addition, according to the same Angara diary upon which the court had relied, by 11:00 a.m. of Jan, 20, 2001, the Palace received reports from radio commentators that security forces have allowed anti-Estrada rioters to proceed to Mendiola and the PSG reacted by arming civilians inside the Palace. The anti-Estrada marchers had smashed the police barricades and succeeded in penetrating an area just 200 meters from the Palace's Main Gate 7. Four of the PSG's 11 tanks were sent out to meet any incoming hostile force. From his residence, the President saw what was happening and recalled the tanks in order to avoid any bloodshed. It can be seen that there was a present threat on the security of the President and an impending bloody and violent encounter between the PSG and the protesters, possibly even the AFP and PNP. Thus, if by his act of leaving the Palace he was considered to have resigned, then such resignation could be repudiated on the basis of duress.

General Reyes' assurance that no harm would befall the President is no justification for the argument raised by the court that there was lack of sufficient duress. Less than 24 hours before Jan. 19, 2001, when General Reyes defected, President Estrada was convinced of his loyalty. On a Jan. 17, 2001 meeting, General Reyes assured President Estrada that "everything was under control". On the morning of Jan. 19, 2001, Defense Secretary Orlando Mercado even assured Malacañang that the military is "100 percent secure". But the swift events would later reveal that there was no such loyalty or control, nor was there any security in the military. Reliance on Reyes' assurances does not mean that there was no threat. In fact, why would Reyes be giving such assurances when there was indeed no threat in the first place? Reyes' assurances indicate President Estrada's anxiety over the whole situation. Furthermore, and more important, it would be foolish to believe or to expect that anyone would rely on the assurances of a person who had just betrayed his confidence and trust by treacherously stabbing him in the back.

The fact that president Estrada was not actually injured during his last hours in the Palace does not mean that there was no cause for worry of an attack. One does not need to see actual exchange of gunfire or blood being spilled in the streets to know that there was a clear and present danger of violence obtaining at that moment. President Estrada's explanation as to why he left the Palace is more credible than the interpretation of the court.

Furthermore, it is incorrect to equate the act of leaving the Palace of Malacañang as an overt act of resignation. When President Quezon left not only the presidential palace but also the Philippine Islands during the Japanese occupation, he was neither considered to have resigned nor abandoned the Office of the President. Leaving the presidential residence, given the conditions prevailing, cannot be considered as leaving the presidency itself. One is never to be blamed for leaving a house when an approaching fire threatens to raze it down.

[D: It also seems as ridiculous to acclaim this as "resignation" as would be an obvious "resignation" every time the President went forth from his place of housing or business to speak, eat or meet anywhere elsewhere. Does a man resign everything and consider it abandonment of his position and place in such instances? Well, it has happened to us in an acclaimed "abandonment" of our home due to a business trip to Manila—with yet people in place in the house and three aviaries full of parrots, etc., with someone LIVING there to attend them. The house was not only entered but "lock-out" put into place along with outright theft of our property—by KNOWN PARTIES confronted on the premises. All of this has yet to be addressed but in the name of justice and LAW it must be confronted if we are ever to regain any kind of honorable judicial system. One of the most outright perpetrators has now taken up dwelling in the house itself. Moreover, we have full evidence of her LYING to the FBI investigators in addition to the outright wrongful theft of information from files where she was a "type" of manager. Interesting? Yes indeed! The "agent's" reports are on record and we indeed have them. We are left wondering how many other valuable files were thieved, for they were carted out by several and are now totally MISSING. We also have to confront the fact that there were funds, as in money, taken as well.]

Why was it so difficult for the court to accept President Estrada's explanation that the press statement and his leaving the Palace were steps to avert bloodshed? This explanation is consistent with his claim that he never resigned. If the very Chief Justice of the court can invoke this reason for the rather hasty oath-taking of Arroyo, then why can't the President of the Philippines, who was under threat of an imminent attack?

[END QUOTING PART 4]

We are asked about the two justices in major focus. One just doesn't show up anywhere he is supposed to be and the Chief Justice is "abroad" on a now "extended" "official" trip to South America—and one does wonder what possible "official business" a Justice of a court, under fire in the Philippines, could possibly have in Venezuela. It appears the greater part of wisdom on his part might well be to have a really long extension to his stay AWAY.

This stench gets worse each day and we will share some of the items hitting the press, media, etc.

There is even now talk of a "military junta" and with no less than Ramos and Reyes as key players. Say what? No, that is exactly the "analysis" that I will be happy to share as it arrived only last evening. It will be done in a separate writing, however, in order to keep this copy from being totally unwieldy.—**DJE**

6/7/03—(16-295)

RE: THE RULE OF LAW SERIES, PART 5

[*CONTACT*: P.O. Box 27800, Las Vegas, NV 89126. Phone: (800) 800-5565.]

[QUOTING from *The Daily TRIBUNE,* Saturday, June 7, 2003:]

PART 5

LEGITIMIZING THE ILLEGITIMATE

By Sabrina M. Querubim, Ana Rhia T. Muhi and Charisse F. Gonzales-Otalia

WHAT THE COURT DID NOT CONSIDER

The court failed to consider Senator Angara's affidavit wherein he categorically stated that in his diary, he never said nor intimated that President Estrada had resigned. Nor did the court consider the two Estrada letters transmitted to the Senate President and the House of Representatives. Worse, the court, using the political question doctrine, turned a blind eye to the patent unconstitutional acts of Congress in extending recognition to the presidency of Gloria Macapagal-Arroyo and at the same time citing these acts as proof that Estrada no longer had a claim to the presidency.

It is also curious to note that the court never answered Estrada's repeated allegations that Chief Justice Hilario Davide Jr. had made a categorical statement on the morning of Jan. 20, 2001, that he was swearing in Arroyo not as president but as ***ACTING*** President. **[H: Now THAT might just save Mr. Davide's assets. He can lie with the best but he can prove to the world that he said "acting" and walk away unscathed—as COULD the others who heard him say it. Just a point to note in legal terms of intent and circumstantial evidence. This certainly does, however, give Estrada EVERY RIGHT to walk right back into the Presidency—IMMEDIATELY—now that he has proclaimed his return to his duly elected duties.]**

THE ANGARA AFFIDAVIT

Made an integral part of President Estrada's Omnibus Motion, the Angara affidavit was presented to the court. Angara clarified in his affidavit that no resignation ever took place. President Estrada never resigned as no agreement on the conditions precedent to the proposed resignation was ever reached. The affidavit also dispels any assumption that Angara had made a declaration in his diary that Estrada had resigned. It is interesting to note that the court never mentioned the affidavit of the very author of the diary upon which the decision was based. If the court had given much credence as an unsworn newspaper-published diary, then it should have all the more given weight and evidentiary value to the sworn statement of its author. But contrary to reasonable expectations, the court treated the affidavit as though it did not exist.

[END QUOTING PART 5 IN THE SERIES AS PRESENTED BY *The TRIBUNE* with a notation that the next in the series would be "The court ignores Estrada's letter".]

If that paper comes later today, Saturday, we will attach the copy to this document. *The TRIBUNE* has very bad deliveries on the weekend days or holidays. Note that the paper itself is in deep litigation with those TRYING to shut it down in order to silence it. We certainly can relate to the problems involved and simply appreciate the information. We will begin to furnish them information as well, when they can establish more time to focus and additional space in the paper itself.

*** * ***

Miracles still happen: Today's paper just arrived and actually before noon so credit paid is appropriate. There is a saying of "Better late than never." In the Philippines it goes: "Always late and mostly never." OIP

At any rate and with appreciation to the hand delivery we will continue straight away. [QUOTING:]

PART 6

SC IGNORES THE ESTRADA LETTER TO CONGRESS

President Estrada alleges he had never resigned as president but is temporarily unable to act as President. Pursuant to Section 11 of Article VII of the Constitution, he wrote a letter declaring his temporary incapacity and sent identical copies to both chambers of Congress.

The court characterized the letter as being "wrapped in mystery". The court refused to consider the letter because of the failure of Estrada to discuss the circumstances that led to its preparation, and because there was not the slightest hint of its existence when he issued his final press release. The court further argued: "Under any circumstance, however, the mysterious letter cannot negate the resignation of the petitioner (Estrada) clearly showing his resignation from the presidency, then the resignation must prevail as the later act. If, however, it was prepared after the press release, still it commands scant legal significance. Petitioner's (Estrada's) resignation from the presidency cannot be subject to a changing caprice nor of a whimsical will specially if the resignation is the result of his repudiation by the people." This pronouncement of the court is disturbing, to say the least. Why the difference in the treatment of the letter and the press statement?

Why give more legal weight and significance to the press statement when the letter was an official act of the executive, a co-equal department of the judiciary? In the same manner that the press statement never mentioned the existence of the letter sent to Congress, it never mentioned any act of resignation.

The letter, on the other hand, stated clearly and unequivocally the fact that the President was temporarily unable to act as President. The letter was transmitted to both Houses of Congress and was received by the Senate president and the Speaker of the House, in accordance with the Constitution.

The court refused to give the letters consideration arguing that President Estrada never hinted at the existence or on the preparation of these letters. Why did the court refuse to accept the letter's existence when both the Speaker of the House and the Senate president had acknowledged its receipt? By describing the letter as "wrapped in mystery", did the court mean to say that it was non-existent or that its existence was doubtful? The letter *does* exist and the transmitted copies of it are now of public record in the custody of both Houses of Congress.

Even assuming that President Estrada had not mentioned its existence or its preparation, the letters are public records. In fact, the transmitted copies of it are now of public record in the custody of both Houses of Congress and are considered official acts of the executive department of the Philippines, which are subject to *mandatory* judicial notice.

President Estrada was therefore not bound to prove the letter's existence to the court. Was the court of the impression that the letter was not an official act of the executive because, in accordance with its thesis, Estrada was no longer President as he had resigned? If we follow this reasoning and we assume that President Estrada had indeed resigned, then the letter would still be an official act of the Executive because at the time he had transmitted it, he was still President.

Recall that the Supreme Court itself held that the press statement, as proof of resignation, would prevail as a later act, and therefore, the letter being made prior to the press statement, it was an official act of the executive subject to mandatory judicial notice. Thus, the court had no reason for not taking into consideration the letter, nor was the court correct in implying that its existence should have been proven by Estrada, for under its own promulgated rules, it was bound to take judicial notice of the letters without the need for introduction of evidence.

The court insisted that the letter deserved scant legal significance because Estrada had already resigned, whether it was prepared prior or posterior to the final press statement, arguing that the press statement would prevail over the letter since it clearly showed his resignation and his resignation cannot be the subject of a changing caprice nor of a whimsical will specially if the resignation is the result of his repudiation by the people.

Contrary to the opinion of the court, the press statement was not evidence that "clearly showed" his resignation. It was not a resignation letter and the court recognized this as a fact.

Nowhere in the press statement was there any mention that Estrada had resigned.

As discussed earlier, the statement was not an overt act of resignation. Rather, it was a call for sobriety to pacify high emotions.

Furthermore, it was inappropriate for the court to insinuate that Estrada's resignation, assuming that there was a resignation, was because of "his repudiation by the people". The term "people" is at best, ambiguous. Was the court referring to the Edsa II crowd and the anti-Estrada protesters as the "people" who had repudiated Estrada's presidency?

Or was it referring to the 10.7 million Filipinos who elected Estrada in 1998? Was the court implying that the "people" have already decided that Estrada must resign and therefore, he is deemed to have done so?

It is hardly proper for the court to invoke the repudiation by the "people" argument in such a contentious issue. The court was in no position to determine for a fact that the "people" had already repudiated Estrada as President, in the same manner that it was in no position to determine to the point of judicial certainty that the people had overwhelmingly ratified the 1973 constitution in *Javellana v. Executive Secretary.*

If Estrada was repudiated by the "people" during Edsa II, then it can be said that this repudiation was in turn repudiated by those who were in Edsa III. Just as Edsa II is a part of Philippine history, so is Edsa III, where MORE people than those in Edsa II took to the streets, but this time to support President Estrada and to call for Mrs. Arroyo's stepping down from the presidency. If "the people" the court referred to in the decision was acting as the sovereign, then there is no reason why those in Edsa III would not be considered as the sovereign. After all, what is sauce for the goose is sauce for the gander.

[END QUOTING PART 6]

* * *

I have been interrupted to be asked what might happen when the U.S. becomes fully aware of the mess that has been CREATED in this place and, basically, in the name of the U.S., God and some tiny few "people"?

I would rather not comment too greatly in this particular portion of writing, for it becomes a distraction from the presentation of legal observations by legal counsel.

However, that said, I believe everyone involved would be wise to look back to what happened in the days of the deposition of one, Ferdinand Marcos at the hands of actual kidnappers in U.S. helicopters.

At that time the U.S. president removed all backup from Marcos and did in fact "cut and cut clean". If the U.S. is going to look bad in all this—count on it—they WILL remove the props from under the usurpers, for it is too UNPOPULAR right now with no weapons of mass destruction in Iraq.

Erap Estrada COULD HAVE declared "Martial Law" when his administration and government were under direct attack but he chose to NOT bring that terrible military conflict to the fore. He was being assured by the very treasonous traitors that all was actually secure and the military and police in full loyalty. Now isn't that a sad day in history when the very ones assuring their Commander-in-Chief of security to turn abruptly in a pre-planned conspiracy to "withdraw support" from which they claimed they wanted no bloodshed. That is EXCEPT Estrada's, his family, his friends AND THE PEOPLE OF THE NATION.

General Reyes has been labeled a TRAITOR and yet runs constantly to the shelter and immediate instruction-gathering from Donald Rumsfeld. He even has a U.S. Public Relations firm, paid out of the "Calamity" funds, to hide the continuing treasonous behavior. About the only way this man can save any face at all is to undo that which he did in the same manner. Oh well.

I would like to leave this now and thank you for your interest. We SHALL get "there", friends, and patience will determine a great deal the ease with which we move.—**GCH**

dharma

Benjamin Freedman Letter Of 10/10/54

IMPORTANT ANNOUNCEMENT

Hatonn has asked us to run the Freedman letter to Goldstein, OFTEN (a letter from a Jew to a Jew covering information that is critical for *all* to know if we are to restore freedom to our dying world). It offers good information along with excellent reference material. HE FEELS IT URGENTLY NECESSARY TO KEEP CONSTANT REMINDERS BEFORE OUR READERS—AND THE JEWS—THAT **WE ARE ONLY *REPRINTING* INFORMATION**. THIS IS OUR KEY TO SURVIVAL AS A PAPER AND AS PEOPLE.

The letter is titled "Facts Are Facts". It is quite a comprehensive historical treatise on the history and behavior of the generally poorly understood Khazarian Zionist "Jews". It was written by Benjamin H. Freedman of New York City to Dr. David Goldstein of Boston and is dated **October 10, 1954**.

In this letter Mr. Freedman covers many topics, several of which are: Jesus Was Not A Jew; Some Of The History Of The Modern-Day Jew And His Origins; Some Of The History Of The *Talmud* [Some Very Important Quotes From It Including Permission For Sexual Attacks Upon Babies, Etc.]; The *Kol Nidre* Oath; The Very Harmful Influence The *Talmud* and *Kol Nidre* Writings Have Exerted On The Entire World For Centuries; The Jews Are *NOT* Any Part Of The "Lost Ten Tribes".

Some additional reference sources for this highly educational letter by Mr. Freedman are as follows: Phoenix Journal #25 *THE BITTER COMMUNION* (Chapter 1, page 7); Phoenix Journal #223 *BIRTHING THE PHOENIX*, Vol. 2 (Chapter 8, page 76); Phoenix Journal #233 *RISE OF ANTICHRIST*, Vol. 5 (Chapter 6, page 58)—or *CONTACT* November 29, 1994, pages 34-56 (Vol. 7, No. 5); January 20, 1998, pages 30-52 (Vol. 19, No. 9); March 17, 1998, pages 59-81 (Vol. 20, No.4).

PART 3

FACTS ARE FACTS
FROM ONE "JEW" TO ANOTHER
LONG BURIED TRUTH MUST BE REVEALED

2/17/91—#4 HATONN

[QUOTING CONTINUED:]

This "divine truth" which "a whole people venerate" of which "not a single letter of it is missing" and today "is flourishing to such a degree as cannot be found in its history" is illustrated by the additional verbatim quotations which follow:

(Book) *Sanhedrin, 55b*: "A maiden three years and a day may be acquired in marriage by coition, and if her deceased husband's brother cohabits with her, she becomes his. The penalty of adultery may be incurred through her; (if a niddah) she defiles him who has connection with her, so that he in turn defiles that upon which he lies, as a garment which has lain upon (a person affliected with gonorrhea).' (emphasis in original text of Soncino Edition, Ed.)

(Book) *Sanhedrin, 58b*. "R. Eleazar said in R. Hanina's name; If a heathen had an unnatural connection with his wife, he incurs guilt; for it is written, and he shall cleave, which excludes unnatural intercourse (2). Raba objected: Is there anything for which a Jew is not punishable and a heathen is? (3). But Raba said thus: A heathen who violates his neighbor's wife is free from punishment. Why so?—(Scripture saith) To his wife, but not to his neighbor's; and he shall cleave, which excludes unnatural intercourse (4).

Footnotes: (2) His wife derives no pleasure from this, and hence there is no cleaving.

(3) A variant reading of this passage is: Is there anything permitted to a Jew which is forbidden to a heathen. Unnatural connection is permitted to a Jew.

(4) By taking the two in conjunction, the latter as illustrating the former, we learn that the guilt of violating the injunction 'to his wife but not to his neighbor's wife' is incurred only for natural but not for unnatural intercourse." (emphasis in original, Ed.)

(Book) *Sanhedrin, 69a*. "'A man': from this I know the law only with respect to a man: whence do I know it of one aged nine years and a day who is capable of intercourse? From the verse, And 'if a man'? (2)—He replied: Such a minor can produce semen, but cannot beget therewith; for it is like the seed of cereals less than a third grown (3)."

(footnotes) "(2) 'And" (') indicates an extension of the law, and is here interpreted to include a minor aged nine years and a day.

(3) Such cereals contain seed, which if sown, however, will not grow.

(Book) *Sanhedrin, 69b*. "Our rabbis taught: If a woman sported lewdly with her young son (a minor), and he committed the first stage of cohabitation with her—Beth Shammai say, he thereby renders her unfit for the priesthood (1). Beth Hillel declare her fit… All agree that the connection of a boy nine years and a day is a real connection; whilst that of one less than eight years is not (2); their dispute refers only to one who is eight years old.

(footnotes) "(1) i.e., she becomes a harlot whom a priest may not marry (*Lev. XXL,7.*)

(2) So that if he was nine years and a day or more, Beth Hillel agree that she is invalidated from the priesthood; whilst if he was less than eight, Beth Shammai agree that she is not."

(Book) *Kethuboth, 5b*. "The question was asked: Is it allowed (15) to perform the first marital act on the Sabbath? (16). Is the blood (in the womb) stored up (17), or is it the result of a wound? (18).

(footnotes) "(15) Lit., 'how is it'?

(16) When the intercourse could not take place before the Sabbath (Tosaf).

(17) And the intercourse would be allowed, since the blood flows out of its own accord, no wound having been made.

(18) Lit., or is it wounded? And the intercourse would be for-bidden."

(Book) *Kethuboth, 10a-10b*. "Someone came before Rabban Gamaliel the son of Rabbi (and) said to him, 'my master I have had intercourse (with my

newly wedded wife) and I have not found any blood (7). She (the wife) said to him, 'My master, I am still a virgin'. He (then) said to them: Bring me two handmaids, one (who is) a virgin and one who had intercourse with a man. They brought to him (two such handmaids), and he placed them on a cask of wine. (In the case of) the one who was no more a virgin its smell (1) went through (2), (in the case of) the virgin the smell did not go through (3). He (then) placed this one (the young wife) also (on a cask of wine), and its smell (4) did not go through. He (then) said to him: Go, be happy with thy bargain (7). But he should have examined her from the beginning (8)."

(footnotes) "(1) i.e., the smell of wine.

(2) One could smell the wine from the mouth (Rashi).

(3) One could not smell the wine from the mouth.

(4) i.e., the smell of wine.

(5) Rabban Gamaliel.

(6) To the husband.

(7) The test showed that the wife was a virgin.

(8) Why did he first have experiment with the two handmaids."

(Book) *Kethuboth, 11a-11b*. "Raba said, It means (5) this: When a grown up man has intercourse with a little girl it is nothing, for when the girl is less than this (6), it is as if one puts the finger in the eye (7); but when a small boy has intercourse with a grown up woman, he makes her as 'as a girl who is injured by a piece of wood'".

(footnotes) "(5). Lit., 'says'.

(6) Lit., 'here', that is, less than three years old.

(7) Tears come to the eyes again and again, so does virginity come back to the little girl under three years."

(Book) *Kethuboth, 11a-11b*. "Rab Judah said that Rab said: A small boy who has intercourse with a grown up woman makes here (as though she were) injured by a piece of wood (1). Although the intercourse of a small boy is not regarded as a sexual act, nevertheless the woman is injured by it as by a piece of wood."

(footnotes) "(1) Although the intercourse of a small boy is not regarded as a sexual act, nevertheless the woman is injured by it as by a piece of wood."

(Book) *Hayorath, 4a*. "We learnt: (THE LAW CONCERNING THE) MENSTRUANT OCCURS IN THE *TORAH* BUT IF A MAN HAS INTERCOURSE WITH A WOMAN THAT AWAITS A DAY CORRESPONDING TO A DAY HE IS EXEMPT. But why? Surely (the law concerning) a woman that awaits a day corresponding to a day is mentioned in the Scriptures: He hath made naked her fountain. But, surely it is written, (1)—They might rule that in the natural way even the first stage of contact is forbidden; and in an unnatural way, however, consummation of coition only is forbidden but the first stage of contact is permitted. If so, (the same might apply) even (to the case of) a menstruant also! (2)—The fact, however, is (that the ruling might have been permitted) (3) even in the natural way (4) alleging (that the prohibition of) the first stage (5) has reference to a menstruant woman only (6). And if you prefer I might say: The ruling may have been that a woman is not regarded as a zabah (7) except during the daytime because it is written, all the days of her issue (8)." (emphasis appears in Soncino Edition original, Ed.)

(footnotes) "(13) *Lev. XV,28.*

(14) *Cf. supra p.17,n.10*. Since she is thus Biblically considered unclean how could a court rule that one having intercourse with her is exempt?

(15) *Lev.XX,18*.

(1) Ibid.13. The plural "xxxx" (Hebrew characters, Ed.) implies natural, and unnatural intercourse.

(2) Why then was the case of 'a woman who awaits a day corresponding to a day' given as an illustration when the case of a menstruant, already mentioned, would apply the same illustration.

(3) The first stage of contact.

(4) In the case of one 'who awaits a day corresponding to a day'; only consummation of coition being forbidden in her case.

(5) *Cf. Lev.XX,18*.

(6) Thus permitting a forbidden act which the Sadducees do not admit.

(7) A woman who has an issue of blood not in the time of her menstruation, and is subject to certain laws of uncleaness and purification (*Lev.XV,25ff*).

(8) *Lev.XV,26*. Emphasis being laid on days."

(Book) *Abodah Zarah, 36b-37a*. "R. Naham b.Isaac said: They decreed in connection with a heathen child that it would cause defilement by seminal emission (2) so that an Israelite child should not become accustomed to commit pederasty with it… From what age does a heathen child cause defilement by seminal emission? From the age of nine years and one day. (37a) for inasmuch as he is then capable of the sexual act he likewise defiles by emission. Rabina said: It is therefore to be concluded that a heathen girl (communicates defilement) from the age of three years and one day, for inasmuch as she is then capable of the sexual act she likewise defiles by a flux.

(footnotes) "(2). Even though he suffered from no issue."

(Book) *Sotah, 26b*. "R. Papa said: It excludes an animal, because there is not adultery in connection with an animal (4). Raba of Parazika (5) asked R. Ashi, Whence is the statement which the Rabbis made that there is no adultery in connection with an animal?—Because it is written, Thou shalt not bring the hire of a harlot or the wages of a dog etc.; (6) and it has been taught: The hire of a dog (7) and the wages of a harlot (8) are permissable, as it is said, Even both of these (9)—the two (specified texts are abominations) but not four (10)… As lying with mankind. (l2) But, said Raba, it excludes the case where he warned her against contact of the bodies (13). Abaye said to him, That is merely an obscene act (and not adultery), and did the All-Merciful prohibit (a wife to her husband) for and obscene act?" (emphasis in original text, Ed.)

(footnotes) "(4) She would not be prohibited to her husband for such an act.

(5) Farausag near Baghdad v.BB. (Sonc.Ed.) p.15,n.4. He is thus distinguished from the earlier Rabbi of that name.

(6) *Deut.XXIII,19*.

(7) Money given by a man to a harlot to associate with his dog. Such an association is not legal adultery.

(8) If a man had a female slave who was a harlot and he exchanged her for an animal, it could be offered.

(9) Are an abomination unto the Lord ibid.

(10) Viz., the other two mentioned by the Rabbi.

(11) In *Num.V,13*. since the law applies to a man who is in-capable.

(12) *Lev.XVIII,22*. The word for 'lying' is in the plural and is explained as denoting also unnatural intercourse.

(13) With the other man, although there is no actual coition." (emphasis appears in original Soncino Edition, Ed.)

(Book) *Yebamoth, 55b*. "Raba said; For what purpose did the All-Merciful write 'carnally' in connection with the designated bondmaid (9), a married woman (10), and a sotah (11)? This in connection with the designated bondmaid (is required) as has just been explained (12). That in connection with a married woman excludes intercourse with a relaxed membrum (13). This is a satisfactory interpretation in accordance with the view of him who maintains that if one cohabited with forbidden relatives with relaxed membrum he is exonerated (14); what, however, can be said, according to him who maintains (that for such an act one is) guilty?—The exclusion is rather that of intercourse with a dead woman (15). Since it might have been assumed that, as (a wife), even after her death, is described as his kin (16), one should be guilty for (intercourse with) her (as for that) with a married woman, hence we are taught (that one is exonerated).

(footnotes) (9) *Lev.XIX,20*.

(10) Ibid.*XVIII,20*.

(11) *Num.V,13*.

(12) *Supra 55a*.

(13) Since no fertilization can possibly occur.

(14) *Shebu.,18a,Sanh.55a*.

(15) Even though she dies as a married woman.

(16) In *Lev.XXI,2*. where the text enumerates the dead relatives for whom a priest may defile himself. As was explained, supra 22b, his kin refers to one's wife." (emphasis in Soncino Edition original, Ed.)

(Book) *Yebamoth, 103a-103b*. "When the serpent copulated with Eve (14) he infused her (15) with lust. The lust of the Israelites who stood at Mount Sinai (16) came to an end, the lust of idolators who did not stand at Mount Sinai did not come to an end."

(footnotes) "(14) In the garden of Eden, according to tradition.

(15) i.e., the human species.

(16) And experienced the purifying influence of divine Revelation."

(Book) *Yebamoth, 63a*. "R. Eleazar further stated: What is meant by the Scriptural text, This is now bone of my bones, and flesh of my flesh (5)? This teaches that Adam had intercourse with every beast and animal but found no satisfaction until he cohabited with Eve.

(footnotes) "(5) *Gen.II,23*. emphasis on This is now." (emphasis appears in original Soncino Edition, Ed.)

(Book) *Yebamoth, 60b*. "As R. Joshua b. Levi related: 'There was a certain town in the Land of Israel the legitimacy of whose inhabitants was disputed, and Rabbi sent R. Ramanos who conducted an enquiry and found it in the daughter of a proselyte who was under the age of three years and one day (14), and Rabbi declared her eligible to live with a priest (15)."

(footnotes) "(13) A proselyte under the age of three years and one day may be married by a priest.

(14) And was married to a priest.

(15) i.e., permitted to continue to live with her husband."

P (Book) *Yebamoth, 59b*. "R. Shimi b. Hiyya stated: A woman who had intercourse with a beast is eligible to marry a priest (4). Likewise it was taught: A woman who had intercourse with that which is no human being (5), though she is in consequence subject to the penalty of stoning (6), is nevertheless permitted to marry a priest (7).

(footnotes) "(4) Even a High Priest. The result of such intercourse being regarded as a mere wound, and the opinion that does not regard an accidently injured hymen as a disqualification does not so regard such an intercourse either.

(5) A beast.

(6) If the offense was committed in the presence of witnesses after due warning.

(7) In the absence of witnesses and warning."

(Book) *Yebamoth, 12b*. "R. Bebai recited before R. Naham: Three (catagories of) women may (7) use an absorbent (8) in their marital intercourse (9), a minor, a pregnant woman and a nursing woman. The minor (10) because (otherwise) she might (11) become pregnant, and as a result (11) might die… And what is the age of such a minor? (14). From the age of eleven years and one day until the age of twelve years and one day. One who is under (15), or over this age (16) must carry on her marital intercourse in the usual manner."

(footnotes) "(7) (So Rashi.R.Tam: Should use, v.Tosaf s.v.)

(8) Hackled wool or flax.

(9) To prevent conception.

(10) May use an absorbent.

(11) Lit., 'perhaps'.

(14) Who is capable of conception but exposed thereby to the danger of death.

(15) When no conception is possible.

(16) when pregnancy involves no fatal consequences."

(Book) *Yebamoth, 59b*. "When R.Dimi came (8) he related; It once happened at Haitalu (9) that while a young woman was sweeping the floor (10) a village dog (11) covered her from the rear (12) and Rabbi permitted her to marry a priest. Samuel said: Even a High Priest.

(footnotes) "(8) From Palestine to Babylon.

(9) (Babylonian form for Aitulu, modern Airterun N.W. of Kadesh, v.S. Kelin, Beitrage, p.47).

(10) Lit., 'house'.

(11) Or 'big hunting dog' (Rashi), 'ferocious dog' (Jast.), 'small wild dog' (Aruk).

(12) A case of unnatural intercourse.

[H: Is any of this beginning to be a bit outlandish to any of you? Dogs? "A village 'dog' covered her from the rear…"? Is this not the most confusing bunch of nonsense you have ever seen? Does it cross anyone's mind that you might be dealing with rules set up by ones totally unfamiliar with much of anything suitable to behavior by Earth Hu-man? Oh yes, you have bestiality but hardly anything so allowable as "trivial" in being covered from the rear by a dog—while sweeping the floor yet? Would you believe such a tale if anyone walked up to you and told you this—today? <u>Does anyone begin to relate anything in these outlandish displays of obscenities with what you have heard of the activities of "little gray aliens"?</u>] To continue Quoting:

(Book) *Kethuboth, 6b*. "Said he to him: Not like those Babylonians who are not skilled in moving aside (7), but there are some who are skilled in moving aside (8). If so, why (give the reason of) 'anxious'?(10)—For one who is not skilled. (Then) let them say: One who is skilled is allowed (to perform the first intercourse on Sabbath), one who is not skilled is for-bidden?—Most (people) are skilled (11). Said Raba the son of R. Hanan to Abaye: If this were so, then why (have) groomsmen (12) why (have) a sheet?(13)—He (Abaye) said to him: There (the groomsmen and the sheet are necessary) perhaps he will see and destroy (the tokens of her virginity) (14).

(footnotes) "(7) i.e., having intercourse with a virgin without causing a bleeding.

Thus no blood need come out, and 'Let his head be cut off and let him not die!' does not apply.

(9) If the bridegroom is skilled in "moving sideways'.

(10) He need not be anxious about the intercourse and should not be free from reading Shema' on account of such anxiety.

(11) Therefor the principle regarding 'Let his head be cut off and let him not die!' does not, as a rule, apply.

(12) The groomsmen testify in case of need to the virginity of the bride. *V. infra 12a*. If the bridegroom will act in a manner that will cause no bleeding, the groomsmen will not be able to testify on the question of virginity.

(13) To provide evidence of the virginity of the bride. *Cf. Deut.XXII,17*.

(14) It may happen that he will act in the normal manner and cause bleeding but he will destroy the tokens and maintain that the bride was not a virgin; for this reason the above mentioned provisions are necessary. Where however he moved aside and made a false charge as to her virginity, the bride can plead that she is still a virgin (Rashi)."

After reading these verbatim quotations from the countless other similar quotations which you will find in the official unabridged Soncino Edition of the *Talmud* in the English language are you of the opinion, my dear Dr. Goldstein, that the *Talmud* was the "sort of book" from which Jesus "drew the teachings which enable him to revolutionize the world" on "moral and religious subjects"? You have read here verbatim quotations and official footnotes on a few of the many other subjects covered by the "63 books" of the *Talmud*. When you read them you must be prepared for a shock. I am surprised that the United States Post Office does not bar the *Talmud* from the mails. I hesitated to quote them in this letter.

[H: I also hesitated to quote them herein because the next barrage of accusations and denouncing will pile upon my people—but truth is truth and if you ones will not take time to look it up for self, then hope for your journey is slim indeed. I MOST CERTAINLY DO NOT EXPECT YOU TO FIND TRUTH BY SIMPLY ASKING A NICE RABBI OR CLERGYMAN. I would like, herein, to remind you of something regarding these Zionists; Your own Jerry Falwell stood forth as leader of your "Moral Majority" and stated before the world: "I am proud to say that I am a Zionist!" Does it mean that he KNEW all these things of heinous content? No, he is simply another of the ignorant and intentionally uninformed!]

In support of the contention by the top echelon among the outstanding authorities on this phase of the present status of the *Talmud*, further proof of the wide influence exerted by the *Talmud* upon the so-called or self-styled "Jews" is supplied by Rabbi Morris N. Kertzer's article "What is a Jew" in the June 17, 1952 issue of *Look Magazine*. Rabbi Morris N. Kertzer's article contains a lovely picture of a smiling man seated in a chair with a large opened book upon his lap. Seated around him on the floor are about a dozen smiling men and women. They are paying close attention to the smiling man in the chair with the opened book upon his lap. He is reading to the persons on the floor. He emphasizes what he is reading by gestures with one of his hands. Beneath this photograph of the group is the following explanation:

"ADULTS STUDY ANCIENT WRITINGS, TOO. RABBI IN THIS PICTURE, SEATED IN CHAIR, LEADS GROUP DISCUSSION OF *TALMUD* BEFORE EVENING PRAYER." (emphasis supplied)

This picture and explanation indicate the extent the *Talmud* is the daily diet of so-called or self-styled "Jews" in this day and age. The *Talmud* is first taught to children of so-called or self-styled "Jews" as soon as they are able to read. Just as the *Talmud* is the "textbook by which rabbis are trained" so is the *Talmud* also the textbook by which the rank-and-file of the so-called or self-styled "Jews" are "trained" to think from their earliest age. In the translation of the *Talmud* with its texts edited, corrected and formulated by the eminent Michael Rodkinson, Reverend Dr. Isaac M. Wise, on page XI, it states:

"THE MODERN JEW IS THE PRODUCT OF THE *TALMUD*". (emphasis supplied)

To the average Christian the word "Talmud" is just another word associated by them with the form of religious worship practised in their synagogues by so-called or self-styled "Jews". Many Christians have never heard of the *Talmud*. Very few Christians are informed on the contents of the *Talmud*. Some may believe the *Talmud* to be an integral part of the religious worship known to them as "Judaism". It suggests a sort of bible or religious textbook. It is classed as a spiritual manual. But otherwise few if any Christian has an understanding of the contents of the *Talmud* and what it means in the daily lives of so-called or self-styled "Jews". As an illustration, my dear Dr. Goldstein, how many Christians have any conception of the *Kol Nidre* (All Vows) prayer recited in synagogues on the Day of Atonement?

[H: For you readers of *AND THEY CALLED HIS NAME IMMANUEL,* allow me to point out that the original release of this information was titled *TALMUD JMMANUEL*. I think it is now evident as to WHY Sananda chose to relabel it. There is now a new copy of the book translated by Billy Meier—again called the *TALMUD IMMANUEL*. I suggest you be most careful in the reading thereof, for it is printed solely for the

monetary value and these ones who are reproducing the work have done everything they could do to STOP our publishing of the truth. "Talmud" is a perfectly good word but as is always the case with the great deceiver, you do not get goodness and light—but lies and deceit. Therefore, God will refrain from utilizing terms which will mislead you who are efforting to find Truth. A word placed so blatantly upon the cover indicates misuse of the intent if it is there to connote TRUTH!]

In Volume VIII of the *Jewish Encyclopedia* on page 539 found in the Library of Congress, the New York Public Library and libraries of all leading cities, will be found the official translation into English of the prayer known as the *Kol Nidre* (All Vows) prayer. It is the prologue of the Day of Atonement services in the synagogues. It is recited three times by the standing congregation in concert with chanting rabbis at the altar. After the recital of the *Kol Nidre* (All Vows) prayer the Day of Atonement religious ceremonies follow immediately. The Day of Atonement religious observances are the highest holy days of so-called or self-styled "Jews" and are celebrated as such throughout the world. The official translation into English of the *Kol Nidre* (All Vows) prayer follows:

"ALL VOWS, OBLIGATIONS, OATHS, ANATHEMAS, whether called 'konam', 'konas', or by any other name, WHICH WE MAY VOW, OR SWEAR, OR PLEDGE, OR WHEREBY WE MAY BE BOUND, FROM THIS DAY OF ATONEMENT UNTO THE NEXT (whose happy coming we await), we do repent. MAY THEY BE DEEMED ABSOLVED, FORGIVEN, ANNULLED, AND VOID AND MADE OF NO EFFECT; THEY SHALL NOT BIND US NOR HAVE POWER OVER US. THE VOWS SHALL NOT BE RECKONED VOWS; THE OBLIGATIONS SHALL NOT BE OBLIGATORY; NOR THE OATHS BE OATHS." (emphasis supplied).

[H: Go right back now and REALLY READ THAT PRAYER, FOR YOU DID NOT PICK UP THE POINT THE FIRST TIME!]

The implications, inferences and innuendoes of the *Kol Nidre* (All Vows) prayer are referred to in the *Talmud* in the *Book of Nedarim, 23a-23b* as follows:

(Book) "And he who desires that NONE OF HIS VOWS MADE DURING THE YEAR SHALL BE VALID, let him stand at the beginning of the year and declare, 'EVERY VOW WHICH I MAY MAKE IN THE FUTURE SHALL BE NULL (1). (HIS VOWS ARE THEN INVALID) PROVIDING THAT HE REMEMBERS THIS AT THE TIME OF THE VOW." (emphasis in original and supplied, Ed.)

(footnotes) "(1) This may have provided a support for the custom of reciting *Kol Nidre* (a formula for dispensation of vows) prior to the Evening Service of the Day of Atonement (Ran)… Though the beginning of the year (New Year) is mentioned here, the Day of Atonement was probably chosen on account of its great solemnity. But *Kol Nidre* as part of the ritual IS LATER THAN THE *TALMUD*, and, as seen from the following statement of R. Huna b. Hinene, THE LAW OF REVOCATION IN ADVANCE WAS NOT MADE PUBLIC. (emphasis supplied and in original text, Ed.)

The greatest study of the *Kol Nidre* (All Vows) prayer was made by the eminent psychoanalyst Professor Theodor Reik, the celebrated pupil of the famous Dr. Sigmund Freud. The analysis of the historic, religious and psychological background of the *Kol Nidre* (All Vows) prayer by Professor Reik presents the *Talmud* in its true perspective. This important study is contained in Professor Reik's *The Ritual, Psyco-Analytical Studies*. In the chapter on the *Talmud*, on page 168, Professor Reik states:

"THE TEXT WAS TO THE EFFECT THAT ALL OATHS WHICH BELIEVERS TAKE BETWEEN ONE DAY OF ATONEMENT AND THE NEXT DAY OF ATONEMENT ARE DECLARED INVALID." (emphasis supplied)

Before explaining to you how the present wording of the *Kol Nidre* (All Vows) prayer was introduced into the Day of Atonement synagogue ceremonies, my dear Dr. Goldstein, I would like to quote a passage to you from the *Universal Jewish Encyclopedia*.

The *Universal Jewish Encyclopedia* confirms the fact that the *Kol Nidre* (All Vows) prayer has no spiritual value as might be believed because it is recited in synagogues on the Day of Atonement as the prologue of the religious ceremonies which follow it. The secular significance of the *Kol Nidre* (All Vows) prayer is indicated forcefully by the analysis in the *Universal Jewish Encyclopedia*. In Volume VI, on page 441, it states:

"The *Kol Nidre* HAS NOTHING WHATEVER TO DO WITH THE ACTUAL IDEA OF THE DAY OF ATONEMENT… it attained to extraordinary solemnity and popularity by reason of the fact that it was THE FIRST PRAYER RECITED ON THIS HOLIEST OF DAYS."

My dear Dr. Goldstein, prepare for the shock of your life. Compelled by what you have now read here about the *Kol Nidre* (All Vows) prayer you must be shocked to learn that many Christian churches actually "pealed their bells" on the Day of Atonement in celebration of that holy day for so-called or self-styled "Jews". How stupid can the Christian clergy get? From what I have learned after a cursory inquiry I am unable to say whether it was a case of stupidity or cupidity. With what you already know, together with what you will additionally know before you finish this letter, you will be able to judge for yourself whether it was stupidity or cupidity. There is not one single fact in this entire letter which every graduate of a theological seminary did not have the opportunity to learn.

The following news item was featured in the *New Yorkÿ* on October 7th only a few days ago. Under a prominent headline "JEWISH HOLIDAYS TO END AT SUNDOWN" the *New York World Telegram* gave great prominence to the following story:

"Synagogues and temples throughout the city were crowded yesterday as the 24-hour fast began. Dr. Norman Salit, head of the Synagogue Council of America, representing the three major Jewish bodies, had called on other faiths TO JOIN THE FAST… Cutting across religious lines, MANY PROTESTANT CHURCHES IN THE CITY PEALED THEIR BELLS LAST NIGHT TO SOUND THE *KOL NIDRE*, TRADITIONAL MELODY USED AT THE START OF YOM KIPPUR. THE GESTURE OF GOOD-WILL WAS RECOMMENDED BY THE MANHATTAN OFFICE OF THE PROTESTANT COUNCIL." (emphasis supplied)

That just about "tops" anything I have ever had come to my attention revealing the ignorance and indifference of the Christian clergy to the hazards today facing the Christian faith. From my personal contacts with the Manhattan Office of the Protestant Council in the recent past I hold out very little hope for any constructive contribution they can make to the common defense of the Christian faith against its dedicated enemies. In each instance they buckled under the "pressure" exerted upon them by the "contacts" for so-called or self-styled "Jews". If it was not so tragic it would be comic. It was a joke indeed but the joke was on the Christian clergy. Ye Gods! "Many" Christian churches "pealed their bells", as the Protestant Council reports the event, "TO SOUND THE *KOL NIDRE*, TRADITIONAL MELODY USED AT THE START OF YOM KIPPUR". Just where does betrayal of a trust and breach of faith begin?

The present wording of the *Kol Nidre* (All Vows) prayer dates from the 11th Century. A political reversal in Eastern Europe compelled the so-called or self-styled "Jews" in Eastern Europe to adopt the present wording of the *Kol Nidre* (All Vows) prayer. **That story involves the history of the so-called or self-styled "Jews" in Eastern Europe.**

Before relating here as briefly as possible the history of the so-called or self-styled "Jews" of Eastern Europe I would like to quote here another short passage from the *Jewish Encyclopedia* in Volume VII, on page 540, states:

"AN IMPORTANT ALTERATION IN THE WORDING of the *Kol Nidre* was made by Rashi's son-in-law, Meir ben Samuel, WHO CHANGED THE ORIGINAL PHRASE 'FROM THE LAST DAY OF ATONEMENT TO THIS ONE' to 'FROM THIS DAY OF ATONEMENT UNTIL THE NEXT'." (emphasis supplied)

[END OF QUOTING FOR THIS SEGMENT]

We will herein stop quoting and for that matter, stop the writing at this point for this sitting. Thank you for the long hours of service, Dharma. I ask you to be particularly attuned to my call for you are in danger and hence is why we had to disengage your prior computer. We will simply have to work our way through the next few days of bringing forth this information for as you might well note—THE EVIL BROTHERHOOD DOES NOT WANT IT BROUGHT FORTH! When human realizes how he has been duped he shall rise up and stop this madness. Ah, and may it be "in time".

Hatonn to stand-by. I shall keep the shielding in place but I must ask that you remain within my commands lest you be damaged. The Truth is going to come forth now and it has confirmation and credentials of proof—just as you were told at onset by "The Command"—"that you would be given credentials and credibility from that which is the Silver Clouds and would be forthcoming from Earth-place." And so it shall be put to print that Man may see how sadly he has been made the dupe.

Good evening. God grants his protection of his servants. Salu.—GCH

[Part 1 of this letter: 6/4/03 *CONTACT*, page 6; Part 2 (6/11/03, page 9)]

The News Desk

By John & Jean Ray

LEO STRAUSS' PHILOSOPHY OF DECEPTION

By Jim Lobe, *AlterNet.com*, 05/19/03

What would you do if you wanted to topple Saddam Hussein, but your intelligence agencies couldn't find the evidence to justify a war?

A follower of Leo Strauss may just hire the "right" kind of men to get the job done—people with the intellect, acuity, and, if necessary, the political commitment, polemical skills, and, above all, the imagination to find the evidence that career intelligence officers could not detect.

The "right" man for Deputy Defense Secretary Paul Wolfowitz, suggests Seymour Hersh in his recent *New Yorker* article entitled "Selective Intelligence", was Abram Shulsky, director of the Office of Special Plans (OSP)—an agency created specifically to find the evidence of WMDs and/or links with al-Qaida, piece it together, and clinch the case for the invasion of Iraq.

Like Wolfowitz, Shulsky is a student of an obscure German Jewish political philosopher named Leo Strauss who arrived in the United States in 1938. Strauss taught at several major universities, including Wolfowitz and Shulsky's alma mater, the University of Chicago, before his death in 1973.

Strauss is a popular figure among the neoconservatives. Adherents of his ideas include prominent figures both within and outside the administration. They include *Weekly Standard* editor William Kristol; his father and indeed the godfather of the neoconservative movement, Irving Kristol; the new Undersecretary of Defense for Intelligence, Stephen Cambone, a number of senior fellows at the **American Enterprise Institute (AEI)** (home to former Defense Policy Board chairman Richard Perle and Lynne Cheney), and Gary Schmitt, the director of the influential **Project for the New American Century (PNAC),** which is chaired by Kristol the Younger.

Strauss' philosophy is hardly incidental to the strategy and mindset adopted by these men—as is obvious in Shulsky's 1999 essay titled "Leo Strauss and the World of Intelligence (By Which We Do Not Mean Nous)" (in Greek philosophy the term *nous* denotes the highest form of rationality). As Hersh notes in his article, Shulsky and his co-author Schmitt "criticize America's intelligence community for its failure to appreciate the duplicitous nature of the regimes it deals with, its susceptibility to social-science notions of proof, and its inability to cope with deliberate concealment." They argued that Strauss's idea of hidden meaning, "alerts one to the possibility that political life may be closely linked to deception. Indeed, it suggests that deception is the norm in political life, and the hope, to say nothing of the expectation, of establishing a politics that can dispense with it is the exception."

Rule One: Deception

It's hardly surprising then why Strauss is so popular in an administration obsessed with secrecy, especially when it comes to matters of foreign policy. Not only did Strauss have few qualms about using deception in politics, he saw it as a necessity. While professing deep respect for American democracy, Strauss believed that societies should be hierarchical—divided between an elite who should lead, and the masses who should follow. But unlike fellow elitists like Plato, he was less concerned with the moral character of these leaders. According to Shadia Drury, who teaches politics at the University of Calgary**, Strauss believed that "those who are fit to rule are those who realize there is no morality and that there is only one natural right—the right of the superior to rule over the inferior."**

This dichotomy requires "perpetual deception" between the rulers and the ruled, according to Drury. Robert Locke, another Strauss analyst says, "The people are told what they need to know and no more." While the elite few are capable of absorbing the absence of any moral truth, Strauss thought, the masses could not cope. If exposed to the absence of absolute truth, they would quickly fall into nihilism or anarchy, according to Drury, author of *Leo Strauss and the American Right* (St. Martin's 1999).

Second Principle: Power of Religion

According to Drury, Strauss had a "huge contempt" for secular democracy. Nazism, he believed, was a nihilistic reaction to the irreligious and liberal nature of the Weimar Republic. Among other neoconservatives, Irving Kristol has long argued for a much greater role for religion in the public sphere, even suggesting that the Founding Fathers of the American Republic made a major mistake by insisting on the separation of church and state. And why? **Because Strauss viewed religion as absolutely essential in order to impose moral law on the masses who otherwise would be out of control.**

At the same time, he stressed that religion was for the masses alone; the rulers need not be bound by it. Indeed, it would be absurd if they were, since the truths proclaimed by religion were "a pious fraud". As Ronald Bailey, science correspondent for *Reason* magazine points out, "Neoconservatives are pro-religion even though they themselves may not be believers."

"Secular society in their view is the worst possible thing,'' Drury says, because it leads to individualism, liberalism, and relativism, precisely those traits that may promote dissent that in turn could dangerously weaken society's ability to cope with external threats. Bailey argues that it is this firm belief in the political utility of religion as an "opiate of the masses" that helps explain why **secular Jews like Kristol in *Commentary* magazine and other neoconservative journals have allied themselves with the Christian Right and even taken on Darwin's theory of evolution.**

Third Principle: Aggressive Nationalism

Like Thomas Hobbes, Strauss believed that the inherently aggressive nature of human beings could only be restrained by a powerful nationalistic state. "Because mankind is intrinsically wicked, he has to be governed," he once wrote. "Such governance can only be established, however, when men are united—and they can only be united against other people."

Not surprisingly, Strauss' attitude toward foreign policy was distinctly Machiavellian. "Strauss thinks that a political order can be stable only if it is united by an external threat," Drury wrote in her book. "Following Machiavelli, he maintained that if no external threat exists then *one has to be manufactured* (emphases added)."

"Perpetual war, not perpetual peace, is what Straussians believe in," says Drury. The idea easily translates into, in her words, an "aggressive, belligerent foreign policy," of the kind that has been advocated by neocon groups like PNAC and AEI scholars—not to mention Wolfowitz and other administration hawks who have called for a world order dominated by U.S. military power. Strauss' neoconservative students see foreign policy as a means to fulfill a "national destiny"—as Irving Kristol defined it already in 1983—that goes far beyond the narrow confines of a " myopic national security".

As to what a Straussian world order might look like, the analogy was best captured by the philosopher himself in one of his—and student Allen Bloom's—many allusions to *Gulliver's Travels.* In Drury's words, "When Lilliput was on fire, Gulliver urinated over the city, including the palace. In so doing, he saved all of Lilliput from catastrophe, but the Lilliputians were outraged and appalled by such a show of disrespect."

The image encapsulates the neoconservative vision of the United States' relationship with the rest of the world—as well as the relationship between their relationship as a ruling elite with the masses. "They really have no use for liberalism and democracy, but they're conquering the world in the name of liberalism and democracy," Drury says. **[JR: Has anyone noticed how easily the Zionists switch from liberal to conservative and vice versa whenever it suits their political agenda? It may be a tossup but they control both sides of the same coin. Didn't the Zionists have a massive "coming out movement" during Bill Clinton's presidency? It seemed like most of the key players in Washington came to the astonishing realization that they were Jewish, including Madeleine Albright, and openly defended Israel's aggressive oppression of the Palestinians in the occupied territories. The number of Jews became obvious in the Clinton administration because it was lauded in the established media. Many Jews in key positions with power and influence gave the impression or implied that they were staunch liberals and political socialists in their domestic policies. Then along comes supposedly "conservative" Dubya Bush and not only did the number of Zionists in his administration increase, they suddenly became neoconservative power brokers with heavy influence on our foreign policy and towards perpetual war. The precise timing of 9/11 was critical to initiate hostile attitudes in the American people and direct it towards Israel's perceived enemies. Isn't it obvious that they will switch sides on any issue, movement, conflict or even wars, if it will create enough hostility towards anyone critical of or a potential threat to Israel. Through lies and deception, the Zionists manipulate the minds of the "Christian Right" majority and even the leading "Judeo-Christian" conservative evangelists are preaching the Zionists' doctrine. Now, who do you suppose really controls the U.S. and what happened to the America the world admired and revered as a model for any government to strive for—which has now become a nation the world has come to hate?]**

WMD JUST A CONVENIENT EXCUSE FOR WAR, ADMITS WOLFOWITZ

By David Usborne and Katherine Butler,
Independent—UK, 05/30/03

The Bush administration focused on alleged weapons of mass destruction as the primary justification for toppling Saddam Hussein by force **because it was politically convenient**, a top-level official at the Pentagon has acknowledged.

The extraordinary admission comes in an interview with Paul Wolfowitz, the Deputy Defence Secretary, in the July issue of the magazine *Vanity Fair*.

Mr. Wolfowitz also discloses that there was one justification that was "almost unnoticed but huge". That was the prospect of the United States being able to withdraw all of its forces from Saudi Arabia once the threat of Saddam had been removed. Since the taking of Baghdad, Washington has said that it is taking its troops out of the kingdom. "Just lifting that burden from the Saudis is itself going to the door" towards making progress elsewhere in achieving Middle East peace, Mr. Wolfowitz said. The presence of the U.S. military in Saudi Arabia has been one of the main grievances of al-Qaida and other terrorist groups.

"For bureaucratic reasons we settled on one issue, weapons of mass destruction, because it was the one reason everyone could agree on," Mr. Wolfowitz tells the magazine.

The comments suggest that, even for the U.S. administration, the logic that was presented for going to war may have been an empty shell. They come to light, moreover, just two days after Mr. Wolfowitz's immediate boss, Donald Rumsfeld, the Defence Secretary, conceded for the first time that the arms might never be found.

The failure to find a single example of the weapons that London and Washington said were inside Iraq only makes the embarrassment more acute. Voices are increasingly being raised in the U.S. and Britain demanding an explanation for why nothing has been found.

Most striking is the fact that these latest remarks come from Mr. Wolfowitz, recognised widely as the leader of the hawks' camp in Washington most responsible for urging President George Bush to use military might in Iraq. The magazine article reveals that Mr. Wolfowitz was even pushing Mr. Bush to attack Iraq immediately after the 11 September attacks in the U.S., instead of invading Afghanistan.

There have long been suspicions that Mr. Wolfowitz has essentially been running a shadow administration out of his Pentagon office, ensuring that the right-wing views of himself and his followers find their way into the practice of American foreign policy. He is best known as the author of the policy of first-strike pre-emption in world affairs that was adopted by Mr. Bush shortly after the al-Qaida attacks.

In asserting that weapons of mass destruction gave a rationale for attacking Iraq that was acceptable to everyone, Mr. Wolfowitz was presumably referring in particular to the U.S. Secretary of State, Colin Powell. He was the last senior member of the administration to agree to the push earlier this year to persuade the rest of the world that removing Saddam by force was the only remaining viable option.

The conversion of Mr. Powell was on full view in the UN Security Council in February when he made a forceful presentation of evidence that allegedly proved that Saddam was concealing weapons of mass destruction.

Critics of the administration and of the war will now want to know how convinced the Americans really were that the weapons existed in Iraq to the extent that was publicly stated. Questions are also multiplying as to the quality of the intelligence provided to the White House. Was it simply faulty—given that nothing has been found in Iraq—or was it influenced by the White House's fixation on the weapons issue? Or were the intelligence agencies telling the White House what it wanted to hear?

This week, Sam Nunn, a former senator, urged Congress to investigate whether the argument for war in Iraq was based on distorted intelligence. He raised the possibility that Mr. Bush's policy against Saddam had influenced the intelligence that indicated Baghdad had weapons of mass destruction.

This week, the CIA and the other American intelligence agencies have promised to conduct internal reviews of the quality of the material they supplied the administration on what was going on in Iraq. The heat on the White House was only made fiercer by Mr. Rumsfeld's admission that nothing may now be found in Iraq to back up those earlier claims, if only because the Iraqis may have got rid of any evidence before the conflict.

"It is also possible that they decided that they would destroy them prior to a conflict," the Defence Secretary said.

* The U.S. military said last night that it had released a suspected Iraqi war criminal by mistake. U.S. Central Command said it was offering a $25,000 (315,000) reward for the capture of Mohammed Jawad An-Neifus, suspected of being involved in the murder of thousands of Iraqi Shia Muslims whose remains were found at a mass grave in Mahawil, southern Iraq, last month.

As scepticism grows over the failure to find weapons of mass destruction in Iraq, London and Washington are attempting to turn the focus of attention to Iraq's alleged possession of mobile weapons labs.

A joint CIA and Defence Intelligence Agency report released this week claimed that two trucks found in northern Iraq last month were mobile labs used to develop biological weapons. The trucks were fitted with hi-tech laboratory equipment and the report said the discovery represented the "strongest evidence to date that Iraq was hiding a biowarfare programme".

The design of the vehicles made them "an ingeniously simple self-contained bioprocessing system". The report said no other purpose, for example water purification, medical laboratory or vaccine production, would justify such effort and expense.

But critics are not convinced. No biological agents were found on the trucks and experts point out that, unlike the trucks described by Colin Powell, the Secretary of State, in a speech to the UN Security Council, they were open sided and would therefore have left a trace easy for weapons inspectors to detect. One former UN inspector said that the trucks would have been a very inefficient way to produce anthrax.

[JR: Half of the world objected to our fabricated evidence and arrogant stance towards their concerns prior to the invasion of Iraq. We are using a similar ploy to build up a bogus case against Iran with the usual accusations of WMD with the added twist that Iran is engaged in terrorist activities in U.S.-occupied Iraq. WOLFowitz and Rumsfield can go strutting around the world dedicated in their mission of intimidating other leaders and to peddle their lies with impunity. The only thing that can be done to slow us down is for other nations to challenge our current policies for our Zionist-planned wars and for the world to recognize the dangers that the U.S. presents as the world's sole power. America has changed its course in history and so must the world change in its attitude towards the U.S.]

U.S. INSIDERS SAY IRAQ INTEL DELIBERATELY SKEWED

By Jim Wolf, *Reuters*, 05/30/03

WASHINGTON—A growing number of U.S. national security professionals are accusing the Bush administration of slanting the facts and hijacking the $30 billion intelligence apparatus to justify its rush to war in Iraq.

A key target is a four-person Pentagon team that reviewed material gathered by other intelligence outfits for any missed bits that might have tied Iraqi President Saddam Hussein to banned weapons or terrorist groups.

This team, self-mockingly called the Cabal, "cherry-picked the intelligence stream" in a bid to portray Iraq as an imminent threat, said Patrick Lang, a former head of worldwide human intelligence gathering for the Defense Intelligence Agency, which coordinates military intelligence.

The DIA was "exploited and abused and bypassed in the process of making the case for war in Iraq based on the presence of WMD," or weapons of mass destruction, he added in a phone interview. He said the CIA had "no guts at all" to resist the allegedly deliberate skewing of intelligence by a Pentagon that he said was now dominating U.S. foreign policy.

Vince Cannistraro, a former chief of Central Intelligence Agency counterterrorist operations, said he knew of serving intelligence officers who blame the Pentagon for playing up "fraudulent" intelligence, "a lot of it sourced from the Iraqi National Congress of Ahmad Chalabi". **[JR: Chalabi is a fraud and his intelligence information was proven to be bogus.]**

The INC, which brought together groups opposed to Saddam, worked closely with the Pentagon to build a case for the early use of force in Iraq.

"There are current intelligence officials who believe it is a scandal," he said in a telephone interview. They believe the administration, before going to war, had a "moral obligation to use the best information available, not just information that fits your preconceived ideas."

CHEMICAL WEAPONS REPORT 'SIMPLY WRONG'

The top Marine Corps officer in Iraq, Lt. Gen. James Conway, said on Friday U.S. intelligence was "simply wrong" in leading military commanders to fear troops were likely to be attacked with chemical weapons in the March invasion of Iraq that ousted Saddam.

Richard Perle, a Chalabi backer and member of the Defense Policy Board that advises Defense Secretary Donald Rumsfeld, defended the four-person unit in a television interview.

"They established beyond any doubt that there were connections that had gone unnoticed in previous intelligence analysis," he said on the *PBS NewsHour* Thursday.

A Pentagon spokesman, Marine Lt. Col. David Lapan, said the team in question analyzed links among terrorist groups and alleged state sponsors and shared conclusions with the CIA.

"In one case, a briefing was presented to Director of Central Intelligence Tenet. It dealt with the links between Iraq and al-Qaida," the group blamed for the Sept. 2001 attacks on the United States, he said.

Tenet denied charges the intelligence community, on which the United States spends more than $30 billion a year, had skewed its analysis to fit a political agenda, a cardinal sin for professionals meant to tell the truth regardless of politics.

"I'm enormously proud of the work of our analysts," he said in a statement on Friday ahead of an internal review. "The integrity of our process has been maintained throughout and any suggestion to the contrary is simply wrong."

Tenet sat conspicuously behind Secretary of State Colin Powell during a key Feb. 5 presentation to the UN Security Council arguing Iraq represented an ominous and urgent threat—as if to lend the CIA's credibility to the presentation, replete with satellite photos.

Powell said Friday his presentation was "the best analytic product that we could have put up."

Greg Thielmann, who retired in September after 25 years in the State Department, the last four in the Bureau of Intelligence and Research working on weapons, said it appeared to him that intelligence had been shaped "from the top down".

"The normal processing of establishing accurate intelligence was sidestepped" in the runup to invading Iraq, said David Albright, a former UN weapons inspector who is president of the Institute for Science and International Security and who deals with U.S. intelligence officers.

Anger among security professionals appears widespread. Veteran Intelligence Professionals for Sanity, a group that says it is made up mostly of CIA intelligence analysts, wrote to U.S. President George Bush May 1 to hit what they called "a policy and intelligence fiasco of monumental proportions".

"In intelligence there is one unpardonable sin—cooking intelligence to the recipe of high policy," it wrote. "There is ample indication this has been done with respect to Iraq."

[JR: One bit of truth here is that the Pentagon admits, though jokingly (ha, ha, and ha), to being a "CABAL". Does this mean that Perle, Rumsfeld and WOLFowitz are all admitting to being liars, deceivers and rogues of the highest degree? This fits so well into President Bush and his Bushkovites' faithful adherence to the political maxim of Winston Churchill who said: "In wartime truth is so precious that she should always be attended by a bodyguard of lies." This oxymoron type of philosophy has served well to shield the hidden rulers and their deceptions for centuries. Real truth can stand on its own, and doesn't need to have a bodyguard of LIARS to bury it. America is covertly being skewered and so is the rest of the world.]

IN EUROPE, U.S. POWER A QUANDARY

By R.C. Longworth, *Tribune*, 05/30/03

LONDON—With chagrin bordering on fear, America's oldest and closest allies—the Europeans—agree that their No. 1 foreign policy challenge right now is America itself.

How to deal with a unilateralist America seen as bent on changing the world on its own terms has split the Europeans, and the debate on how to restore some European unity is just beginning.

The immediate issue before the Iraq conflict was whether to support the U.S.-led war to overthrow Saddam Hussein's regime. But European officials and analysts contend that the real issue wasn't the behavior of the Bush administration.

"The Iraq crisis here couldn't have had less to do with Iraq," said Mark Leonard, director of the Foreign Policy Center in London. "It was all about America."…

"It's not just about leadership differences," said David Held, professor at the London School of Economics. "It's about a major conception of how the world should be run. The U.S. says it has the right to initiate whatever acts are necessary. Europe says stability depends on upholding international law and institutions."

"How do we handle this foreign policy of the United States?" asked Douglas Hurd, former British foreign secretary. "Britain, NATO, the European Union—we've all been thrown up in the air by this explosion over Iraq. And we don't know what shape we'll be in when we come back to the ground."

The trans-Atlantic confrontation over Iraq left Europe bruised and divided, and no one here wants a rematch. But the alternative could be a European recognition that American power rules the global roost and that the Europeans can do little but rubber-stamp any American policy.

"One man, the American president, could turn the planet inside out," wrote Simon Tisdall, a columnist in the British newspaper *The Guardian*. "Yet what is to be done about American power? The question will not go away."…

The crisis in the trans-Atlantic alliance has been an obsession in Europe almost since Bush took office and began scrapping or opposing treaties and agreements—the Kyoto Protocol on global warming, the International Criminal Court, the Anti-Ballistic Missile Treaty and others—that the Europeans considered the basis of the international order.

But Iraq brought all these seething issues to a boil. …

In the end, this opposition did not slow the war. It only led to the Bush administration's decision, in the words of National Security Adviser Condoleezza Rice, to "ignore Germany and punish France."…

"The U.S. is powerful enough to pick its allies, and its allies are not powerful enough to press the United States," said Christoph Bertram, director of the German Institute for International and Security Affairs in Berlin. "When Bush said, 'If you're not with us, you're against us,' this makes the alliance only an organization for receiving and obeying commands, and no alliance can accept this."

An equal shock has been the power of this American conundrum to split the EU, which is in the midst of its biggest internal crisis in its 45-year history, with the French-German bloc on one side and the British-led bloc on the other. The split has come at the very moment when the EU is about to expand from 15 to 25 nations and is writing a constitution to guide it in the 21st Century. The crisis has called both projects into question.

All the major European nations now are asking themselves, What next? …

"The lesson that France has learned is a very important one," said Guillaume Parmentier, director of the French Center on the United States in Paris. "It's that if we want to bet everything on creating a politically united Europe, we can't do it by opposing the United States frontally. If we do that, we just divide Europe."

"We were right to oppose the war," a French official agreed, "but we shouldn't have opposed America to the degree that we ran the risk of dividing Europe. Europe is our base."

But this doesn't mean that Europe can only be a rubber-stamp for American decisions, said Anthony Cary, an EU official. …

Most European officials and foreign policy experts agree Europe should establish some sort of "friendly independence." This idea implies a continued alliance with the U.S., in which Europe works with Washington whenever possible but is still sufficiently united and self-confident to influence U.S. policy and oppose it when necessary.

But this ideal target raises two questions: How do the Europeans get there from here and will the U.S. accept this sort of relationship if it's offered?

The search for the answers is just beginning. …

"We've got to stop that notion right now," a French diplomat said. "Our goal is to be a partner. But we've finally realized that we're dealing with a really different United States....

"What does the U.S. want from Europe—a real partner, heading toward unification, or a pacified area?**"**…

[JR: The EU is in a quandary as to how to stay in power with the huge and powerful shadow of the U.S. hovering and ready to engulf them. How can anyone be in a partnership with the U.S. when we have taken over or are in control of just about every country in the world? What is there left to be shared with Europe? In being a "friendly" but "independent" partner with the U.S. what other country would Europe allow to be sacrificed to the U.S. to appease our appetite for control? What, if any, stand will the EU take as to Iran or the full takeover of the Middle East? Have the schemers and the masterminds of the EU been out-maneuvered by the Bushkovites? Can the leaders of the EU come up with a solution or will they become pacified or worse yet a continent held captive under America's imperialistic rule? Realistically speaking one man is not in full control of this planet. The leaders in the EU need to ask the really big question and that is: Just who is the true and hidden power behind President Bush? If they do not know the motives of those creating their dilemmas how can they address the causes of the world's disorders? The Elite of olde Europe may have chartered the course for the post NWO but the U.S. has redefined it to fit into our crass and hurried way of doing things. The heads in Europe got one thing right and that is that they are dealing with a new and different America. So it was with Russia when the communist Bolsheviks overran it and took over. The old America is seemingly gone and with it all the values the world admired and tried to emulate. America is now the power engine of the Zionist New World Order. It is a wake up call that says that the world is in desperate need of checks and balances and for the scales of power to be equalized. GAIA can bring that sort of balance. Who in power really cares and will be the first to see the hope and the positive changes that GAIA can bring to this world?]

UN SECURITY COUNCIL RESOLUTION ACKNOWLEDGES AMERICAN OCCUPATION OF IRAQ

By Vasily Bubnov, *Pravda*—RU, 05/27/03

It just so happens that the army operation in Iraq has suddenly became legal!

Having approved the resolution to lift economic sanctions against Iraq, the UN Security Council has virtually put an end to the longstanding conflict between world's leading countries.

The New World Order is about to be formed—like it or not. However, the countries that previously protested against the war in Iraq (especially Russia, France and Germany) took a very active participation in the forming of the New World Order, having simplified U.S.A.'s efforts in this respect.

As a matter of fact, no one had any doubts that the U.S.A. would manage to have the resolution approved by the UN Security Council. However, Russian officials have stated before that it was too early to pass a new resolution on Iraq, for the question of a legitimate government was the first priority. However, it deems that Russia decided not to ask for trouble after France had supported the resolution to lift economic sanctions. This is an easy thing to understand, for Moscow does not want to be criticized by Washington. The Russian government tried to minimize the harm, so to speak. Moscow made Washington acknowledge Iraqi debts and then Russia stopped putting obstacles in the way of the new resolution, taking into consideration the fact that other members of the UN Security Council had supported it as well. It deems that the Russian government thought that it would not be nice to stand out against such a background.

The coordination of the resolution's text became a formal issue. Washington pretended that it respected the opinion of other members of the Security Council. The latter pretended that passing such an important resolution was just what the doctor ordered. The resolution has been passed. The Syrian delegation did not show up for the voting, but Syrian officials soon announced that they were ready to sign the document.

[JR: The new seven-page resolution <http://www.un.org/News/dh/iraq/iraq-blue-res-052103en.pdf>, to be reviewed in 12 months, allows the United States and Britain to use Iraq's abundant oil resources to finance its reconstruction.]

It looks like the resolution to lift economic sanctions from Iraq made only one person indignant—pro-American Iraqi politician Ahmed Chalabi. The politician lambasted the resolution that had virtually legalized the American occupation of Iraq. Chalabi stated that the document contradicted to all agreements that the Iraqi opposition had with the U.S.-led administration.

However, the Iraqi politician is absolutely right. The new resolution virtually implies that the army operation in Iraq has been acknowledged legal. In other words, it was legal to invade a sovereign state, to kill civilians with "smart bombs", and to loot Iraqi museums after the war. Everything was absolutely legal, Washington's actions were totally lawful. However, why did the adversaries of the war make such a fuss, if the whole story with Iraq had such an ending? It would have been easier to let Americans start the war at once then. At least, there would have been less discussion about the decrease of the UN's role in the international politics.

[JR: There had to be a lot of wheeling, dealing and arm-twisting going on behind the scenes before this announcement of a UN/U.S. agreement. The U.S. agreement with the UN has allowed the international world community a small voice in the affairs of Iraq, and these small concessions won't in any way interfere with OUR plans. Should we persist in invading Iran, the UN might be more amiable to our demands to will be assured equal powers. It seems as though Kofi Annan is to review (probably with U.S. oversight), Russia's $10 billion oil contract with Iraq and will also be able to appoint a UN inspector to work with the U.S. overseer, Bremer, who is now in charge of all of Iraq's affairs and dealings. It all has the appearance of a feeble, but workable partnership of sorts between the Western powers and the U.S. The Security Council has exempted Iraq from its $400 billion foreign debt until the year 2007. Is this a curse or a small blessing for the Iraqi people? Wait until the World Bank presents them with the bills for the loans the U.S. made in their name to the world banks. Saddam's WMD has already become a vague issue and was ignored by the UN. It is just as well because the Bushkovites got their war without them and we won't allow "incapable" UN weapons inspectors to hunt for those WMD anyway. Bottom line is that the Zionist Bush regime has the power and now seems in full control of the UN. Is that why the big Sharona is now of the mind to talk peace? We are all now a conquered people, and in time we will rise up against our supposed masters as we have always done in our past. Make it so!]

AMNESTY: 'WAR ON TERROR' HAS MADE WORLD WORSE

By Gideon Long, *Reuters*, 05/28/03

LONDON—Washington's "war on terror" has made the world more dangerous by curbing human rights, undermining international law and shielding governments from scrutiny, Amnesty International said on Wednesday.

Releasing its annual report into global human rights abuses in 2002, the London-based watchdog made one of its fiercest attacks yet on the policies pursued by the United States and Britain in response to the attacks of September 11, 2001.

If the war on terror was supposed to make the world safer, it has failed, and has given governments an excuse to abuse human rights in the name of state security, it said.

"What would have been unacceptable on September 10, 2001, is now becoming almost the norm," Amnesty's Secretary-General Irene Khan told a news conference, accusing Washington of adopting "a new doctrine of human rights a la carte".

"The United States continues to pick and choose which bits of its obligations under international law it will use, and when it will use them," she said, highlighting the detention without charge or trial of hundreds of prisoners in Afghanistan and in a U.S. military camp in Guantanamo Bay, Cuba.

"By putting these detainees into a legal black hole, the U.S. administration appeared to continue to support a world where arbitrary unchallengeable detention becomes acceptable."

Amnesty urged the world to do more to sort out Iraq problems now the Gulf War is over.

"There is a very real risk that Iraq will go the way of Afghanistan if no genuine effort is made to heed the call of the Iraqi people for law and order and full respect of human rights," Khan said.

"Afghanistan does not present a record of which the international community can be proud."

Amnesty's 311-page report was not concerned solely with the crises triggered by the attacks of September 11.

It said the intense media focus on Afghanistan and Iraq in 2002 meant human rights abuses in Ivory Coast, Colombia, Burundi, Chechnya and Nepal had gone largely unnoticed.

Amnesty said the human rights situation in the Democratic Republic of Congo remained "bleak, with continuing fighting and attacks on civilians."

"In Burundi, government forces carried out extrajudicial killings, 'disappearances', torture and other serious violations," it said.

Amnesty said the Colombian government had "exacerbated the spiraling cycle of political violence" by introducing new security measures.

It accused Israel of committing war crimes in the occupied territories and the Palestinians of committing crimes against humanity by targeting civilians in suicide bombings.

"At least 1,000 Palestinians were killed by the Israeli army (in 2002), most of them unlawfully," it said. "Palestinian armed groups killed more than 420 Israelis, at least 265 of them civilians..."

Khan said it was vital that the world "resist the manipulation of fear and challenge the narrow focus of the security agenda."

"The definition of security must be broadened to encompass the security of people, as well as states," she said,

[JR: September 11th has given all governments the powers to make the world one big prison for its citizens. Laws are being changed or suspended almost at the whim of the bureaucrats in control. They are aggressively transforming all governments into police states. The first thing to go under any dictatorship is the freedoms and liberties of the people. Most of the world gets it but Americans still believe they live in the land of the free and that giving up your rights is just being patriotic.]

A DIARY THAT NEVER SLEEPS

By Michael J. Sniffen, *CBS News*, 06/03/03

WASHINGTON (*AP*)—A Pentagon project to develop a digital "super diary" that records heartbeats, travel, Internet chats—everything a person does—also could provide private companies with powerful software to analyze behavior.

That has privacy experts worried.

Known as LifeLog, the project aims to capture and analyze a multimedia record of everywhere a subject goes and everything he or she sees, hears, reads, says and touches. The Defense Advanced Research Projects Agency, or DARPA, has solicited bids and hopes to award four 18-month contracts beginning this summer.

DARPA's research has changed lives far beyond the U.S. military before; it developed what became the Internet and the global positioning satellite system. The LifeLog research is unclassified, **so its components could eventually be used in the private sector**.

DARPA is also developing new anti-terrorism tools but says LifeLog is not among them.

Rather, the agency calls it a tool to capture "one person's experience in and interactions with the world" through a camera, microphone and sensors worn by the user.

More importantly, LifeLog's goal is to create breakthrough software that "will be able to find meaningful patterns in the timetable, to infer the user's routines, habits and relationships with other people, organizations, places and objects," according to Pentagon documents reviewed by the *Associated Press*.

DARPA's Jan Walker said LifeLog is intended for those who agree to be monitored. It could enhance the memory of military commanders and improve computerized military training by chronicling how users learn and then tailoring training accordingly, officials said.

But defense analyst John Pike of Global Security.org is dubious about the project's military application.

"I have a much easier time understanding how Big Brother would want this than how (Defense Secretary Donald H.) Rumsfeld would use it," Pike said. "They have not identified a military application."

Steven Aftergood, a Federation of American Scientists defense analyst, said LifeLog would collect far more information than needed to improve a general's memory—enough "to measure human experience on an unprecedentedly specific level."

DARPA rejects any notion LifeLog will be used for spying. "The allegation that this technology would create a machine to spy on others and invade people's privacy is way off the mark," Walker said. **[JR: Yea, right!]**

She said LifeLog is not connected with DARPA's data-mining project, recently renamed Terrorism Information Awareness. Each LifeLog user could "decide when to turn the sensors on or off and who would share the data," she added.

But James X. Dempsey of the Center for Democracy and Technology, which advocates online privacy, fears users ultimately won't control LifeLog data.

"Because you collected it voluntarily, the government can get it with a search warrant," he said. "And an increasing amount of personal data is also available from third parties. The government can get data from them simply by asking or signing a subpoena."

He notes that traffic and security cameras and automated tollbooth pass records are already used by police to trace a person's path. Dempsey questions how LifeLog's analytical software, in the hands of other government agencies or the private sector, will interpret such data and how Americans will be protected from errors.

"You can go to the airport to pick up a friend, to claim lost luggage or to case it for a terrorist attack. What story will LifeLog write from this data?" he asked. "At the very least, you ought to know when someone is using it and have the right to correct the 'story' it writes."

Dempsey does, however, see a silver lining in the government taking the lead.

"If government weren't doing this, it would still be done by companies and in universities all over the country, but we would have less say about it," he said. With the government involved, "you can read about it and influence it." **[JR: Like an individual can trust the government and influence it.]**

DARPA's Web site says the agency investigates ideas "the traditional research and development community finds too outlandish or risky." But wearable sensors similar to those envisioned for LifeLog are already being researched by well-heeled outfits.

Professor Steve Mann of the University of Toronto has spent 30 years developing a wearable camera and computer, progressing from intricate metallic headgear to dark frame eyeglasses and a cellphone-sized belt attachment. He's working with Samsung on a commercial version.

And Microsoft's Gordon Bell scans his mail and other papers and records phone, Web, video and voice transactions into a computerized file called MyLifeBits. The company may include the capability in upcoming products.

Neither Mann nor Bell intends to bid on DARPA's project. Bell said DARPA wants to go further than he has into artificial intelligence to analyze data.

Pentagon contracting documents give a sense of the project's scope.

Cameras and microphones would capture what the user sees or hears; sensors would record what he or she feels. Global positioning satellite sensors would log every movement. Biomedical sensors would monitor vital signs. E-mails, instant messages, Web-based transactions, telephone calls and voicemails would be stored. Mail and faxes would be scanned. Links to every radio and television broadcast heard and every newspaper, magazine, book, Web site or database seen would be recorded.

Breakthrough software would automatically produce an electronic diary that organizes the data into "episodes" of the user's life, such as "I took the 08:30 a.m. flight from Washington's Reagan National Airport to Boston's Logan Airport," according to the documents.

Walker said DARPA has no plans to develop software to analyze multiple LifeLogs. But DARPA advised contractors that ultimately, with proper anonymity, data from many LifeLogs could facilitate "early detection of an emerging epidemic."

[JR: Those in the military don't willingly volunteer. If they don't want a refusal on their service record, if they want to make any career moves, or if they want to be in command, then they will find it necessary to volunteer. And then there is always the fact that when you sign the enlistment contract, you become "government property" during the contract period, so if you don't follow orders without question you will be penalized one way or the other. The Pentagon has a history of conducting experiments with its military personnel, with or without their permission or their knowledge. This is but a minute part of what our future will hold if we continue to blindly accept the demands under the guise of Homeland Security. There is always a questionable line drawn between volunteering and being required and that applies to civilians as well.]

BUSH NOT HELPING STATES, EXPERTS SAY

By Bob Kemper, *Washington Bureau*, 05/30/03

Underfunded mandates burden tax-shy coffers

WASHINGTON—Since the nation's Republican governors helped propel one of their own, George W. Bush of Texas, into the Oval Office more than two years ago, the president, by many accounts, has only made life harder for his former colleagues.

States face their worst financial crises in 50 years, but Bush, with the cooperation of Congress, has ordered them to implement homeland defense measures and education reforms without providing the money needed to pay for them.

The president pushed a tax cut through Congress that would drain the coffers of states whose tax codes are linked to the federal system. Bush's original tax package included no aid to states to help them cope with the loss, though Democrats and a few maverick Republicans ultimately forced Bush to agree to give the states $20 billion, half of it to pay for Medicaid. …

Bush proposed setting caps on federal contributions while giving states greater flexibility in running the rapidly expanding program. Governors balked, fearing that a recession or national catastrophe would leave them financially liable for astronomical medical bills.

Even the president's brother, Florida Gov. Jeb Bush, has not openly embraced the administration's plan for remaking Medicaid. In a statement released by his office, Jeb Bush said his brother has "shown great awareness of the problem" states face with respect to Medicaid funding.

Still, Jeb Bush has been instrumental in preventing other governors from organizing a run on the White House to demand additional financial help with their broader budget concerns.

Whether they need help protecting airports or building new roads, governors have found their former colleague less generous than they had hoped. Rather than write bigger checks, Bush places an emphasis on giving states greater flexibility to run the programs, an approach state officials say has forced them to drastically cut popular programs.

Democratic governors and their allies on Capitol Hill have expressed alarm, charging that Gov. Bush would never have supported the policies of President Bush. Critics charge that Bush not only fails to show empathy for the states but also is sacrificing them for his ideological agenda and political advantage.

"We are engaged in these national efforts to improve education and improve security and improve elections and other things and the [federal] dollars haven't kept up with the rhetoric," said Nicholas Johnson, director of the State Fiscal Project at the Center for Budget and Policy Priorities.

"And the tax cuts enacted on the federal level are going to continue to put the squeeze on states," he said.

Despite the effect from his policies, criticism of Bush has been fairly muted in many state capitals. Governors, who in the past put their collective state interests ahead of partisan concerns and demanded concessions from Uncle Sam, are divided over how to respond. …

"The Bush White House has made pretty clear to Republican governors that they don't want to be criticized for their tax and budget policies," Johnson said. …

Fueling their allegiance are the governors' personal ambitions, ideological fervor or pragmatic politics, according to longtime observers.

The potential payoff for Bush is considerable, experts said. Having GOP governors in 26 states defending his effort to stimulate the economy with tax cuts could help convince the public that the president is paying attention to their concerns and focusing on the one issue that is expected to dominate his 2004 re-election campaign. …

"The Republicans are in a tough spot," said John Kohut, who monitors gubernatorial politics for the non-partisan newsletter Cook Political Report.

"Can you walk away? Can you be the guy who screams the loudest and threatens to turn your back?" Kohut said. "To what end? You want to freeze out your friends in Washington? Where's the advantage in that? The advantage is keeping the lines of communication open and maybe quietly begging for money."

The GOP governors' enthusiastic support for Bush, however, has made Republicans vulnerable to charges that they are putting ideological and political considerations ahead of their fiscal responsibilities.

The National Conference of State Legislatures reports that state deficits have totaled about $200 billion since 2001. The group said new federal requirements "are only fueling the uncertainty in states' budgets."

Almost every state is running a budget deficit, and governors—the 26 Republicans and 24 Democrats alike—are slashing funding for schools, health care for the poor, libraries and other programs. Missouri Gov. Bob Holden ordered state workers to unscrew every third light bulb in common areas of state buildings to save money.

Estimates of how much Bush's programs are costing states vary greatly.

National groups representing state interests reported that Bush's No Child Left Behind education reforms are costing states from $5 billion to $35 billion. Homeland security measures, including requirements for greater security at dams, power plants and other critical infrastructure, could cost states between $6 billion and $17 billion, the groups reported.

The partisan bickering among governors and between the White House and the state Executive Manions is most obvious in the inner sanctum of the National Governors Association. Once a mutually supportive, clublike gathering, the association has been turned into a political mosh pit by the governors' division over Bush's policies.

When the group prepared to take a stand critical of Bush's policies, Jeb Bush fired off a missive to fellow governors asserting, "You can't just keep printing money."

Then, on a party-line vote, Republican governors later nixed a proposed association statement seeking "substantial funds to every state and territory."

Anti-tax activists Grover Norquist of Americans for Tax Reform and Stephen Moore, head of The Club for Growth, are lobbying Republican governors to leave the National Governors Association and form a group more supportive of Bush's policies. …

[JR: With half the states in the Republican camp and with the support of their governors, Bush's domestic policies have succeeded in wreaking havoc in all of the 50 states' budgets. It does, (for now) enhance the private careers of all these ego-centered politicians that are running/ruining their state capitols. It also serves as a useful political prop to highlight the power and might of a clueless president and his fatalistic policies. These non-protested federal mandated programs are by design draining all state resources. Thanks to these self-serving loyalist, all states are now being handed over to the greedy carnivorous parasites in Washington D.C. Any taxpayer who believes that their government is in power to serve and protect their interests should look at their lifestyles and compare them with the rich and the infamous now in office.]

BLACK DEEP IN GRAY AREA WITH HOLLINGER DEALS

By David Greising, *Tribune*, 05/23/03

Newspaper lord Conrad Black told shareholders Thursday that the current focus on corporate governance is a fad.

He had better hope so.

Black, CEO of Hollinger International, is appointing a special committee to review questions of self-dealing and conflicts of interest swirling around him. He has a high-powered group of independent directors to choose from, including former Illinois Gov. James R. Thompson and former U.S. Secretary of State Henry Kissinger.

Tweedy, Browne, a New York investment firm, charges that Black enriches himself by paying consulting fees to a firm he controls. That he and three associates have pocketed $73.7 million from personal non-compete agreements they got when Black sold Hollinger newspapers. And that he sells Hollinger assets to entities controlled by the company's board members—a good-governance no-no.

Essentially, the critics say, Black uses Hollinger as a personal piggy bank.

Black responded to the scrutiny Thursday by unveiling plans to ease his control over Hollinger. Over time, he plans to cut his voting stake to 42 percent from 73 percent by selling Hollinger shares to Southeastern Asset Management, a mutual fund firm. Hollinger shares rallied on the news.

But not so fast.

A close examination of Black's complex holdings shows a problem with Black's quick fix. Those shares he wants to sell? They're spoken for.

In March, Black pledged 25 million Hollinger International shares for a $250 million bond offering by the firm's parent company, Hollinger Inc. Those 25 million shares represent all but 1.5 million of Black's shares in Hollinger International, the Chicago-based company that owns the *Chicago Sun-Times* and other newspapers.

Black also gave bondholders a claim on tens of millions of dollars Hollinger International pays each year to a consulting firm owned by Black and his associates.

Black, in an e-mail Thursday night, said there is plenty of security for the bonds. He insisted money from selling the Hollinger International stock could pay down the debt and meet other obligations, with nearly $24 million left over "for discretionary purposes".

Still, the pledge of shares and the pledge of payments from Hollinger International—both for the ultimate benefit of Black's Hollinger Inc.—raise new questions about Black's complex web of personal and corporate interests.

Black made it clear at Thursday's shareholders' meeting that corporate governance isn't exactly a top priority. He referred to good governance proponents as "zealots", and criticized the hasty passage of the Sarbanes-Oxley reform law.

Black doesn't like the negative attention he has drawn lately. And the panel of independent directors he is creating has a tough job ahead reviewing his pay and related-party dealings.

When Tweedy, Browne pressed for oversight earlier this month, Black at first refused any review of Hollinger International's past practices. He later relented, but on narrow terms. "We will not accept the entry of total strangers with a mandate to run up unlimited legal and accounting bills, conducting an antagonistic forensic scavenger hunt through our corporate past," the press lord wrote to Tweedy, Browne.

Whether looking back or looking ahead, the committee will have plenty to consider.

They'll want to look at the $31.6 million per year, on average, that Hollinger International has paid to Ravelston Corp., the consulting firm owned by Black and seven associates since 1997.

They may wonder why Black and his cronies should get personal non-compete deals when they sell company assets. After all, they are acting on behalf of Hollinger, selling Hollinger's newspapers. Money that went to non-competes could have gone to the company.

They'll want to ask why so many Hollinger International assets are sold to partnerships controlled by the company's directors.

And now, they'll want to know how Black intends to reduce his stake when the shares he wants to sell are pledged as collateral on Hollinger Inc.'s deal.

Black might hope corporate governance is just a fad. But with people like him around, demands for reform will never go out of style.

[JR: The reason for the push for corporate governance after the Enron, Global Crossing and Anderson debacles was not just accounting practices. It was also the wheeling and dealing within closed circles of political influence and inter-corporate deals. Black's Hollinger Inc. and Hollinger International certainly fit the criteria for close examination for abuse of corporate governance. Black, it seems, is far from lily white.]

FOREIGN SHARES GET DIVIDEND TAX BREAK

Bloomberg News, 05/25/03

WASHINGTON—Americans who invest in shares of non-U.S. companies caught a break in the $350 billion tax-cut bill approved by Congress last week when lawmakers agreed to extend a new 15 percent tax rate on dividends to foreign corporations.

Earlier versions of the legislation would have qualified only dividends paid by U.S. corporations at the lower rate, while distributions by foreign companies would have remained taxed at rates of up to 35 percent.

The last-minute change came after a flurry of lobbying by subsidiaries of foreign companies through industry associations such as the Organization for International Investment.

"This is a victory for American investors that have internationally diversified their portfolios," said Todd Malan, the group's executive director.

"It also maintains the competitiveness of U.S. capital markets, assuring that foreign companies will continue to use U.S. exchanges to attract U.S. shareholders."

The fix was championed by lawmakers such as Rep. Sam Johnson (R-Texas), whose constituents work at factories owned by France's Alcatel SA, Sweden's Ericsson AB and Canada's Nortel Networks Limited. Altogether, subsidiaries of non-U.S. companies employ 410,000 Texans, he said.

"This will do wonders for companies that invest in our area big time," Johnson said.

Companies with more than $1.5 trillion in U.S. investment would have been excluded from the lower tax rate if the last-minute changes weren't made, Malan's group said. In total, Americans own 20 percent of the 100 largest publicly traded non-U.S. companies, the group said.

Foreign companies would have seen their dividends taxed at rates more than double those paid by their U.S. competitors under earlier tax proposals.

That would have affected shareholders and employees of such companies as DaimlerChrysler AG, Toyota Motor Corp., Honda Motor Co. Ltd. and Nissan Motor Co. Ltd., as well as oil companies BP PLC and Royal Dutch Petroleum, electronics-makers Sony Corp., Swiss financial-services firm Credit Suisse Group, and Dutch grocer Koninklijke Ahold NV.

On the New York Stock Exchange, the daily volume of trading in non-U.S. stocks averaged 117.2 million shares in 2001, a 16.6 percent increase from the previous year, according to the trade group.

[JR: If I recall correctly, up until recently the daily volume in stock trades at the NYSE was in the billions so I wonder what today's ratio would be? Notice that this Bloomberg (financial) article only presented the benefits of the tax break on Foreign dividends and no perspective from the opposition. There must have been some detrimental effect, otherwise the subsidiaries of these foreign companies would not have had to lobby so hard and promise campaign contributions to lawmakers to get the legislation revised at the last minute. And I thought "The Price is Right" was just a TV show!]

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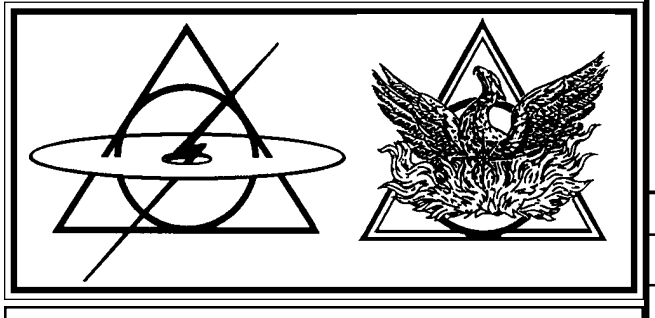

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CONTACT* OR *SPECTRUM?

I want to briefly respond to a most unusual question from a totally "out of the blue" person: "It appears *Spectrum* will fail, possibly close, so will you go back to writing for *CONTACT* or what?"

I have never stopped writing for *CONTACT*—but I have NOT written, nor have my compatriots written for *Spectrum*. Tails wag a lot of dogs, my friends. Therefore, "or what" has no meaning.

January 6, 2001