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America: Most corrupt democracy money can buy

By David Hoffman

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It's official! Thanks to five reprobates-Roberts, Scalia, Thomas, Alito, and Kennedy-who comprise a majority on the United States Supreme Court, America is now the most corrupt democracy money can buy.

What these so-called "justices" did in their 2010 *Citizens United* decision, and recently in *McCutcheon v. FEC*, is confirm what many in the legal profession eventually come to realize: The law is nothing but a farcical facade.

Many theorists argue that "law" emanates from two sources.

The first source, often referred to as natural law, contends that human beings instinctively know what is right or wrong. The fundamental problem with this is that sociopaths-conscienceless individuals who base decisions solely upon their own biases and self-interests, regardless of how many others they hurt-might only comprise a small portion of the general population, but they are arguably a powerful minority (and some would even claim majority) in the legal profession; therefore, it's not surprising that five sociopaths now occupy seats in America's highest court.

The second source, often called conflict-based law, argues that law is simply an instrument of repression designed to protect and promote the corrupt interests of the power structure. This has been demonstrated in recent years by decisions that allowed CIA torturers and NSA spies, and government officials who covered up their crimes, to go unpunished, while so-called "whistleblowers" who exposed government criminality were routinely prosecuted and imprisoned.

So, again, it is not surprising that the selective "reasoning" behind *Citizens United* and *McCutcheon* invokes the same speciousness and hypocrisy these five sociopaths have routinely used in the past to promote their own personal and political agendas.

The principal argument underpinning these two decisions is the necessity to protect the right to "freedom of speech." Unfortunately, in these sociopaths' corrupt worldview, this right has incessantly revolved around allowing the rich to "donate" copious amounts of money to promote their political and/or economic interests, and candidates who support them.

But this "free speech" argument is disingenuous for two reasons.

First: The Supreme Court certainly displayed no commensurate concern for protecting freedom of speech, especially in academia, when it permitted the University of Colorado (CU) to fire tenured professor Ward Churchill. As I've discussed in several previous **Pravda.Ru** articles, Churchill was fired when a controversial essay he wrote about the 9/11 attacks became national news. Although CU contended that Churchill was dismissed because of "academic misconduct" unrelated to his essay, a jury disagreed, concluding that the misconduct allegations were pretextual and designed to conceal the fact that Churchill had really been discharged because of the outrage over his essay.

Yet the presiding judge, a graduate of CU's law school, overruled the jury, contending that the individuals responsible for Churchill's firing enjoyed "quasi-judicial" immunity.

Even laypersons unfamiliar with the corrupt machinations of the legal system should be able to recognize the hypocrisy and mendacity fueling this belated granting of "immunity." After all, if these individuals had immunity all along, why did Churchill's case even go to trial?

The implicit answer is simple: The judge controlled the courtroom and the admissibility of evidence; therefore, he never expected Churchill to win.

Still, even though the Churchill ruling destroyed academic tenure, and, more alarmingly, academic freedom throughout the United States, court after court upheld this display of

hypocrisy and mendacity, and the same Supreme Court that seems so concerned about protecting "freedom of speech" when it comes to the interests of the rich and powerful refused to even hear his appeal.

Second: Even though these five sociopathic "justices" disingenuously try to pretend their obliteration of federal laws limiting campaign contributions enhances freedom of speech by creating more balance between competing political interests, they know the reality will be much different. For example, *Citizens United* was praised for expanding the free speech rights of both corporations and labor unions. Yet what actually followed was a surfeit of anti-labor legislation designed to weaken the financial resources of unions so the corporate voice would become the only resonant (and well-funded) voice in America's political arena.

What is particularly ironic about giving the rich the ability to contribute limitless amounts of money to political causes and/or campaigns is that many of them will be using taxpayer money to do so, courtesy of the United States government's corporate welfare program.

A recent editorial in the *Los Angeles Times* discussed how for-profit colleges account "for just 13 percent of college enrollment" and "almost half of all federal student loan defaults." Under federal law, for-profit colleges can receive up to 90 percent of their revenue from government sources, such as Pell Grants and federal student loans, which means taxpayers are primarily responsible for funding the plethora of such colleges that have arisen or expanded in recent years. Yet whenever new government regulations are proposed to reduce this corporate welfare, they are almost always defeated. Why? Because, as the editorial also pointed out, for-profit colleges "contribute heavily to members of Congress."

Now, thanks to five sociopaths on the United States Supreme Court, even more tax dollars funneled to for-profit colleges can be funneled back to members of Congress in the form of campaign contributions, enriching their coffers even as many for-profit college graduates drown in debt after discovering the "degree" they've obtained is not worth the paper it's printed on, especially in an economic climate where even graduates of traditional colleges often have difficulty finding employment.

Still somehow, it is always these students (and not the corporate welfare system that exploits them) who are castigated by so-called "conservatives" for their "irresponsibility" and inability to find good paying jobs because they have defaulted on their student loans.

In other words, for-profit colleges, and, in fact, all businesses that rely heavily on government funding, can now use exorbitant amounts of taxpayer money to buy politicians who will, in turn, allow them to collect even more exorbitant amounts of taxpayer money—a ceaseless cycle of legalized corruption.

Despite all pontifications to the contrary, what *Citizens United* and *McCutcheon* have really done is restrict freedom of speech, transforming it into a right that can only be effectively exercised by the rich and powerful. These decisions have also destroyed democracy, or what little remained of it in the wake of the CIA and NSA scandals, by compelling prospective political candidates to

tacitly agree to protect and promote the interests of the rich and powerful without regard for the interests of America and the majority of its people.

Of course, this article is not telling the world something it doesn't already know. For several decades now, American foreign policy, particularly its warmongering, has not been fueled by the desire to protect and/or promote freedom and democracy. It has been driven instead by a venal lust to preserve and enhance corporate profitability, even at the expense of freedom and democracy.

Now, thanks to five sociopaths on the Supreme Court, America's own tattered remnants of freedom and democracy have been sacrificed in the name of corporate profitability.

As the late Malcolm X once said, "The chickens have indeed come home to roost."