CHAPTER 5

Legal Systems: Who or What Is Legal, and How Is Legality Determined?

Who or What Is Legal, and How Is Legality Determined?

In the USA, it is seemingly impossible to determine what actions are criminal or not criminal. This is because there is no clear definition of what determines what is legal and what is illegal. To explain this further, the author chooses to tie together four seemingly independent legal examples:

1. Troubled Asset Relief Program (TARP)
2. Affordable Care Act (ACA a.k.a. Obamacare) vis-à-vis the Congressional Budget Office (CBO)
3. Personal-choice freedom: legal/illegal substances as well as vices and seat belts
4. Civil asset forfeiture and economic eminent domain

Troubled Asset Relief Program (TARP)

TARP was developed to bail out a variety of companies that stood to enter bankruptcy due to a combination of fraud and just plain bad decision-making. All of a sudden, seemingly overnight, both the Republicans and the Democrats proclaimed that the USA and other countries around the globe *must* pass the bailouts. Otherwise, there would be a global economic crash.

Obviously, these declarations were made without the politicians or the news media even reading or comprehending the very open-ended TARP legislation. The Matrix program told the politicians and the news media to tell citizens that TARP *must* happen, and they repeated what they were told to repeat. It was amazing how the news media and the politicians all said the same thing every day. It was almost like they all received a daily email telling everyone how to speak and act in front of the cameras.

This bailout was sold as what could only be described as trickle-down socialism. The social benefit of bailing out the corrupt corporation- or government-created regulatory system would be of greater social benefit versus letting the bankruptcy courts take over and settle things.

What really happened with TARP was that a bunch of very wealthy and powerful people (and their entourages) stood to lose massive amounts of wealth due to their bad money management decisions. They didn't want to do that. So they cooked up a scheme like that of *Chicken Little*'s "The sky is falling" with their paid-for politicians and media to proclaim that they must be bailed out or the economic system would collapse and the four horsemen of the economic apocalypse would ride the land. So the wealthy and powerful got their losses paid for by the governments that work for them. They didn't end up losing money (and, inherently, power).

And then to help pay for TARP, interest rates were lowered to 0 percent so the banks could borrow at 0 percent and lend at higher rates, guaranteeing positive cash flow. And the corporations were gifted tax credits to benefit the newly appointed White House–selected ownership. How convenient!

Who pays for this scheme? *Taxpayers!* This magic TARP legislation seemingly appeared overnight and put the taxpayers on the hook for the losses. Even better for the rich and powerful, the whole scheme was legal because ruling governments around the globe said it was legal. The issues that global governments saying that TARP's legal doesn't mean that TARP wasn't criminal.

Affordable Care Act (ACA a.k.a. Obamacare) vis-à-vis the Congressional Budget Office (CBO)

Soon after TARP, the USA passed the ACA, even though, obviously, no politicians or news media actually read the legislation. To pass the legislation, the politicians had the legislation financially scored by the Congressional Budget Office (CBO) as being deficit neutral with all sorts of other hokey proclamations about how many Americans would now be insured due to ACA. Using a little common sense, one can understand just how hokey the ACA sales job by the CBO was.

After the passage of ACA, there was subsequent rules and regulations issued. There is no one definitive source that can state how many regulations were attributable to ACA, but the number appears to be between five thousand and fifteen thousand rules and regulations issued. Each rule and regulation had a cost impact associated with it.

Ask yourself this question: How could the CBO have scored the cost impact of all the subsequent five-thousand-plus rules and regulations that came out after ACA passed? The answer is that there is no way CBO could have scored the cost impact of all the added rules and regulations!

This demonstrates how ludicrous the current SELP is while also epitomizing the Byzantine pineapple. This is a Byzantine system of government bureaucracies passing unread legislation using known phony numbers to justify passing the unread legislation—legislation that creates more and more Byzantine layers of government, as well as law, rules, and regulations.

Make sure you understand what this means! This means that the CBO is useless. It 100 percent fails at the task it was created to achieve. Yet simultaneously, the CBO scoring is a major lynchpin of passing legislation (Legislation being voted into law that few, if any, politicians have read and understand) in the United States! The political parties have created a system whereby useless proclamations are used to justify passing legislation! In the private industry, that is considered fraud. In the political industry, it is all legal to commit such fraud!

At the same time, there is now an *existence tax* on the citizen's head. If the citizen *exists*, the citizen is now subjected to a health insurance tax just for existing. If the citizen doesn't either pay directly for health insurance or pay a tax, then the citizen is a *criminal* (!).

Ask yourself this question: Do you think an existence tax is what the signers of the Declaration of Independence had in mind when they established the freedom to pursue life, liberty, and happiness? The author certainly doesn't and is of the opinion that the vast majority of citizens of countries around the globe agree.

Personal-Choice Freedom: Legal/Illegal Substances as well as Vices and Seat Belts

Simultaneously, the surveillance technology of the US government has grown by leaps and bounds. The citizen basically has to assume that every single action or word uttered is being recorded somewhere and can be used against them at any point in time.

The failure is that as human history has shown, humans like to engage in vices and personally dangerous behavior, and the legal system has outlawed the personal activity that people like to engage in while letting others get away with the same behavior because under some form of logic, one form of the same behavior is legal and the other is illegal. This allows the all-surveilling state unfettered reign to lock up and besmirch selective lives without really a concept of what being a criminal is. *The Trial* has begun.

This means that many citizens can't truly enjoy freedom of personal choice—a.k.a. life, liberty, and the pursuit of happiness—because the all-surveilling state has constructed a SELP system with selective prosecution. It is the selective prosecution that drives wedges into society because citizens find themselves at war with the state over issues of what being a criminal is.

There are five primary categories that need a SELP resolution, because no matter whether the activities are legal or illegal, there will always be millions of citizens engaging in the categories. A certain percentage of citizens will always partake in

1. using recreational substance of all sorts of natural and synthetic products,
2. trading money for sexual activity,
3. gambling,
4. engaging in personally dangerous physical activity for a thrill, and
5. aborting.

There has never been a time in recorded human history where a percentage of the human population hasn't engaged in the five behaviors above. Whether it offends one's personal morals or not, people are going to engage in these behaviors. Why is the SELP system structured to ruin people's lives by criminalizing them for being human?

Why is it criminal for the common citizens to be jailed for their vices, to be denied employment for their vices, and to have degrading marks put by the government on their personal records when the rich and powerful rarely get convicted for the same behavior? Look at the population of jailed drug offenders in the USA, and it is obvious that more common citizens are being jailed versus wealthy citizens.

Why is it illegal for common citizens to enjoy some vices while it is legal for those controlling the politicians and media to get a TARP-sized bailout? The bailouts occurred because the rich and powerful were too busy enjoying their vices rather than managing their investments.

It is only illegal for one and legal for the other because of the hypocritical way the SELP system is designed. Changing the existing SELP system is the only way to allow citizens to truly enjoy life, liberty, and the pursuit of happiness as the citizen sees fit versus as proscribed by those in power.

The alternative is to keep doing the same thing over and over again, expecting a different result. The hypocritical SELP construct is like an earlier version of the Matrix, and it is inevitable that eventually, the system will fail. The failure will occur when the twenty-trillion-dollar (and exponentially growing) US federal government debt bubble bursts.

Don't you think that the US federal government debt bubble will burst? Ask yourself this question: What do the 1929 crash and the S&L crisis in the 1970s, the crash of 1987, the dot-com crash of 2000, the Enron crash, and the combo subprime loan and fraudulent bond marketing crash all have in common? The answer is that the government and financial leaders all thought the same thing you are thinking now: It will never happen. None of them ever saw it coming!

Civil Asset Forfeiture and Economic Eminent Domain

First, the state made illegal, noninjuring-to-others activities that humans like to choose to do, thereby making virtually all citizens illegal. Then the state developed 24-7-365 monitoring of citizens so that all the activities of humans are monitored for selective prosecution of noninjuring-to-others activities. What's left? Appropriating for the state the assets of those not directly tied into the state.

Civil asset forfeiture was created to take the ill-gotten gains of big drug lords who pay no income taxes and who made their money illegally. Now the laws are being used to confiscate cars and other properties of citizens who are mostly trying to just live the life of a human.

Eminent domain is a legal concept that allows governments to take a citizen's property for the public good, such as for building a road or a sewer system. Now the legal concept has been expanded to "economic eminent domain" whereby the trickle-down socialism of the new economic development outweighs the personal property rights of the citizen.

In both cases, the same overall concept occurs: the government takes the personal property of the citizen and the citizen has no recourse, except through expensive court-related expenses that also consume the citizen's life.

Those inside the Byzantine pineapple gain, and those outside lose out. And whether morally right or wrong, it is all legal!

Tying the Four Concepts Together

In the USA, a citizen can watch an X Games athlete attempt jumping a motorcycle forty-seven feet into the air for a vault, and that is legal for the X Games athlete to do. Or a citizen can watch people play football and see physical contact that can and does cause injury, and that is legal to do.

However, if a citizen drives a vehicle without wearing a seat belt, they can be fined or imprisoned for their personal choice because driving without wearing a seat belt is dangerous and, therefore, is illegal. And since the vehicle was used in the commission of a crime, the state can simply take the vehicle, and the citizen is screwed.

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For the top 100 prescription drugs in the USA, the total amount of monthly prescriptions probably exceeds the number of citizens in the USA. Those are prescriptions and not the number of prescription pills actually sold. And those are just prescribed drugs and not over-the-counter drugs. And that doesn't include illegal drug use!

Common sense should tell one that with all the prescribed OTC and illegal drugs sold in the USA, just about every single person in the USA is drugged up on something. Common sense also should tell one that whether a drug is considered legal or illegal, it is irrelevant to individuals either responsibly or irresponsibly using the drug. It is a matter of choice.

The point is that the overall behavior of engaging in thrill-seeking or in using recreational drugs is no different behavior than the behavior followed by those who use legal drugs or those who engage in dangerous sporting activities. However, while the behavior is the same, the legality/illegality of the behavior is defined differently. Ask yourself this question: Do you really know why that is?

If a citizen gambles with their money, it used to be illegal virtually everywhere. Now there are more legal gambling options, but it is still illegal in most localities for private citizens to gamble with their money. Gambling is a matter of placing a bet and taking the risk that the bet will pay off. This is considered illegal in localities based on a concept of moral behavior.

If a citizen puts money into the financial markets, the citizen is, in effect, gambling. The citizen is placing a bet that the financial reward of the investment will outweigh the risk that the bet will pay off. The theoretical concept is that if the stock collapses or interest rates change, the investor bears the risk and reaps the reward. Somehow, this is considered moral behavior, while gambling is considered immoral, even though the bottom-line behavior is the same.

At the same time, the politicians can rob the populace through taxation structured in a Byzantine manner that selectively rewards a few while harming others. This is what happened with TARP. The legislative, administrative, and judicial branches all agreed to cover the losses of the gamblers who placed losing bets on financial instruments. The three branches of the US government (and many other governments, which followed suit on TARP) claimed that it is legal to take taxpayer's money and bail out wealthy donors who stood to lose fortunes on bad bets. The three branches of the US government (and many other governments, which followed suit on TARP) placed their own bet that the trickle-down socialism effect would do less harm to society versus letting the bankruptcy system run its course.

The question is, Why are select gambling behaviors *legal* and other select gambling behaviors *illegal*? The answer is that the SELP system in place is structured to keep it that way.

This current SELP system is doomed to fail. Why? The potential for abuse is obvious, and the stories of system abuse continue to grow annually. Citizens are being taxed at ever-increasing rates while they see that the benefits of the ever-increasing taxation are not being delivered. Instead, the citizens see

1. ever-increasing layers of laws that are only complicating their lives, doing things like making the citizen a criminal if he disagrees with the now-instituted existence tax;
2. regulatory taxation unnecessarily increasing the citizen’s cost of living;
3. criminal behavior being declared noncriminal for those with money and power by the three branches of government; and
4. common citizenship being increasingly incarcerated or having stains on their police record, which affect the ability to find gainful employment, for the same behavior being declared noncriminal for those with money and power.

This simplistic presentation points out why the class of independents is growing both in the USA and also globally. It is patently obvious to the citizens that the political parties are on the take and really don’t have a plan in place to address what the citizens see as the root cause of the breakdown of the concept of law. The common people are moving away from the political parties, leaving only the hard-core political party acolytes in the political parties. The hard-core acolytes are now in control of the political parties, while the independents seek a new SELP system to address the flaws of the existing SELP systems. The problem the growing independents have is that there is currently no plan presented to the citizens for a new SELP system that they feel they can support!

To create a new SELP system that will actually achieve the originally stated four goals, one must understand why the current SELP economic systems fail to achieve the stated four goals. The explanation of why the SELP systems are doomed to fail economically is illustrated by the analysis of the taxation systems in place as well as the analysis of the inherent flaws of the needs-based welfare systems.