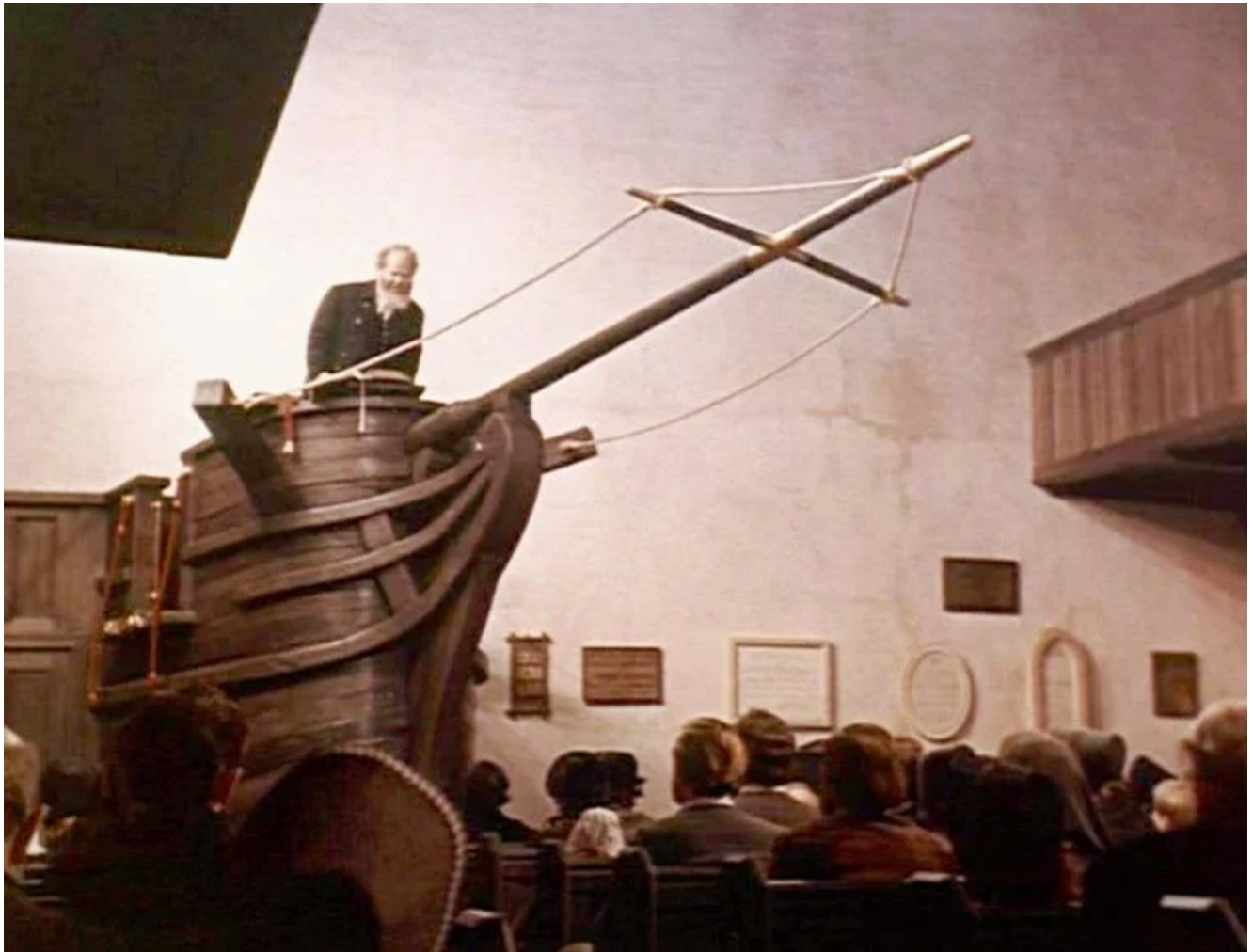


Is the ice under judicial fraud getting thinner?



by Lev Tsitrin

“Delight is to him – a far, far upward, and inward delight – who against the proud gods and commodores of this earth, ever stands forth his own inexorable self. Delight is to him whose strong arms yet support him, when the ship of this base treacherous world has gone down beneath him. Delight is to him, who gives no quarter in the truth, and kills, burns, and destroys all sin though he pluck it out from under the robes of Senators and Judges.” So did [Father Mapple conclude his sermon](#) that takes up one of the marvelous chapters of Herman Melville’s Moby Dick.

I have never heard that delight expressed with a greater gusto than Seth Weathers – introduced as a “Republican strategist in Georgia” – did in a BBC Newshour’s 6-minute (from 6:40 to 12:50 min) [reaction to FBI’s search of Trump’s Mar-A-Lago home](#). Mr. Weathers held nothing back, repeatedly (and literally) laughing off BBC interviewer’s premise that the FBI acted with integrity – and, even more importantly, that the judge who authorized the raid simply followed the law.

His defiance of the latter assumption particularly roiled BBC’s presenter, Razia Iqbal. Sparks started to fly at around 8:40, and from that point on there was a constant dazzle of brilliant verbal fireworks. It went something like this (though I do not pretend to transcribe): “*BBC*: FBI had to convince the judge to allow the search – are you suggesting that the judge was also corrupt? *Seth Weathers*: yea, judges are corrupt; you don’t understand how judges get their positions; judges are corrupt all across America. *BBC*: “But the rule of law applies to every single person in the Unites States. *Seth Weathers*: (laughs) you must be out of your mind. When you get to the top, there is a lot of rot. Not all judges are corrupt, but plenty are.”

This is just a shadow of a shadow of their conversation, which is a must-listen – he is so brilliant, and it is such fun. Repeatedly, BBC’s Razia Iqbal expresses her irritation that one could even think of claiming that judges can be mere corrupt political hacks; and time and again, Seth Weathers laughs – yes, literally laughs at her naivete. To her, it is inconceivable that one could say that American judges could be corrupt; to him, it is obvious that they are.

For many years I tried to convince journalists that they should investigate and cover the fact that the so-called “due process of the law” which is presumably guaranteed us in the Constitution is nowhere to be found in the judicial decision-making process, judges tossing the argument given them by the parties to the case, basing their decisions on judges’ own

argument concocted out of thin air so as to decide cases the way they want to, not the way they have to – and when sued for fraud, defending themselves with a self-given, in *Pierson v Ray* right to act from the bench “maliciously and corruptly.” So, not surprisingly, Seth Weathers’ apt, factual, and spirited replies to Razia Iqbal’s ideologically self-righteous protestations were balm to my wounds, and music to my ears.

As were, in fact, Donald Trump’s remarks, made both as a candidate and as a president, that poured cold water on the pious fiction that federal judges – who are, after all, nominated to the bench because of their ideological biases, and confirmed by the senators who share those same biases – suddenly become impartial agents of due process once they have been confirmed, and seated on the bench. “We do not have Obama judges or Trump judges, Bush judges or Clinton judges,” fulminated Chief Justice Roberts on one such occasion of Trump’s reference to an “Obama judge.” “What we have is an extraordinary group of dedicated judges doing their level best to do equal right to those appearing before them.” What he meant in that second, fuzzy part of his statement, is unclear. One would have expected Justice Roberts to say, “all judges are mere human agents of the due process of the law and strive to follow it” – but he did not say that, perhaps realizing that this is simply not the case. There is no due process of the law in the judicial decision-making process for a simple reason that there is no “process” in it, judging being arbitrary – and politicians not only understand it, but they love it that way.

You would never have learned that from the mainstream media but – lo and behold! – Mr. Weathers did manage to get on the BBC and did manage to speak some unwelcome truths about the way judges operate. It is too soon to say whether journalistic stonewalling of the subject of judicial fraud is coming to an end, but every instance of truth-speaking is welcome – especially when it comes in such spectacularly fiery form,

well worthy of Melville's truth-speaking Father Mapple.

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