

**Center for Judicial Accountability, Inc. (CJA)**

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**From:** cja@judgewatch.org  
**Sent:** Saturday, June 25, 2011 8:07 AM  
**To:** 'StarQuest@nycivic.org'; 'Morgan Pehme'  
**Subject:** CORRECTION/CLARIFICATION -- RE: Judgment Day  
**Attachments:** 5-23-11-ltr-apptng-authorities.pdf; 06-23-11-to-gov-appointees.pdf

Dear Mr. Stern –

What is the basis for your writing in your yesterday's NY Civic column that Chief Judge Lippman is turning out to be a "wise judge"?

Would a "wise judge" have ignored – as Chief Judge Lippman has – the testimonial and documentary evidence of corruption presented and proffered by witnesses at the June 8, 2009, September 24, 2009, and aborted December 16, 2009 Senate Judiciary Committee hearings on the Commission on Judicial Conduct and court-controlled attorney disciplinary system?

To date, there has been NO investigation, NO findings, and NO committee report as to that explosive evidence – and this was brought to Chief Judge Lippman's direct attention by CJA's May 23<sup>rd</sup> letter to him – to which we have received NO response from the Chief Judge or from any of the other indicated recipients, including his patron and childhood friend, Assembly Speaker Silver. In the event you have not yet read CJA's May 23<sup>rd</sup> letter – about which I spoke with you briefly on June 16<sup>th</sup> – here it is again, as well as CJA's follow-up June 23<sup>rd</sup> letter.

To further assist you in informing NY Civic readers about the Senate Judiciary Committee's 2009 hearings and the (dys)functioning of the Judicial Compensation Commission – neither yet reported by you – here's the direct link to the "Latest News" webpage of our website -- <http://www.judgewatch.org/web-pages/cja/latest-news.htm> --from which you can access the relevant documentation referred to by our May 23<sup>rd</sup> and June 23<sup>rd</sup> letters.

Thank you.

Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)  
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**From:** StarQuest@nycivic.org [mailto:StarQuest@nycivic.org]  
**Sent:** Friday, June 24, 2011 5:33 PM  
**To:** Elena Sassower  
**Subject:** Judgment Day

**Legislature Brooded All Week,  
But Has Yet to Lay Any Eggs;**

# Friday Eve, Low Expectations

By Henry J. Stern  
June 24, 2011

We have been waiting all week for the Legislature to act on the major matters before it, which are supposed to be concluded by the end of this session.

It is late Friday afternoon and we believe that our writing week and your working week are likely to close before the unresolved, or secretly resolved but unpublished, issues are brought to a vote in Albany.

The New York State Legislature is not, however, the only deliberative body unable to reach prompt agreement on matters that await its consideration. For example, the United States Congress and the Obama administration are nowhere close to a method of dealing with the crisis when the national debt runs up against its statutory limit, now about 14 Trillion 294 Billion dollars. This is expected to occur on Tuesday, August 2.

Fortunately, the date can be manipulated slightly more than the date the next asteroid will strike Earth, with cataclysmic consequences. (BTW, and to his credit, it was former Congressman Anthony Weiner who did his best some years ago to get funds for [asteroid research](#) in the Federal budget, for which he was ridiculed at the time. Wait until the Last Days, when Congress will wish they had listened.)

At any rate, the date of the collision with the debt limit is now 39 days away, and the news stories are about people pulling out of negotiations, rather than joining in to solve the problem. One reason for this is that you get just as big a story by saying 'No' as saying 'Yes' to anything, and you're not responsible for a tax that doesn't happen. Another reason is that it is considered too early to appear weak - the rule of the playground.

Inability to agree does not stop at our nation's borders. The Iraqi democracy that we installed at great cost (Trillions of dollars and Thousands of American lives) has been paralyzed by internal rivalries, some over twelve hundred years old. The European Union is plagued by the inability or unwillingness of Greece and other countries to balance their budgets and reduce entitlements. The forces that drive people and nations apart are often based on greed or self-protection,

which are two sides of the same coin. What is self-protection if I do it is greed if you do it.

The paralysis caused by inability to reach agreement is a world-wide problem. Democracy is not a cultural tradition in most of the planet we inhabit. We didn't have it ourselves before two centuries ago, and even then it was limited to white male property owners. Our sincere efforts to encourage and propagate democracy remind one to some extent of the labors of Christian missionaries who went to darkest Africa in the Nineteenth Century to spread the Word of the Lord by converting the natives to European religions. Those preachers of the Gospel had considerable influence in some countries, and probably did more good than harm, however they have endured in modern popular culture only in images of their being boiled in large pots before being devoured by the natives, and in the phrase 'the missionary position', now part of our language.

The more one leaves the prism of New York City and State and looks at the outside world, the easier it is to conclude that human behavior is to a greater extent based on primal instinct rather than European Enlightenment, a period which was unfortunately interrupted by World Wars I and II, where modern technology was put to use to kill people on a wider scale and more efficiently than in previous or future conflicts, say Rwanda, where people of the minority tribe (the Tutsis) had to be trapped in their huts which were set afire, or hacked to death one by one with machetes.

The conclusion one is tempted to reach after this extremely brief survey of human conflict in recent years, is that perhaps the Albany circus is not quite as bad as we think, compared with other methods of dispute resolution. Even though most of the players are narcissists and some are also thieves, the damage they can do to any of us common folk is limited by the state Constitution, as interpreted by the Court of Appeals.

There will always be squabbles over the allocation of government resources, and the role of the state in taking from one group (homeowners and other taxpayers, large and small) for the benefit of other specific groups (state employees, Medicaid recipients, prisoners and their guards). The political parties represent somewhat different slices of the economic spectrum, so some disagreement is inevitable and predictable. That's why we have elections.

Without giving any of these characters a pass on anything, and with some amazement that the human rights issue of gay marriage (whether one likes it or not), became a tail to economic disputes primarily involving state employees, we reserve judgment until the elected officials finish their deliberations. There will be plenty to write about then.

### **Philosophical Addendum**

Since the preference of the Almighty has been raised so frequently in the gay marriage dispute, we venture to offer two thoughts on the subject by someone who has no unique knowledge of the issue.

If the Lord had meant for two people of the same gender to reproduce, s/he would have made that physically possible.

If the Lord had meant for two people of the same gender never to mate, s/he would have made that act physically impossible or at best extremely unpleasant for both partners.

These questions have been decided by Nature, and whether or not same-sex couples are allowed to marry will not affect Nature's Laws, which are frequently attributed to God since they were surely not made up by humans.

### **Calendar Issues**

Weekend consideration of legislation may be affected by the fact that Speaker Sheldon Silver is a Sabbath observer, while sundry other legislators consider Sunday to be the Lord's Day, which may or may not be an appropriate time to make laws. Since the longest day of the year (the summer solstice) came just two days ago, the sun will set later this Friday than on any other Sabbath. The internet ([timeanddate.com](http://timeanddate.com), successors to the almanacs) tells us that the sun will set this evening at 8:31 p.m. We do not know at this time what effect that fact will have on deliberations.

In negotiations where agreement is close but has not yet been reached, it has become customary to stop the clock, so as to postpone strike deadlines until remaining problems are resolved. But those are earthly clocks, and we do not know whether the Heavenly clock may be held in abeyance, even by the Most Dysfunctional Legislature in the United States.

However, the Sabbath rules have exemptions for works of necessity, or the saving of a life, so it is possible that the authorities would countenance the legislative session stretching into the prescribed Day of Rest. Although Speaker Silver deserves credit for helping Jonathan Lippman to become Chief Judge of the State of New York, and a wise judge he is turning out to be, we cannot reckon the Speaker's influence with the Heavenly Court which presumably decides matters of this magnitude.

Enjoy the weekend.

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