

Doctrines of Injustice

Monday, August 31, 2009

Legal Slave Culture

By Vigdor Schreibman

The Legal Slave Culture of the United States is supported by an absolutely illegitimate monopoly of lawyers over legal services for indigent corporate litigants established by the Supreme Court of the United States.¹ What is the purpose of this monopoly?

Effective legal services for indigent litigants are not guaranteed in the market where legal services are offered. Such legal services are highly unlikely to be available. Establishment of this monopoly lacks clear and explicit statutory authority.

The rule governing the practice of law in the Commonwealth of Puerto Rico under 4 L.P.R.A. § 740, similar to the federal rule governing appearances in court under 28 U.S.C.A. § 1654, does not bar corporate self-representation based on their own specific statutory limitations. Those rules do not determine whether a corporation can be relieved of the duty to appear by a lawyer in appropriate circumstances.²

Roman, English, and American **common law** based on a principle of justice handed down over the past fifteen centuries embraced a distinctly democratic policy of access to court and legal representation. This principle of justice is now blocked by the Legal Slave Culture.

Courts have no power to establish an implicit monopoly, which is clearly contrary to antitrust law.³ Accordingly, Courts are without jurisdiction to impose this monopoly!

The imposition of a monopoly of lawyers over legal services that are critically needed by an indigent corporation is **a sham**, preventing effective access to Court,⁴ violating antitrust law,⁵ and violating equal protection.⁶

¹ Rowland v. California Men's Colony, 506 U.S. 194 (1993) (Justice Thomas, with whom Justice Blackmun, Justice Stevens, and Justice Kennedy Join Dissenting); In re Las Colinas Development Corp., 12 COLLIER BANKR. CAS. 652 (Bankr. D. Puerto Rico 1977), appeal dismissed, 446 F. Supp. 141 (D. Puerto Rico 1978), *aff'd*, 585 F.2d 7 (1st Cir. 1978), cert. denied, Vigdor Schreibman and Las Colinas Development Corp. v. Walter E. Heller & Co., 439 US 1063 (1979) (exception noted, "Mr. Justice Stewart would grant the motion" [for leave to proceed in forma pauperis.]).

² A. Victor & Co. v. Sleininger, 9 N.Y.S.2d 323, 326 (N.Y. App. Div., 1939), *reh'g denied* 11 NYS2d 548, *quoted with approval* In re Holiday's Tax Services, Inc., 417 F. Supp. 182, *aff'd mem.* 614 F.2d 1287 (2d Cir. 1979); In re Victor Publishers, Inc., 545 F.2d 285, 286, n.* (1 Cir. 1976) (citing cases); In re MSD Woodworking Co., Inc. 132 B.R. 631 (Bkrcty. D.South Dakota 1991); Fraas Survival Systems, Inc. v. Absentee Shawnee Eco. Develop. Auth., 817 F.Supp. 7, 9-11 (S.D.N.Y. 1993) (applied to corporations an without other non-individuals)..

³ 15 U.S.C.A. § 3; 10 L.P.R.A. §§ 258-260, 268, U.S. v. Philadelphia Nat. Bank, 374 U.S. 321, 350-51 (1963).

⁴ See e.g., Clipper Express v. Rocky Mountain Tariff Bureau, Inc., 690 F.2d 1240 (9 Cir. 1982); Wilmarite, Inc. v. Eagan Real Estate, Inc., 454 F. Supp. 1124, (NDNY 1977); Cf. California Motor Transport Co. v. Trucking Unlimited, 404 US 508 (1972).

⁵ See authorities cited, *infra*, note 3.

⁶ 1 L.P.R.A. Preamble, & Art. II, § 1, 7, Molina v. U.R.H.C., 114 D.P.R. 295 (1983) (per curia) 14 Official

The Supreme Court must abolish this absolutely illegitimate doctrine, as soon as a new balance of value-directed decision-making is reestablished. Otherwise, we must conclude the American Courts of Law are deliberately engaged in treason against the constitution,⁷ converted into Courts of Despotism, as feared by the two leading statesmen who devoted their lives to establish Democracy in America during the 19th century: the first Democrat, Thomas Jefferson,⁸ and the first Republican, Abraham Lincoln.⁹

Translations of Opinions of the Supreme Court 382, 387, 397-402 ("classification based on [a person's poverty] should be regarded with suspicion and be strictly scrutinized.").

⁷ Cohens v. Virginia, 19 U.S. (6 Wheat.) 264, 404 (1821).

⁸ T. Jefferson, "[Letters on Liberty and Power](#)" online in FINS.

⁹ A. Lincoln, First Inaugural, "[Judicial Supremacy](#)" online in FINS.