

# Who Does The Law Serve?

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When my book (with Lawrence Stratton), *The Tyranny of Good Intentions*, was published, progressives and the left-wing refused to believe that the rich suffer frame-ups from prosecutorial abuse. Their response was that law is controlled by the rich and functions in their service. Only the poor and minorities suffer at the hands of the law.

The political left knew that Michael Milken was guilty, because the rich “junk bond king” financed takeovers of corporations that threw workers out of jobs. Leftists accepted the Justice (sic) Department’s fanciful claim that the Exxon Valdez oil spill was a criminal act, not an accident for which civil damages were the remedy. Leona Helmsley was guilty, because she was a rich bitch. So was Martha Stewart. The left-wing was firm: all rich white people in prison are guilty, and the only reason they are in prison is that they are so obviously guilty that the system couldn’t let them off. In other words, they were so audacious in their crimes that the crimes couldn’t be covered up.

The same mentality now dominates discussions of the Dominique Strauss-Kahn case.

Strauss-Kahn, who was at the time of his highly publicized arrest the head of the International Monetary Fund and the expected winner of the next French presidential election, was arrested on sexual abuse and attempted rape charges on the word of an immigrant hotel maid in New York.

Whereas the police are required to respond to charges by questioning the accused, they are not supposed to make a public spectacle of him in order to create the impression that he is guilty before he is even charged. Yet DSK was arrested aboard an airliner as it was about to depart for France and portrayed by the police as a fleeing criminal. Photos were released of him in handcuffs and stripped of his business attire.

The judge refused bail to one of the West’s most high profile persons on the basis of the prosecutor’s statement that DSK would flee the country and hide out abroad. All of this quickly was passed to reporters, who obliged the prosecutors and police by portraying DSK as obviously guilty as he was apprehended fleeing from the country.

The police even planted the story that DSK was in such a hurry to flee that he left behind his cell phone and that that is how they found him. This was a ball-faced lie. The fact of the matter is that when DSK arrived at the airport, he discovered that he had left his cell phone and called the hotel, the scene of the alleged crime, to ask that it be retrieved and brought to him at the airport. When the police boarded his flight, he asked them, “Did you bring my cell phone.” He had no idea the police were there to detain him for questioning.

DSK's treatment raises serious problems for the leftist myth that law serves the interests of the rich and powerful. If law was the preserve of the rich and powerful, DSK would never have been taken off a departing airliner and made a public spectacle on the basis of an immigrant hotel maid's accusation. The airliner would have been allowed to depart and the case would not have been pursued. If the maid's story was ever reported, the police would have dismissed it as the story of a hysterical person or a person out for money. In the unlikely case that the police were pressed by reporters, the police would say that DSK had left the country before they could find him and that they were arranging to question him in France. In the very least, DSK's detention would have been very discreet, and he would have been given the benefit of "innocent until proven guilty" and granted bail.

Clearly, in DSK's case, the law is not serving the rich and powerful. Moreover, there are powerful biases against him. Feminists "know" that DSK is guilty, because "all men are sexual predators." Progressives and leftists "know" that DSK is guilty, because "as a person of wealth and power, he is used to getting away with everything."

When it became known that the police had "found" DSK only because the alleged fleeing suspect telephoned the hotel and asked for his cell phone, leftists did not wonder why the police had painted DSK guilty with a false story. Instead, they explained the alleged criminal's revelation of his whereabouts on the basis of their myth that as one of the rich and powerful, he expected to be able to rape women at will with nothing ever done about it. Soon the story was that attempted rape was ordinary behavior on DSK's part. But leftists did not explain why this time the law failed to protect him from a hotel maid when it had protected him from higher placed women.

As readers know by now, I have little patience with those who let their emotions determine their analysis. Let's look further at this case. It is a known fact that Sarkozy's political operatives in France knew of Strauss-Kahn's arrest *before* it was announced by the New York police. French, but not American, newspapers have wondered how this could be.

Perhaps the hotel maid thought to call up Sarkozy's people and tell them.

Note also that the alleged victim has a very high-priced major league lawyer representing her that she not only does not need but also obviously cannot afford to pay. It is not up to the maid to prosecute the defendant. That job is done at public expense by the New York attorney general. The alleged victim has another high-priced lawyer in France whose job is to round up Strauss-Kahn victims among French women with the prospect of sharing in a settlement.

These facts mean one of two things: The "victim" is after money, not justice, and the lawyers are operating on contingency with shares in a settlement between DSK and whatever the collection of women turns out to be. Alternatively, Strauss-Kahn was set-up, as he predicted that he would be, but there is no evidence other than a disheveled woman performing for the hotel security camera. Therefore, whoever is behind the set-up sent the fancy lawyer to the maid—certainly the emigrant maid would not have known how to find such a lawyer—with the instructions to drive the case toward settlement.

The public regards large financial settlements as evidence of guilt, and thus a settlement is all that is needed to terminate Strauss-Kahn's career. The left-wing would scream that money again had defeated justice. As DSK has already been convicted in the media, he no

doubt would welcome a settlement rather than risk a trial by jurors prejudiced by the media.

A settlement, of course, has to be blamed on DSK, not on the maid or her attorneys. This is impossible to do, because if the maid was not after a settlement, she would not have two attorneys driving the case in that direction. How to pull this rabbit out of the hat?

If CounterPunch's accounts are correct, Harvard law professor Alan Dershowitz has stepped up to frame the story. If a crime actually occurred, a settlement between the two sides' lawyers would be obstruction of justice, itself a crime, and the lawyers know it. But the maid's attorneys know that the big money belongs to DSK's wife, not to DSK.

This rules out the maid getting much out of a civil suit for damages following a felony conviction of DSK. To get a settlement, the maid needs to get money from DSK's wife by agreeing not to testify, thus collapsing a trial. The path to a settlement, Dershowitz, says, is for DSK's lawyers not to negotiate with the maid or the maid's lawyers, but with the maid's family as long as it is done outside of New York and her home country of Guinea.

Notice that in Dershowitz's explanation, it is DSK who initiates the settlement talks. Dershowitz says that the maid's lawyer "may want to see justice done, but ultimately, money is more important." If justice were the goal, the maid would not need a lawyer.

So who is using the law against who? In the event of a settlement, the left-wing will say that DSK or his rich wife bought his way out of a crime. They will not consider the possibility that the law served an immigrant maid who bilked a wife out of millions of dollars and destroyed the reputation of a member of the establishment who was in the way of those more powerful than he.

The only way the left-wing's myth about law being the servant of the rich can be saved is by seeing the case as a set-up of DSK by someone who is richer and more powerful than he is. This someone could be the current president of France and the financial and political forces behind him, which includes the US government for which Sarkozy has been a reliable puppet.

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