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On The Social Dynamics of Public Policy Under The  
Theory of Cognitive Relativity

During my past 25 years of solitary confinement in administrative segregation (Ad Seg) I advocate for basic human recognition for us caught in the criminal system. A majority of that time found me litigating civil rights lawsuits in the federal courts.

Although I write this as an advocate and pro se litigator, and the issues that I advocate are an integral part of this paper, I will decidedly not attempt to relitigate those issues here.

Instead, if I am able to convey to you what I want to say, all of the things I claim to have occurred will be made in general terms only as my personal account of events affecting prison conditions. And more importantly, the effect to society and persons confined.

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The following segments will incorporate two topics, better ways to operate; and what works, what doesn't work, and why. Throughout I will give you my expression of a novel theory I consider my intellectual property which I termed Theory of Cognitive Relativity. I will also give you my hypothesis (standard of review) on how to implement that theory. The hypothesis tests the validity of methods in which facts are considered.

The theory is termed as a third theory of relativity because each of the three theories have relatively the same postulate. Specifically, the two theories in physics postulate basically that the laws of science apply the same to anyone regardless of their frame of reference.

The third theory postulates that the laws of cognition (rules of construction as an example) apply to anyone regardless of their frame

of reference. One frame may be a system of thinking.

Any human activity may fairly be categorized as systematic and falls under a system of thinking extending to the notion that people conform or not conform in a relatively similar way. Such conformity being a product of our thoughts.

In this way we all view things in a relatively similar way. The aberrations of thinking we are all now witnessing in society are our deliberate construction of facts that we deem are beneficial to us but do not represent what occurs.

- Under my theory the rules of cognition apply to everyone the same.
- Under the doctrine of probability anyone asked would agree that rules in general should apply evenly.

Nevertheless there are contradictions between the way the laws and rules of this society are designed to be applied (equitably) and the way they are applied (disproportional).

The sole impediment to a solution in our current system of thinking under the theory of cognitive relativity is that society refuses proportionate responsibility for what occurs in society. Without cognitive relativity our tendencies compels us to resist acknowledging things perceived as placing ourselves negatively. Individuals or groups all possess a distinct peculiarity crippling our ability to even detect flaws in ourselves or our groups.

The solutions to address every single occurrence of inequity in our society are simple. The solutions to social acknowledgment of the source of inequity and its consequences, not so simple.

As it currently stands our entire social system is stuck in a vicious cycle of events where we, in perpetuity, vainly attempt to put out the flames of the effects of our inequitable conduct while simultaneously pour gas on the cause.

It just may be that the most judicious course in evaluating social

policy would be to focus less on labelling something good or bad and instead focus on logic and reason .

To that end I will give you my hypothesis to implement my theory on Cognition .

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The standard of review is simply logic and reason . Upon outlining my hypothesis I will give you facts regarding the conditions of my confinement and attempt to correlate them to other inequities in Society .

In the context of this paper I will describe logic as pertaining to the principles and methods of reasoning and reasoning as the methods to apply that logic .

The methods to apply reasoning to the issues will be two methods of deduction .

The two methods of deduction are deduction a priori and deduction a posteriori . These are the standard of review for the issues under the theory of Cognition .

The standard in this sense is separate from defining deduction as being in the same sense as deductive being a priori and inductive being a posteriori .

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In our social system of thinking , in all of society including each branch of government , we operate under the a priori deduction method . That is , rightly or wrongly , we all reason from a known or assumed cause (conclusion) and then reason towards the facts (effects) .

And this is all good when the facts are not in question . But , as it has become more fully apparent , the facts are in question in every

aspect of our existence.

Then, you would assume that if you were to employ the a posteriori deduction method it would be resolved. And most of us probably believe that we all consider facts before making a conclusion.

But even this won't work.

It seems like common sense would dictate that under the a posteriori method where you start with the facts (effects) and then work to a conclusion (cause) you would have an accurate description of an occurrence because then your conclusion would be supported by facts.

Still, in our social system of thinking, our facts are only what we perceive to benefit us or align with what we already believe as it relates to what we consider.

A vast majority of the time our facts have no correlation to actual occurrence. We know it and in some instances we will defend it til the end.

And one most incredible result is that things occur on a continuous basis. Things such as to violently shock our senses. But still, because our flawed reasoning we cannot connect the current shocking occurrence (because we reason that the cause is something else) to other shocking occurrences, and are thus stuck in a vicious cycle regarding the correlation to cause and effect.

"When people who are determined on a mode of conduct which they know to be wrong, they feel injured by the expectation of anything better from them" (Jane Austen Circa 1811).

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This is my first attempt to put my theory down in writing and I haven't spoken of it. Although I occasionally discuss similar things in snatches.

Thru the previous 25 years in solitary confinement I've tried to

make sense of my prior acts. Eventually I realized that my actions were a rejection of particular social norms though I wasn't conscious of what they were or of my rejection of them.

From the start of public school until about age 45 I experienced an overwhelming repulsion in the follies involving accepted as normal social behavior without ever being conscious of it.

The paradox of having a desire to fit in and seek esteem from those I unknowingly detest during an entire 40 year span is what set my course of non-conformity.

Other people with similar circumstances are representative of segments of society who cannot conform to hypocritical follies in social behavior which are woven into the fabric of society.

I've experienced repeated instances of persons in prison who possess dignity and who are invariably more harmed proportionately by human folly and consequently fall further into the depths of social judicial and correctional systems at the hands of persons of power.

Invariably persons of power in these instances defend the systems perpetuating inequity while greatly influencing society to stigmatize and deplore those of inferior means who oppose it.

Thus, an entire class of persons exists in a state of horror in our social institutions.

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At the beginning of my current confinement I had to literally start from scratch. I didn't know how to structure my thoughts or that there were even such things.

During my exertions I began to accrue a notion regarding the cognition governing our existence. Eventually I began to develop a method of deduction and noticed how social institutions were in an unmitigated power to (and they do) invoke crippling stigmas on classes of people with inferior means.

Simultaneously I developed methods to test the validity of reasoning and supporting facts of persons in positions of power who implement public policy. At the same time I developed methods to establish facts independent of public favor which accurately correspond to what actually occur.

In this way I was able to see that, as in the theories of relativity in physics, my theory of cognitive relativity was an accurate measure to every person in any circumstance.

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This segment will give you some facts concerning the conditions of my confinement involving acts of criminal conduct by persons in positions of power who reason that their acts are in accordance with accepted social behavior. I will attempt to correlate that with other social inequities to show the heinous implications of our social acceptance of it.

Upon my arrest for events attendant on an escape I was taken in federal custody for a bank robbery. I was sentenced to 342 months which meant that I would have to serve about 25 calendar years in the federal criminal system.

The federal sentence was stacked on top of (consecutive to) a 35 year state sentence I was serving at the time of the escape.

The portion of my sentence which stated that I would serve the sentence consecutive to the 35 year sentence was as legally binding and significant as the portion of my sentence which stated that I would serve 342 months.

The point here is that under the letter and spirit of the law, someone at a later date couldn't arbitrarily decide that 342 months was too much or too little and change it.

Any more than someone arbitrarily deciding that the sentence would be served in any order other than 342 months consecutive to the 35 years. Although that's precisely what occurred.

Having received my federal sentence in July 1996 I was sent to the U.S. Penitentiary at Leavenworth.

After about a month I was told a mistake was made and the state of Texas was demanding that I be returned to them to finish the 35 year sentence first.

It was incredible that the bureaucracy of federal and state prison administration would ignore or refute the order of a federal judge and it wouldn't have occurred unless they knew prior that it was arranged.

Yet still in September 1996 my transfer from Leavenworth to a Texas prison in Huntsville occurred.

During an intake interview with a psychologist I related to her that I possessed a print-out of my current status relating to parole eligibility. I informed her that the news media made an issue of my parole eligibility at the time of the escape with the eligibility extending to the present.

I informed her that in accordance with the law applicable to my sentences Texas reformed me under false pretenses because my state sentence was completed. And that according to the terms of my federal sentence I was supposed to be serving that sentence. I gave her the details of how, under the law, on the date I became eligible for parole (no need to be granted parole) my 35 year sentence ceases to operate and on that date begin the next of consecutive sentences.

As there were extensive under the table legal duplicities to get me back to Texas to begin with, the psychologist immediately saw the implications.

What followed was the most remarkable thing you ever saw.

Her eyes became wide and she sprang from the chair like a jack-in-the-box. She seized my arm pulling me out of the chair and implored me to step through her office door into the general population prison hallway.

Even stepping into the hallway in this manner had extra significance because of my high security level. I must always be separated from

general population prisoners. Anytime I leave my cell I must first be placed in restraints (handcuffs) and escorted by at least two guards armed with riot batons.

This is because you can't defend yourself if attacked while being escorted in restraints.

Otherwise these procedures are strictly adhered to at all times.

As our interview developed in this way it emphasized to me the scope of attention the psychologist was under from the highest levels of prison administration.

I'm sure that upon reflection she would've just waited until the guards arrived to escort me from her office and used her office phone.

But as she perceived the urgent need to speak without me hearing it she asked me to stand on the hallway wall unescorted and restrained as other unrestrained prisoners traversed up and down the way.

Keeping me in sight she walked down the hallway a short distance to a guard station with a phone.

Needless to say I watched her the whole while as she talked on the phone, keeping an eye on me and wildly gesticulating at me as if the hearer could see.

A few weeks later, after arriving at my unit of assignment, a high level prison official informed me with a smirk that a disciplinary case issued against me in absentee dated before the date I received my federal sentence. The implication was that I couldn't claim I was eligible for parole at that date and therefore still serving the 35 year state sentence.

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All of my legal work and reference material withheld from me during the past couple months (which is against federal law and prison regulations) requires me to write this entire essay from memory.



I don't recall the date but near 1998 I filed a lawsuit in federal court claiming that the prison violated my constitutional rights in their conjuring a disciplinary case against me thus causing me to serve again a sentence I already served.

During this time I had very little knowledge of the law and I was over my head so that I didn't revisit the issue when the judge took my money for the filing fee and threw my case out of court.

The date I spoke with the psychologist was several months after the date I received my federal sentence. According to the prison's records, on the date with the psychologist I was a 54 status currently eligible for parole.

A few weeks after the date with the psychologist, the prison's records reflected I was not a 54 status and not eligible for parole predating my federal sentencing.

Despite the federal judge throwing my case out, I presented legitimate due process concerns regarding the disciplinary procedures and given an opportunity I could've shown that because computerization of the disciplinary system, a disciplinary case could not issue and not enter the system on dates as the prison claimed. The system automatically changes a prisoner's status relating to parole eligibility and classification on the date disciplinary measures issue with specific safeguards against anyone preventing it.

The whole point in recounting this series of events to you is not to emphasize that I was harmed individually by it, though I was. But to attempt to demonstrate how these things occur and by implication show their cumulative effect. Especially relating to judges and persons in positions of power.

These persons have a responsibility and duty to protect citizens from harm against government criminal conduct. Who instead elect to take action in furtherance of it.

I will give you other instances of federal judges having knowledge of criminal conduct of prison authorities who took measures to further it. And correlate the cumulative effect of such conduct as being

far more detrimental to society than conduct of individual citizens.

And how these methods of reason and resulting actions by government actors should not be treated any less criminal than conduct of individual citizens compelled into crime by the effects of such governmental conduct.

When we do, we cannot stand there with a straight face and say, time after time, that we don't understand when news reports every day mass shootings and other rampages.

The disparities and inequities under the law are so inescapable and people can't bear it.

You may say that you don't buy it for a minute. That you know of many instances of people committing such rampages who haven't a single previous encounter with law enforcement much less the courts. Or that you know instances where persons of a favored class disadvantaged by the criminal system and conversely a disadvantaged person benefit. But those are exceptions and are thus not considered here.

I choose sets of circumstances involving the criminal system out of an infinite source because they have such ubiquitous ramifications in society and which I have personal knowledge.

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The courts position themselves as arbiters of social reasoning through its findings of fact and conclusions of law reasoning process.

With the emergence of social awareness via the internet the disparities in such reasoning and its effects becomes more readily apparent.

The favored need not ever been in a court to reap its benefit and the disfavored need not ever been in a court to be crushed by its oppression. The ramifications of judicial process regulate each aspect of society.

It's no wonder some of those who study human conditions increasingly find that courts and law enforcement are security forces and collection agencies for one class against another.

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This segment will show you how, during my current incarceration, I compiled a chronology demonstrating our current criminal system, in concert with other social systems, are not equipped to address social inequities - Viewed from a frame of reference through the theory of cognitive relativity, our current social system of thinking prevents it.

For an example, social cognition under our science of social psychology relies chiefly on consensus in evaluating behavior. The instances of behavior who most perpetuate inequity rests on psychological methods of persuasion to achieve consensus. Those who perpetuate inequity in these instances are invariably positioned to influence consensus to a high degree. Thus in any claim of inequity the argument becomes circular.

The following is a synopsis of particular events demonstrating systemic failure to address social inequities.

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A Texas prisoner David Ruiz took a landmark civil rights § 1983 lawsuit against the Texas prison system (TDCJ).

It covered every aspect of prison conditions and forced TDCJ into sweeping changes.

One notable change was TDCJ's use of prisoners for control. These prisoner police known as building tenders maintained control through violence. Brutality and murder were mainstays.

All issues encompassed in Ruiz were representative of TDCJ's operations spanning a number of decades and flourished under state and federal judiciary until Ruiz.

The exception in Ruiz is that the judge went against the unwritten judicial rule unique to prison litigation. That is, the judge accepted facts as they were a true and accurate representative of what occurred as presented by Ruiz and then applied the law according to those facts.

Under the unwritten rule judicial findings of fact do not accept a legitimate prisoner claim as true and its findings do not correlate to an accurate record of events representative of what actually occurred.

The reforms achieved under Ruiz remained in effect from the mid 80's until 2005 - The federal law and promulgated prison regulations are still in place but not observed.

The political and ideological posture in Texas is to such a violent extent against particular classes of people. Consequently federal judges who I experienced seem apologetic as to one of their own having decided a case against the prison in such a manner. They are therefore willing to take any measure against prisoners to nullify Ruiz.

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January 2005 began TDCJ's nullification of Ruiz by methodically and incrementally refusing or coercing prisoners to refuse recreation, prescribed meals, showers, medical care, adequate heating and ventilation, access to courts and legal materials, mail service and any other provision for prisoners under Ruiz.

By 2010 nearly all provisions were non existent in any practical way. TDCJ confined most prisoners in Ad Seg to their cells 24 hours per day. Recreation consisted of pacing small cells three steps back and forth. Showers consisted of bird baths from the toilet. This being my present condition.

During 2009 thru 2012 I filed a civil rights § 1983 lawsuit and appeal in U.S. district and appellate courts claiming that TDCJ implemented unwritten policies supplanting promulgated prison policy and federal law to deprive me of basic life's necessities continuously and over prolonged periods.

The provisions of which I claimed to be deprived were the ones listed three paragraphs above. In addition to a claim of retaliation.

Contained in my pleadings were claims that the defendants' refusal to

provide me basic life's necessities continuously and over prolonged periods were deliberately indifferent in violation of my constitutional rights and consequently I suffered irreparable physical and mental damage.

According to rules governing pleadings my claims were well pleaded and should've been allowed to proceed.

Instead, the district court applied the unwritten rule. Its facts were not supported by the record or anywhere else except the judge's own reasoning.

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At or near 2013 I began notifying the United States Department of Justice (DOJ) of TDCJ and the judiciary's nullification of the Ruiz decree. I described how TDCJ reinstated their building tender system and that they were paying them in prison currency including drugs and sexual favors.

In this way TDCJ sets up the prison gangs and other prisoner police (building tenders) to enforce whatever scheme TDCJ may choose by providing the prisoner police the means to control the dialogue and commerce amongst prisoners.

In this manner the prison guards who manage the prisoner police dictate commerce and dialogue.

The ingenuity of this is that the building tenders' sense of self and exultation in addition to esteem with a high station amongst themselves and the guards who manage them assures mutual preservation. The guards will give up the game before the building tenders.

And the irony is that the prisoner police who perpetrate "the game" enables TDCJ's refusal to provide basic life's necessities to all prisoners including building tenders.

TDCJ's control of the dialogue thru building tenders profit in the chilling effect when they label prisoners who refuse to participate in TDCJ's schemes as snitches and conversely label the prisoner police as gangsters, an endearing term amongst prisoners.

Like most people throughout society, prisoner police reason with alternative facts and thus able to make like they are against TDCJ (gangster) while in fact they go about enforcing TDCJ's business (snitches) .

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Not only do the building tenders work with TDCJ against fellow prisoners, they work with TDCJ against other TDCJ personnel .

At my last count TDCJ had a yearly expenditure of 3-8 billion dollars . A large percentage of that goes to the prisons . In turn a large percentage of that is spent to enable themselves to divert funds allocated for humane prison conditions into means to achieve the opposite .

In one instance TDCJ uses the pretext of staff shortages to not perform duties for prisoners . They spend untold millions advertizing all across the state for hiring employees . Simultaneously they spend no telling how many more millions in man hours and resources to position building tenders with TDCJ against other TDCJ personnel who are made to quit or face sacraificial firing to keep the turn-over rate high .

TDCJ puts to practice the same type of schemes with the building tenders spending exorbitantly on man hours and resources to create terror in prison by targetting others with violence and death . Simultaneously they spend like no tomorrow to produce videos and other types of pretexts to purport TDCJ promotes safe prisons .

My incarceration over the years positioned me to observe TDCJ walk around with savant syndrome satisfaction in their design and circumstance schemes of havoc for capitalization which govern each aspect of prisoners' existence .

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At or near 2018 I filed suit against the U.S. Attorney General and DOJ claiming that they conspired with or acquiesced in TDCJ's actions which they knew had previously and continue to occur and had the

power to prevent. And that they had a fiduciary duty of trust and a duty under the constitution to faithfully execute the law in this instance.

The judge applied law that really didn't fit and found that basically the defendants had prosecutorial discretion whether to act in my case.

This finding may seem valid on a first look but it would not withstand a closer look for various reasons. I'll give you two which are readily apparent.

First, in my pleadings I sued the defendants in their administrative, investigative and enforcement capacities. Specifically not in their prosecutorial capacity.

Second, and more important, government officials do not have discretion to make decisions which violate clearly established constitutional rights.

The defendants' decisions to not enforce the law in this instance violated my clearly established constitutional rights. Harm to citizens from government failure to protect is actionable under the civil rights laws of 1866 and 1871 (as amended) and certainly not a frivolous claim.

Still, the judge made his findings under the Prison Litigation Reform Act (PLRA) which governs prisoner lawsuits. The PLRA states basically that judges must screen prisoner suits and prosecute ones deemed frivolous.

Under the practical application of the PLRA I do not have a First Amendment right to petition the government for redress (or any other constitutional right) because the government prosecutes me when I do.

In my 2010 lawsuit against TDCJ the judge in one instance found that my claims of an occasional denial of recreation or showers were not a constitutional violation and therefore frivolous. I never made that claim nor is it in the record. Nevertheless, the judge prosecuted me under the PLRA for it.

During all my years of litigation involving criminal or unconstitutional government conduct, each valid claim I submitted to federal courts ended the same. The courts took facts representative of what I claimed.

and reapportioned them to mean something else and then either prosecuted me under the PLRA or just dismissed the suit for not making valid claims.

In each instance my claims were valid legal claims with precise phrasing from binding legal precedent where the facts fell directly under the purview of the precedent mandating remedies for my claims.

The decisions in these instances are representative of broader psychological tendencies throughout society affecting inequities.

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In a situation unique to me during my 26 year Ad Seg confinement, TDCJ isolates me by housing me only with their building tenders. At first as retaliation for an escape and then for advocating legitimacy in government. These are policy decisions from the executive director level and accordingly concealment measures are taken.

One measure particular to me is that each time TDCJ transfers me to another prison, they transfer the entire cell block of prisoners at once.

This is a consequence of TDCJ transitioning from one phase of a scheme involving me to another. The dispersion of the building tenders who are not participating in the next phase of TDCJ's scheme inhibits identification and aids in concealment of the previous phase as it relates to me.

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During my last unit transfer in September 2019 TDCJ took me on what they considered a gangster ride.

TDCJ placed me in a transfer bus handcuffed, hands chained to my waist and leg shackled. Completely immobile and unable to defend myself, TDCJ bussed me with building tenders, readied beforehand, and versed in what was about to occur.

Building tenders seated on either side passed homemade knives across me to two others seated adjacent.



All of a sudden the two with knives in a violent bloody attack commenced to stabbing another building tender who was sitting less than 10 feet directly in front of me .

It ended as quickly as it began and everyone including the guards pretended not to see anything and went on like nothing was amiss .

After travelling another 10 minutes this way with the guy sitting there bleeding , without one spoken word or even a look the guards turned the bus around and took the bleeding building tender back to the departed unit and then took the rest on to the destined unit .

I later discovered that TDCJ staged the event to send me a chilling message and that the one stabbed routinely cut his arms to cause the most bleeding without sustained serious injury in order to receive additional special treatment .

TDCJ coached the attackers in advance how to palm the blade to extend an eighth inch from their thumb and forefinger targeting only areas of his arms .

The destined unit on the first segment of the ride was the Unit I escaped from in 1996 and my stay there this time consisted of three days .

The next segment TDCJ set up to detain the bus en route so that I arrived at the next holdover unit at night .

Because the busses normally arrive during the day , the receiving area was not lighted so that I arrived alone on the bus at night to a darkened area of the prison .

Awaiting guards took me off the bus handcuffed , chained and shackled , physically assaulted me , dragged me up several flights of stairs and then threw me in a holding cell .

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These types of circumstances are products of social behavior through our collective social cognition . The documentation of this system of thinking , most notably in Plato's dialogues with Socrates , unflinchingly show patterns or modes of conduct that remain consistent and strictly

unchanged throughout our recorded history -

It's incredible considering the progress in our other sciences during the same times -

But not so incredible considering the cognitive reason of persons in positions to affect social cognition to dehumanize and stigmatize classes of people -

Historically, once a social impetus is given in instances of inhumanity, it accumulates an irresistible force -

The tale is in the lives of everyday men and women when viewed from within are loving family members - We readily identify with this idea of ourselves - From within we cannot identify ourselves as who we are under an inhumane social force -

Viewed from without, cognitive relativity in the first instance would not permit the social position to affect inhumanity - Secondly, it would not permit the social inhumanity of refusing social responsibility for the effects of an inhumane social force -

Dated : September 5, 2021 -

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