

out of political and economic developments of that 1861-1876 interval.

Thus, not only is the U.S. model which emerged out of historical developments of 1775-1876, the world-wide standard for defining the meaning of “modern sovereign nation-state republic.” In this regard, these developments in North America, best typified by the successive roles of Benjamin Franklin and Abraham Lincoln, represent the highest form of outcome of a modern revolution in law and political-economy. This continuing development originated from Europe, during an interval between the time of the Council of Florence and the establishment of the first modern nation-states, Louis XI’s France and Henry VII’s England, during the later Fifteenth Century. When, later, during the Sixteenth Century, it became virtually impossible to realize that revolution fully inside Europe, the relevant European leaders used the strategic potential of a continent lying on the opposite side of the Atlantic, as a unique opportunity for implanting in North America what appeared almost impossible in Europe at that time.⁸

That, not the romanticists’ smelly, unwashed, so-called “frontier model” of Theodore Roosevelt and Frederick Jackson Turner, et al., defines the historical meaning of the term “The American Exception.” It is precisely the historic issues embedded in that understanding of the “American Exception,” which are crucial, still today, for any competent identification of the leading issues of the present crisis of both today’s U.S.A. and the world at large.

The point I have just made is crucial for any competent shaping of U.S. policy under present conditions of world and national crisis. The citizen should have at least a working sense of these issues, and their urgent practical meaning for even the mere survival of the U.S.A. as a nation during the unfolding present crises. The following paragraphs might be considered, mistakenly, as of a merely technical or academic nature, but knowing these historical facts is indispensable for knowing how the United States came into being, and also for understanding the nature of the strategic issues menacing the existence of the U.S., both from without and from within, today. This is why the leaders of our republic intended that your adolescent children should study history, instead of hav-

8. This idea of colonization of the Americas, as a way of outflanking the enemies of the Fifteenth-Century Golden Renaissance, was first developed, as a global strategy, by the circles of Cardinal Nicholas of Cusa in Italy. The maps and other planning done by Cusa and his circles, had as their direct result the voyages around the Cape of Good Hope, to India, by Portugal, and the planning and execution of Christopher Columbus’ voyage to the Caribbean. As Spain degenerated, beginning not long after the death of Queen Isabella, emigration to colonies in what became the Hispanic Americas continued, partly as a way of escaping from persecution and related political conditions in Spain itself. The next wave of colonization came chiefly from England and France, during the earlier and later Seventeenth Century. It was the Massachusetts Bay Colony of the Winthrops and Mathers, and James Logan’s Pennsylvania, which were the principal centers from which the organizing process leading into the United States was launched.

ing a teacher lead a session of babbling about “current events,” in secondary schools.

2.1 The gestation and birth of the nation-state

The minimal standard of political literacy acceptable for the citizen’s competently defining and judging the issues on which the continued existence of civilization now depends, requires a concentrated reflection on the significance of the curves presented in the three charts included here in **Figure 1**. Compare the rate of growth of not only population, but of longevity, during either feudal, Roman, and even more ancient times, with the rate of growth of the population within extended European civilization from the middle of Europe’s Fifteenth Century. Then, look at the changes in the size and longevity of the human population world-wide, under the impact of the rapid political and technological changes which began to be radiated world-wide, since about the time of the A.D. 1439-1440 sessions of the great ecumenical Council of Florence.

Imagine that you, living in North America today, were suddenly thrown into a society with the life-expectancy, and average conditions of life of ninety-five percent of the population of Europe during the middle of the Fourteenth Century. Imagine what life here would be like under such conditions? [**Table 1.**] Or, compare calamities such as the death-rates in Europe during either World War I or World War II with such cases as the collapse of the European population and its conditions of life, under feudalism, before the first establishment of the modern sovereign nation-state, over such intervals as the century leading into Europe’s New Dark Age, circa A.D. 1239-1350,⁹ the Hundred Years War in France, and the Wars of the Roses in England.¹⁰ Even the simplest factual compari-

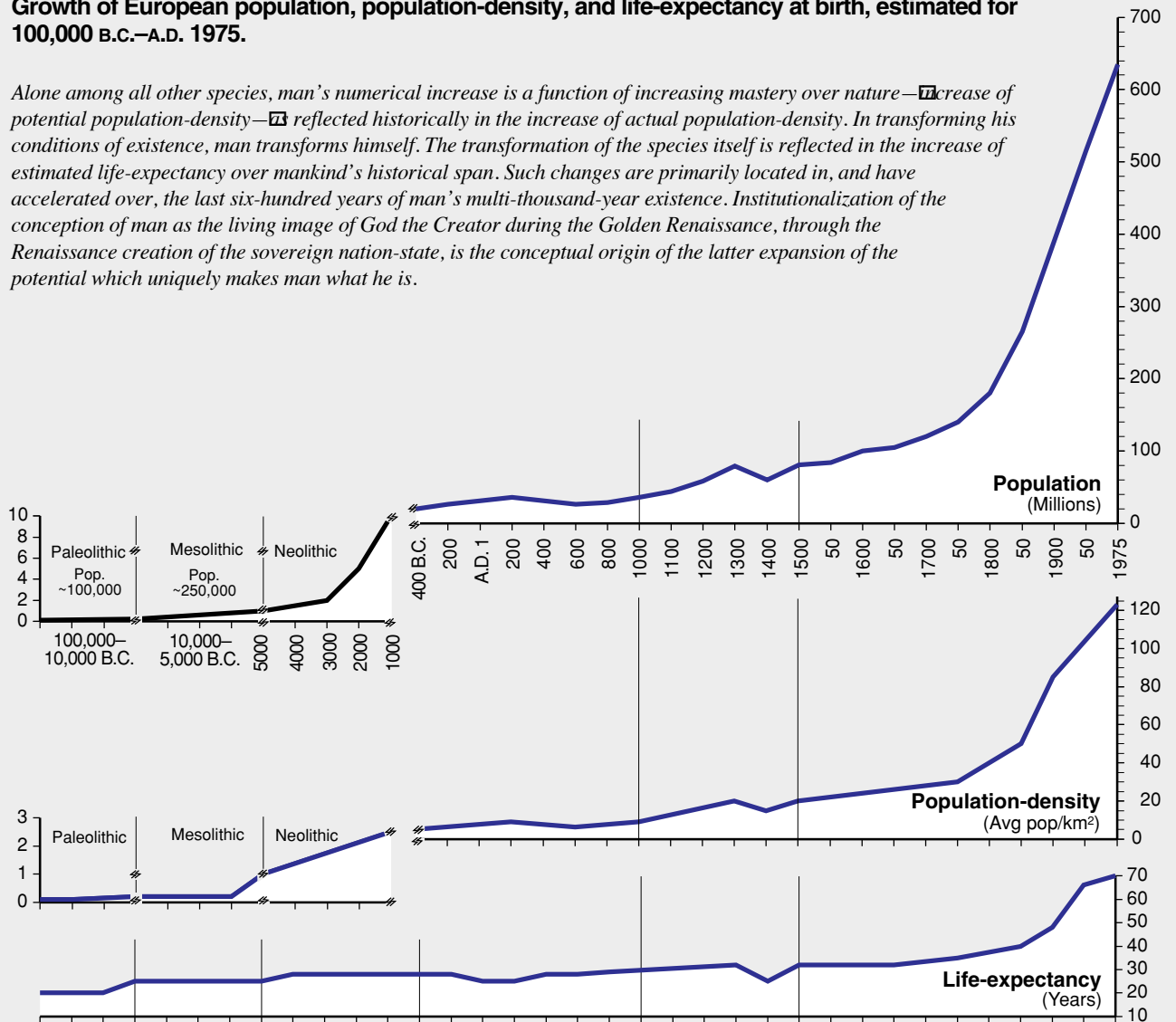
9. See Barbara Tuchman, *A Distant Mirror: The Calamitous Fourteenth Century* (New York: Alfred A. Knopf, 1978); William F. Wertz, Jr., “A Not So Distant Mirror: The Lessons of the Fourteenth-Century New Dark Age,” *Fidelio*, Fall 1998.

10. As noted within the text above, the first modern nation-states were established under France’s Louis XI and England’s Henry VII. It is also to be noted, that from A.D. 1500 until the aftermath of the U.S. Civil War of A.D. 1861-1865, virtually all wars fought within Europe were launched by feudalist factions, such as Venice’s financier oligarchy, which either sought to go back to the form of pre-nation-state globalized society which existed prior to the Fifteenth-Century Renaissance, such as the so-called religious wars of the Sixteenth and Seventeenth Centuries, and Metternich’s Holy Alliance, or simply against the efforts to establish in Europe nation-states modelled upon the American model of constitutional republic. World War I was personally pre-orchestrated by King Edward VII’s British Empire, to break up what London considered the “geopolitical threat” of peaceful cooperation among the U.S.A., France, Germany, Russia, Japan, and a China led by Sun Yat Sen’s republicans. World War II was the result of London’s and its Wall Street cronies’ combined actions in putting Adolf Hitler into power in the coup d’état of January 28-February 29, 1933. It is not the modern form of sovereign nation-state which causes ruinous wars, but directly the contrary.

FIGURE 1

Growth of European population, population-density, and life-expectancy at birth, estimated for 100,000 B.C.—A.D. 1975.

Alone among all other species, man's numerical increase is a function of increasing mastery over nature—[increase of potential population-density]—reflected historically in the increase of actual population-density. In transforming his conditions of existence, man transforms himself. The transformation of the species itself is reflected in the increase of estimated life-expectancy over mankind's historical span. Such changes are primarily located in, and have accelerated over, the last six-hundred years of man's multi-thousand-year existence. Institutionalization of the conception of man as the living image of God the Creator during the Golden Renaissance, through the Renaissance creation of the sovereign nation-state, is the conceptual origin of the latter expansion of the potential which uniquely makes man what he is.



All charts are based on standard estimates compiled by existing schools of demography. None claim any more precision than the indicative; however, the scaling flattens out what might otherwise be locally, or even temporally, significant variation, reducing all thereby to the set of changes which is significant, independent of the quality of estimates and scaling of the graphs. Sources: For population and population-density, Colin McEvedy and Richard Jones, *Atlas of World Population History*; for life-expectancy, various studies in historical demography.

Note breaks and changes in scales.

son shows, that the establishment of the modern sovereign form of nation-state republic, has been the greatest improvement in the condition of humanity in all known human existence to date. Do you now wish to throw all that away, simply because Vice-President Al Gore tells you to do so?

Ask yourself: What are those features of the modern form of sovereign nation-state republic, which have been responsible for such great benefits to all parts of mankind which have been permitted to share those same benefits? In the answer to

that question, lie the clear answers for all of what otherwise might be considered the secrets which must be taken into account to formulate a national and global strategy, to define what it is that might be worth fighting to secure and maintain.

To answer that question, two interconnected, but also distinct kinds of matters must be considered.

The first of those matters to be considered here, is the fundamental difference in principle of law which separates a republic from an oligarchical form of society. Very few per-

TABLE 1

Demographic comparisons: Europe and the United States, 1400 and 1990

	1400	1990	1990
	Europe	Europe	United States
Life expectancy (years) at birth	~30	76	75
Infant mortality—deaths under 1 year of age, per 1,000 live births	200-250	7	10
Population density—population per square kilometer	20+	103	26
Literacy—percent of total population who can read and write	5-10%*	97%	97%

* There are no systematic accounts of this period that could provide a literacy statistic, and variations were extreme across Europe at the time. However, as long as literacy is not defined in the restrictive way of meaning a knowledge of Latin, then the 5-10% reflects the percentage of the population that were literate. This is essentially the echelon of nobility, retainers and so on, in a situation in which 95% of the population was in the condition of virtual human cattle.

Sources: *Human Development Report 1992* (UN Development Program, Oxford University Press); *The European Demographic System, 1500-1820*, Michael W. Flinn (Johns Hopkins University Press, 1981); *History of Human Life Span and Mortality*, Gy. Acsádi and J. Nemeskéri (Akadémiai Kiadó, 1970); *Late Ancient and Medieval Population*, J.C. Russell (*Transactions of the American Philosophical Society*, Vol. 48, Pt. 3, 1958); and private communication with Prof. Harvey J. Graff, Ph.D., author of *Literacy in History* (Garland, 1981).

sons, even among those who consider themselves literate, will know, before reading this, what the essential, functionally determined difference in law is, between a feudal society and a modern nation-state. That important matter we shall clear up here.

The second matter, then next to be considered, are those principles which have been used by the best periods of the modern sovereign form of nation-state, which are chiefly responsible for such great improvement in longevity and conditions of life over the demographic conditions in the world prior to Europe's Fifteenth Century. Thus, we first consider the principled distinction of the nation-state republic from a feudal society; thereafter, we examine those policies which make the sovereign nation-state republic superior to other forms of society in its demographic performance.

The A.D. 1438-1492 emergence of the modern sovereign form of nation-state republic, was relatively sudden, when measured in historical terms; but, it was the fruit of a long process, which had begun with the constitutions of the Ionian Greek city-states from a time prior to the Persian conquest. The continuation of that process was reflected in the subsequent reforms at Athens under the leadership of Solon. The process was furthered by the emergence of Classical Greek culture, around Athens, as qualitative advances in culture typified by the revolution in sculpture of such artists as Scopas and Praxiteles, by the tragedies of Sophocles and Aeschylus, and by the influence of Socrates and Plato. The crucial point

of departure, leading into the establishment of the first true nation-states during Europe's Fifteenth Century, was the ministry of Jesus Christ and the continuing work of his apostles, John and Paul most notably. It was the spread of Christianity, throughout Mediterranean Hellenistic civilization, through the apostles who were speakers of Plato's Greek, which set into motion the process leading into the initial establishment of the modern nation-state during the late Fifteenth Century, in Europe.

These Christian apostles' evangelization utilized Plato's language and ideas, as the philosophical medium through which Christianity was spread;¹¹ in this way, a political principle was embedded in the foundations of European civilization after Christ: *the Christian reading of Moses, that each man and woman is made in the image of the Creator, signifies a principle of natural law*. This Christian notion of natural law had two interdependent implications.

1. That all men and women were equal under the Creator, with no toleration for prejudicial distinctions among them on account of what we term today notions of "race, nation, class, or prior religious practice."
2. Second, that the likeness of each person to the Creator reposes not in the person's physical appearance, or any other quality by which one animal species might be distinguished from another; but, rather, that likeness to the Creator resides in those developable powers of cognition—sometimes identified as "the divine spark of Reason"—which set humanity absolutely apart from, and above all other species. These are the educable powers of cognition, by means of which valid universal physical and other principles may be discovered, and those discoveries replicated by other individual minds. This quality of potential within the individual newborn person, is called *reason*.

Thus, Christianity is the first expression of a certain political principle, that, on account of the person's likeness to the Creator, all persons are not only born equal, but have certain equal natural rights before all mankind. Thus, society must be ordered in a manner which is consistent with the conception of each individual person so made in the image of the Creator.

11. With Alexander the Great's destruction of the rotting Achaemenid (Persian) Empire, the Classical Greek of Plato's Academy became the standard of culture of the eastern Mediterranean region, including Palestine. Hebrew existed as a written text, but not a spoken language. The common religious texts actually used among Jews were in Greek, which, according to experts, was sometimes waterfront-grade popular Greek, not the literate variety. It was the Platonic Greek which dominated the mass conversions, largely among Greek speakers, by the apostles.

This Christian principle, is otherwise the first true doctrine of political equality and of natural law known to history. Any positive or customary law, which is contrary axiomatically to that principle, whether in teaching or in import of practice, is an abomination against the most fundamental right principle of law.

Isolated exceptions acknowledged, this principle was not efficiently recognized in a general way by any region of European political society for the first fourteen centuries since the birth of Christ. Nonetheless, it was this principle of apostolic Christianity, which permeated European culture with a subsequently persisting impulse. The effect of this impulse can be traced from the early struggles against slavery, onward. The influence of St. Augustine, as echoed in the emergence of a civilized order around Charlemagne, the influence of Abelard of Paris, of the cathedral-builders of Chartres, of Bonaventura, Thomas Aquinas, Dante Alighieri, and the Brothers of the Common Life, are among the notable bench-marks of a centuries-long process, conducted by an intellectually powerful minority within society as a whole, a process which led into such crucial Fifteenth-Century events as the Council of Florence, Louis XI's reconstruction of France, and the rebuilding of Wars-of-the-Roses-butchered England around Henry VII. These latter achievements are reflections of the long-prepared changes so expressed as the modern sovereign form of nation-state republic.

Since our initial focus here, is upon developments of the recent several thousands of years of the history of the Mediterranean region, Europe, and the Americas, certain broad generalizations can be made safely within this historical framework.

For this purpose, turn again to the discussion of principles of law by Plato, as in Book II of his *The Republic*. The differences in conception of the nature of law there, as typified by the arguments supplied there by the fictional speakers Socrates, Thrasymachus, and Glaucon, are essential for understanding the crucial issues of law today. Notably, this bears upon the fundamental difference between the Christian conception of human nature and natural law, on the one side, and, on the opposite side, an essentially feudal, arbitrary and irrationalist, *Thrasymachian* tradition in law, as typified by the Congress's "new Confederacy" mob and the Hickman Ewings and Kenneth Starrs of the relevant, morally degenerate, Special Prosecutor's team. Socrates represents natural law, whereas the sophists, racists, and pornographers among the Special Prosecutor's team, and Republican House Judiciary Committee's majority, are extremely debased versions of the error which Thrasymachus and Glaucon represent, the debased, irrationalist notions of the so-called "positive law."

In this and related locations, Plato, like the great tragedians Aeschylus and Sophocles before him, follows the line of thought traced to his most notable predecessor, Solon of Athens. In his attention to the issues of law posed by the lessons of the Greeks' experience in statecraft, he references

an experience which considers not only the evidence internal to Greek society, but also Athens' ancient allies in Egypt, and also its enemies in Tyre and Mesopotamia. It was these discussions of law and of related matters, by Plato, which informed the methods drawn upon for the Fifteenth-Century introduction of the modern sovereign nation-state to Europe. It is the development in law, originating in the precedents of Solon and Plato, and continued according to the Christian conception of man's nature, which continues to define the proper point of reference for the term "strategy," as that term applies to the global crisis gripping the U.S.A. and the rest of the planet today.

The strategic conflict remains essentially the same, within the U.S.A. and world-wide today, as in Fifteenth and Sixteenth Centuries Europe. The social basis for this conflict about principles of law, is the difference between the notions of what is *juridically* a class society, on the one side, the side of the "new Confederacy" mob, for example, and, on the opposing side, a politically classless form of society, as President Abraham Lincoln's reforms of our Constitution defined our republic to be.

1. In theology and in law, the difference is rooted in the fact, that under the ancient empires and feudal system of Europe, and of the Mediterranean region more generally, approximately ninety-five percent of the population were degraded to a class of subjects defined juridically and otherwise as actually or virtually human cattle.
2. In contrast to imperial and feudal notions of law, Christianity, taking up the contributions of Plato et al., required a form of law in which the definition of truth and justice is supplied by the Christian reading of Moses' definition of human nature: as each man and woman, is made in the image of the Creator, and is so endowed with that power of reason which sets mankind absolutely apart from, and above all other species.¹²

In all forms of society which rest upon relegating a large ration of the subject population to the practical status of either actual or virtual human cattle, as the empires of the past, or feudalism do, the ruling assumption of law is that the ruling social strata, as represented by some ruling political authority

12. Notably, virtual "new Confederacy" ideologue and Vice-President Al Gore, is repeatedly on the public record as insisting absolutely on a view of man directly opposite to that of Moses, Plato, and Christianity. For example, Gore, in addressing the UNO on July 14, 1993, attacked "human exemptalists" who think that people are less subject to ecology than animals. This is consistent with Gore's role in establishing the Presidential Council on Sustainable Development at that time, and represents the consistent doctrine of Gore and his White House apparatus to the present date. That fact is among those which are crucial in noting Gore's moral unfitness for office.

acting in the presumed special interest of those strata, has an *arbitrary* kind of law-making authority over all other strata of that society. This notion of arbitrary law-making powers by such an authority, is complemented by the notion of “customary law.” Neither part of such law has any foundation in reason, neither the positive law uttered by the designated ruling political authority, nor the sundry forms of customary law.

Plato, in the footsteps of the reform of Athens by Solon, introduced a comprehensible form of natural law. Book II of his *The Republic* typifies this. The new form of state, the sovereign nation-state republic, first introduced to practice by France’s Louis XI, rests upon the radiated impact of the affirmation of this Platonic principle of natural law by Cardinal Nicholas of Cusa, et al., in the context of the Council of Florence. We shall come to the principle of natural law itself, in a few moments. First, let us describe the difference between the kind of state represented by the combination of positive and customary law, and the sovereign nation-state republic.

In the republic, the state and its law are accountable to a principle which exists independently of that state itself. That accountability is expressed as the duty of the state to take care of the people as a whole, this in such a way as to improve the relevant features of the conditions of life of the population as a whole. In other words, *the general welfare* of the existing population and its posterity. Thus, the state is denied any form of purely arbitrary authority over the population; the authority of the state now depends upon the universality of a principle of reason.

It must be stressed, that such a republic has nothing in common with the notion of a “social contract.” There is no contract; none is implied. The accountability is not to the terms of some prior contract, but the accountability of government and its judges to whatever reason prescribes is true, right, and just. The question of *who, ultimately, shall decide?*, is superseded by the standard: *How shall the matter be decided according to reason?* Thus the lawful authorities are charged with being *reasonable*—a responsibility ill-suited to certain defective judges, prosecutors, and other political figures I would prefer not to mention here more frequently than is absolutely necessary for purposes of clarity respecting the topics under discussion.

What then do we, should we mean by *reason*? Start with reason, as Plato defines it, as for example, in the referenced Book II of *The Republic*. Begin with the term reason as it applies to matters of physical science.

Science is the science of error. That is to say, that without discovering mistakes in whatever is assumed to be absolutely the last word on any subject, there is no science. Science begins with discovering evidences of terrible errors in whatever is generally assumed to have been settled truth. These errors take the form of paradoxes, especially of what are known to professionals as *ontological paradoxes*. In short, existing science repeatedly runs into a situation in which it does not work in reality. The result of such encounters, must

be a search for some provable principle of nature, which explains the error, and which search leads us to discover a provable principle which our limited knowledge had previously overlooked.

Thus, science is an accumulation of principles of this sort, principles which are all interconnected with one another in such a fashion as to constitute so a body of current scientific knowledge in general. The authority of each and all among these principles rests upon three kinds of evidence.

1. Proof of the existence of a paradox needing a solution, a paradox for which no deductive solution is possible.
2. What is termed crucial experimental proof: proof that the assumed, discovered principle which appears to solve that paradox, does in fact correspond to a consistently demonstrable principle of action.
3. That mankind’s power in and over the universe, as expressed in demographic terms, is increased by incorporation of this validated principle into the body of our practice.

These three considerations lead our attention back to a certain quality unique to the human individual, a quality which no lower species has. That quality is the cultivable power of the absolutely sovereign cognitive processes of the individual mind, those processes distinct from mere deductive logic, by means of which the individual mind is enabled to recognize such a paradox, and to discover and prove the validity of a principle which solves that paradox. This cultivable power, unique to the individual member of the human species, is sometimes known as “the divine spark of reason”; it is the location of the power of reason in the individual person. This is the quality of the person which corresponds in practice to man and woman as each made in the image of the Creator.

What is to be emphasized, is that the manifest increase of society’s increase of its per-capita power in and over the universe, through such cognitive processes (individual reason) demonstrates that that cultivated power of individual reason, by means of which man’s power in and over the universe is increased, shows that the universe is so designed by its Creator, that it, nature, is compelled to accept such cognitive authority of individual human reason—as Moses sets forth this notion of man’s dominion over nature and its included other species, in *Genesis* 1.

It is that demonstrable power of society, through reason, to increase the power of the human individual, per capita, in and over the universe, which is the basis, in reason, for the sovereign nation-state republic.

This signifies for practice, that the state may demonstrate its conformity with reason in, chiefly, two interconnected ways. First, by fostering those practices which increase the

individual power in and over the universe, as the demographic characteristics to which we have referred illustrate that point. Second, that the society foster the further cultivation of the individual power of reason to such ends that the increase of that power of virtually all individuals, in and over the universe, is itself increased. Higher standards of living of households, complementing improvements in education and creative forms of leisure, illustrate the latter point. In short, reason and scientific and technological progress, the latter ordered to such beneficial social effects, are two sides of the same political principle.

Thus, the republic is accountable for those implications of the power of reason.

In a few moments, we shall turn attention to the physical side of the matter. Now, we are considering the considerations bearing upon the law as such. We now summarize that matter of law.

By oligarchical society, we signify a society in which a large portion of the population is subjected functionally to the status of actual or virtual human cattle, as a society featuring power over people premised upon chattel slavery, serfdom, or usury, does. NAFTA, for example, is a form of usury practiced against both the labor employed in Mexico, and also those U.S. citizens whose employment and conditions of life are worsened by export of jobs, as NAFTA commonly does, to use of virtual slave-labor in other nations. Those who gain revenues from NAFTA and similar shifts of employment from the U.S. labor-force to NAFTA, are in fact usurers, whose gains would be outlawed and confiscated, as fruits of theft, by a moral society.

Since the degradation of any class of human beings to the condition of actual or virtual human cattle, is contrary to human nature and reason, a form of society which condones such practices is both immoral, and also intrinsically irrational, as ancient Rome, Byzantium, and feudalism were, as the pro-slavery factions in the U.S. were immoral and irrational. One should ask, therefore: If the modern sovereign nation-state republic takes its authority from reason, whence does the oligarchical form of society derive its law-making authority? The Thrasymachus of Book II of *The Republic* gives a clear reply to that question. The authority of the law of such states or empires comes entirely from invoking a purely arbitrary, irrational authority: the perpetuation of the power to hold subjects in a condition of actual or virtual human cattle, a condition contrary to reason, contrary to the nature of the victims.

Whence the logical form of such assumed authority of positive law? No rational authority for that exists. The formally attributed source of authority is a purely esoteric assertion, like the *Thrasymachian* social dogma of Thomas Hobbes' *Leviathan* and John Locke's depraved *Essays in Human Understanding*, nowhere to be found in the domain of sanity. Pressed to the wall, like Kenneth Starr, or Henry Hyde's House Judiciary Committee, arbitrary, e.g., merely positive,

law makes up its so-called principles of law as tyrants all do, by whatever whim attracts them at that moment. Like Britain's fictional *The Lord of the Flies*, or Britain's actual "Lord of the Isles," there is no reason in anything they do. It is the exercise of sheer power, relying upon arbitrarily asserted premises which are, on closer scrutiny, purely esoteric in form.

This now brings us to state the crucial point on principles of law. The question implicitly posed at the outset of this section, was: What is the change in principles of law, which separates the feudal system of Europe, prior to the mid-Fifteenth Century, from the emergence of the modern sovereign nation within the relatively precise time-frame of the A.D. 1438-1492 period, out of the setting of the great ecumenical Council of Florence, continuing through the establishment of Louis XI's France and Henry VII's England as modern forms of sovereign nation-states, and coming to a crucial point in the reaching of the Caribbean by an Admiral, Christopher Columbus, who had been guided to that voyage of discovery by the circles of Cardinal Nicholas of Cusa? Why does this interval of history mark a well-defined point of separation between two forms of society which are functionally distinct from one another?

As Professor von der Heydte elaborated the evidence,¹³ and as I state this case from the standpoint of my own knowledge as an economist, the answer to the question may be summarized as follows.

1. Prior to the indicated A.D. 1438-1492 interval of fundamental change in the history of extended European civilization, the dominant form of society of the Mediterranean and immediately adjoining areas, was the imperial form characteristic of the Babylonian, Persian, Roman, and Byzantine empires, and also the continuation of the imperial form of oligarchical society, as feudalism of the imperial form of anti-nation-state "globalization" associated with the European Welf (var. Guelph) League of approximately the A.D. 1239-1340 interval.
2. Under all of these forms, in which the overwhelming majority of the population was subject to the status of actual or virtual human cattle, there was no rationality in law, nor regard for truthfulness in general or truthful justice in particular. The power to make law was restricted to the figure of an emperor, or analogous figure, who was appointed to that position by decision or tacit consent of the ruling oligarchy.

13. My own view overlaps, but from a slightly different standpoint, the same general conclusion presented by one of the most distinguished legal scholars of the Twentieth Century, Professor Friedrich von der Heydte's *Die Geburtsstunde des souveränen Staates* (Regensburg: Druck und Verlag Josef Habel, 1952).

The emperor's power to make law was of the form of Thrasymachus' argument, law by arbitrary whim of those in power, conditioned only by the threat of insurrection should the imperial authority enrage established customary law.

3. Therefore, there was no principle of reason in law, but only the effort to maintain the appearance of deductive consistency among the different laws and decrees as any combination of these might bear upon the same category of decision. Thus, even in modern society, the preference for positive law over natural law always reflects the influence of the oligarchical tradition in law, in opposition to principles of justice and reason.
4. Under the rule of the sovereign form of nation-state republic, the place of merely positive law was taken over by the notion of general welfare, a notion interchangeable with the idea of a *commonwealth*, in which the defense and improvement of the conditions of life of all of the people and territory of the nation and its posterity, is the standard of accountability by which the truthfulness and truthful justice of the adopted law was, and is to be judged.

Hence, the principle, directly, explicitly contrary to the liberalism of John Locke, that our republic could not have remained both slave and free. If there is no principle of general welfare, reigning in all of the nation's territory, and among all of its population, there is no principle of freedom, but only exceptions, mistaken for freedom, wrongly presumed available to guard the rights of anyone in that state.

Four historical cases typify the distinctions to be made: the fraud of the English Magna Carta; the cases of Louis XI's France, Henry VII's Tudor England; and the case of the Prussian reformers from the time of Frederick II through the fall of the Kaiser during World War I.

The Magna Carta was the root-cause for many evils, including the consequent horror-show, centuries later, called England's Wars of the Roses. The assertion, by the great landlords, who imposed this agreement, "reinventing government," upon King John I, that the king was not sovereign in the territory of England, but merely a magistrate exerting power by the consent of the great landlords, was not a blow for freedom; it was the feudal form of a bloody anarchy, by which a nation foolish enough to adopt such a code might be self-destroyed. Later, a similar arrangement was established in the United Kingdom, with the difference that the great landlords were now a Venice-modelled, Anglo-Dutch financier oligarchy, rather than the barony which ruled over King John I. It is a recurring tendency of the oligarchy to promote anarchy against any sovereign authority, whether under Babylonian, Roman, Byzantine, or feudal forms of imperial

systems of law; this anarchistic tendency arises from the irrationalism inherent in oligarchism, the impulse to exert arbitrary authority against what the individual oligarch and groups of oligarchs tend to view, and to resent and seek to ruin, as what oligarchical anarchists consider encroachments by any sort of actually lawful order within the society.

This same principle of irrationalism was later expressed, in Seventeenth-Century France, by the feudal nobles' *Fronde*. The ideological continuation of the principle of the *Fronde* was the principle of anarchy, called *laissez-faire*, promulgated by that pro-feudal ideologue, the Physiocrat Dr. François Quesnay. Adam Smith, whose ideas on this account came from plagiarizing the writings of Physiocrats such as Quesnay and Turgot, adopted Quesnay's feudalist conception of *laissez-faire* for the Anglo-Dutch, financier-oligarchical conception of "free trade."

For such reasons, there is no principle of reason in the law of either a feudal society, or one ruled over by a financier oligarchy. Hence, so-called "liberalism," in the British Commonwealth and the U.S. today, demands a code of purely positive law, cohering, in English-speaking countries, with the pro-slavery doctrine of John Locke. Thus, as Professor von der Heydte warned, the variety of liberalism associated with Locke, causes any tendency for radical positivism in English-speaking nations, as Kenneth Starr et al. currently illustrate that impulse, to converge upon forms of fascist rule even more savage than those of the Nazis.

Although France's Louis XI sought peace and compromise with the feudal nobility of his reconstructed kingdom, he shifted the center of power toward an urban intelligentsia of the quality produced by educational institutions such as the Brothers of the Common Life, the latter an institution later suppressed by the feudal reactionaries, during the middle of the Sixteenth Century. Louis XI's emphasis upon the role of such an intelligentsia drawn from the ranks of plebeians and the poor, and his emphasis upon the general welfare of France as a whole as the standard of reason in law-making, are leading among the qualities which define his France as a sovereign nation-state republic, even though relics of the former feudal social order are participants in the republic.

The case of Henry VII's Tudor England, is similar. The evidence is in accord with the views of Brothers of the Common Life-trained Erasmus of Rotterdam, and of Erasmus' friend Sir Thomas More on that subject. The murder of Sir Thomas More by Henry VIII's demand, came about not because of Henry's induced lust for the Venetian agents' proffered temptress, Anne Boleyn, but because Venice's oligarchy, as represented by Thomas Cromwell, used Henry VIII's impaired mental condition to induce his monarchy to make a pro-Venice counterrevolution, against those republican impulses of Henry VII's monarchy, which had echoed the achievements of Louis XI's France.

The cases of Louis XI and Henry VII do represent instances of the introduction of genuine principles of the sover-

eign nation-state republic, but the examples of the failed heirs of both Louis XI's and Henry VII's monarchies demonstrate the fragility of a republic established in a monarchical form, as the framers of the U.S. Federal Constitution understood this lesson in statecraft. On this account, we must contrast the morally and legally inferior parliamentary systems of Europe with the more perfect form of our own U.S. constitutional republic. The founders of our own constitutional form of Federal union had such examples clearly in view, as the relevant literature from the Eighteenth-Century U.S.A. underscores this fact.

Contrary to popular, silly gossip, European parliamentary systems did not emerge through the establishment of actually democratic republics. On the contrary, they emerged within the framework of an oligarchical form of state, as reforms within the bounds of oligarchical rule. The increased privileges of such European parliaments, came as concessions to the population's demands for participation in the administration of a state which, despite all such concessions, never departed, to the present day, from the bounds of an oligarchy's continued overlordship. Indeed, the very design of parliamentary government, is that it becomes incompetent to rule the instant a severe crisis confronts that nation. In a crisis, the power of the state, rather than the parliament, reveals itself to be the real government. Otherwise, the more powerful is a parliamentary system, the less able the state is to deal with severe crisis; thus, at such a point, the parliament is in danger of being simply overthrown.

This pathetic condition inhering in all parliamentary forms of government, is echoed in the degradation of our U.S. Congress toward becoming a disgusting, anti-constitutional imitation of a European parliamentary system. This tendency for degradation of the U.S. government has been carried to a virtually treasonous extreme, in the process of impeachment brought against President Clinton.

In the latter subversion of our Constitution, the depravity of the deed has two leading aspects. a) The Wall Street-centered financier oligarchy, and its oligarchical takeover of the state, as from above, is typified by the case of Vice-President Al Gore's cronies, of the corruption-ridden, and crisis-stricken Long Term Capital Management (LTCM) syndicate. LTCM is at the core of the Wall Street gang which has assumed the role of a successor of the roles which the landed aristocracy had defined under the form of parliamentary system derived from feudalism. b) This subversion of the U.S.A. has proceeded in the direction of bringing the U.S., like a hog to the slaughter, into the Queen's own British Commonwealth, as LTCM-linked Vice-President Al Gore has promoted changes in the conception of NAFTA, and also in his project, steered by Britain's Duke of Edinburgh, which Gore has named "reinventing government."

A better understanding of the problems of parliamentary systems is gained by considering certain crucial highlights of the history of Prussia's monarchy, from Prussia's defeat at

the twin battles of Jena-Auerstadt, until the abdication of the Kaiser, near the close of World War I.

As my associates and I summarized the case of Lazare Carnot, during recent conferences and publications, the European military profession of the Eighteenth and early Nineteenth centuries was divided between two contrasted social tendencies within the officer-corps. One current was centered in the cavalry and infantry, where smart horses were needed to instruct their dumb officer-recruits on how to ride, and infantry were often simply marched, as they were by Lon-

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don's brutish commanders, to slaughter en masse. The other current was typified by the officer-corps of the artillery and engineering. The military genius Lazare Carnot typifies this for France, Gerhard Scharnhorst for Germany. It was the influence of the officers who came up through the artillery and engineering, like West Point graduates under Commandant Sylvanus Thayer, who were, in contrast to today's U.S. Chairman of the Joint Chiefs of Staff Henry H. Shelton, the core of republicanism within the military arms.

The crushing discrediting of Prussia's command, by Napoleon, in the twin battles of Jena and Auerstadt, defined the opportunity for the Prussian republicans to establish a virtual alliance between Prussia's Alexander von Humboldt and France's Ecole Polytechnique, and, later, the organic 1815-1823 republican collaboration between France and Germany, sought by the Prussian reformers within Prussia's officer-corps, with Lazare Carnot and his circles in France.¹⁴ It was

14. Lyndon H. LaRouche, Jr., "How France's Greatest Military Hero Became a Prussian Lieutenant-General," *Executive Intelligence Review*, Oct. 2, 1998. The Jan. 8, 1999 issue of *Executive Intelligence Review* includes: Elisabeth Hellenbroich, "Lazare Carnot: The Excellence of Leadership in Times of Crisis"; Andreas Ranke, "How Carnot Became a Lieutenant General

the discrediting of the oligarchical tendencies within Prussia's royal court and officer-corps following Jena and Auerstadt, which enabled the republicans, around Freiherr vom Stein, Scharnhorst, and younger officers such as Ludwig von Wolzogen, to plan and steer the defeat of Napoleon not only in the 1812 Russia campaign, but in Napoleon's subsequent retreat toward Elba.

Indeed, as the historical researches of my collaborators and I have shown, but for the successful intervention of the later "Duke of Peterloo," the shameful Wellington, and the circles of the Holy Alliance, in imposing Wellington's stooge, King Louis XVIII on defeated France, the Prussian military would have backed the election of Lazare Carnot as hero-President of France in 1815. Instead, Carnot was chased into exile, in Poland and then Germany, and France was ruined.

From the shame of Louis XVIII, France never, even despite the great President Charles de Gaulle, recovered that honorable state and influence in world affairs, which it would have had, had Carnot become President in 1815. Meanwhile, the prevention of Carnot's becoming the President of France, became an immediate blow to the Republican cause in Germany. The Anglophilism-ridden, reactionary Prussian royal court turned back the clock of Germany's earlier political progress, and the submission of Germany to Prince Metternich's tyrannically reactionary assertion of the anti-American, oligarchical order in Europe, by the Carlsbad Decrees of 1819, produced an enraged demoralization in the vastly betrayed German population, from which moral insults that population, too, never fully recovered.

There were ebbs and flows in the qualities of Prussia's and the German monarchy, but the flaws inhering in parliamentary governments under an oligarchical state, prevailed to ultimately disastrous effects, in Britain's successful incitement and organization of World War I. Typically, in the constitutions of Europe, to this day, there is no instance of a functioning constitution, like that of the U.S.A., derived from a clear principle. We of the U.S. may have often betrayed our principle, but at least we have had one to betray. In a Europe dominated by parliamentary, and sometimes worse forms of oligarchical states, the principle of freedom, truthfulness, and justice, lives only in another kind of constitution, the influence, as in Germany, of the nation's greatest poets, musicians, and other thinkers, such as numerous among the best of Prussia's military were in Scharnhorst's time.

The political significance of the relative weight of officers from the artillery and engineering in the history of Prussia since Frederick II, is complemented by the role of the weight of industrial entrepreneurs, especially representatives of the machine-tool design sectors, versus financial magnates, such as the U.S. Wall Street gang, in the political

history of the U.S.A. To the degree that the social forces of labor and entrepreneurship associated with capital-intensive and power-intensive investment in higher productivities through scientific and technological progress, in agriculture, industry, and basic economic infrastructure, were on the march, the relative political weight of republican impulses was increased. This was the case in Germany, as in the U.S.A. As long as investment in scientific and technological progress remains in the political saddle, the republican impulses are strengthened. Conversely, a decline in investment in improvements of basic economic infrastructure and agro-industrial scientific and technological progress, is associated, in all nations, with a relative decline in the rationality of the population as a whole, and a corresponding political weakening of the republican cause, and strengthening of the oligarchical currents and their lackeys.

Thus, the slashing of investment in scientific and technological progress in the U.S.A., since the 1964-1972 upsurge of the anti-science New Age movement and its political influence, especially the savage, shock-effect rates of de-industrialization of the U.S. under the 1977-1981 Carter Administration, led to an immediately ensuing break-out of a "new Confederacy" faction, initially as the Democratic Party "boll weevils," from the ranks of the Democratic Party's congressional and other factions, in the southern and southeastern U.S. Federal states. Such former Democrats soon marched over to become today the hard core of the "new Confederacy's" far, far right—and its Democratic fellow-travellers—in the Republican Party's side of the Congress.

For similar reasons, the effort to shift the composition of the Democratic Party's voting blocs, to exclude the formerly leading role of the core constituencies, has tended to shift control of the Party away from the Party's Roosevelt tradition, and under the control of those who, like Britain's Prime Minister Tony "Third Way" Blair, or like confessed former White House mole "Dick" Morris's own version of a "Third Way," have moved toward assembling that kind of constituency-base which was key to the orchestration of that environment, in 1930-1933 Germany, which was used to facilitate bringing Hitler's Nazis to power in the London-directed, January 28-30, 1933 parliamentary coup d'état. The well-known "ecotopian" agenda of Vice-President Al Gore, has the same repulsive implications.

The constitutional republic is not a table of organization, it is not a contract, not a set-piece; it is a living social organism. How it is mobilized for action, from day to day, what choices of enterprise enjoy greater weight in the economy, and so on, are the living, breathing life-blood of the republican way of life. That quality of social processes, is the substance of the law of the republic, its well-spring of moral and intellectual strength. As healthy processes are encouraged, the republic is strengthened; as they are downgraded, the republic's existence becomes diseased, and endangered accordingly, in that relative degree.

in the Prussian Army"; Dino de Paoli, "Carnot's Theory of Technology: The Basis of the Science of Physical Economy"; Jacques Cheminade, "A Citizen of All Places, and Contemporary of All Times."