

German, U.S. Constitutions in Danger; Resistance to Dictatorship Is Growing

by Helga Zepp-LaRouche

April 7—In both the United States and the European countries, the rule of constitutional law is in extreme danger. President Obama leaves no doubt that he wants to add to the long list of his constitutional violations and repeated circumventions of Congress, when he denied the right of the Supreme Court to reject, on constitutional grounds, laws passed by Congress. There is a parallel development in Europe: the attempt by the EU and most governments to invest the Board of Governors of the European Stability Mechanism (ESM) with dictatorial powers. This means that the trans-Atlantic oligarchic elite is determined to give up even the last semblance of democracy and constitutionality.

President Obama, at a March 30 joint press conference with the Canadian Prime Minister and the President of Mexico, said that he did not expect that the Supreme Court—which he called “an unelected group of people”—would reverse a decision by the majority of a democratically elected Congress. That is as if Chancellor Merkel were to deny that the Constitutional Court in Karlsruhe has the right to review the constitutionality of laws passed by the Bundestag. A storm of indignation has broken out in the U.S. over this. People have realized that it is tantamount to a coup against the American Constitution.

Adding insult to injury, U.S. Attorney General Eric Holder emphasized in a letter to the Fifth Federal Court of Appeals on April 5, about the constitutionality of the Congress’s vote, that the vote is “presumptively” constitutional, which means that the result of the vote in itself is grounds to assume that the law is constitutional. The same day, in a speech at Northwestern University Law School, Holder defended the law allowing targeted killings of Americans without judicial process.

Thus, the Obama Administration has called into question the separation of powers that the American Founding Fathers erected among the Executive, Legislative, and Judicial branches. The specific context is the possibility that the U.S. Supreme Court could overturn as unconsti-

tutional Obama’s health-care reform, which denies necessary treatments to entire layers of the population.

Obama’s attack on the Supreme Court has triggered a wave of sharp criticism. Republican Senate Minority Leader Mitch McConnell called on Obama to exercise restraint. “The President crossed a dangerous line this week,” McConnell stressed. “Anyone who cares about liberty needs to call him out on it. The independence of the Court must be defended.”

A comment in *Investor’s Business Daily* pointed out the irony of Obama’s remarks, given that he himself is trying to rule the United States without the Congress: “How can you complain about the powers of unelected judges when you appointed 45 unelected czars, created a plethora of agencies populated by unelected bureaucrats, and thwarted the will of Congress and the courts by governing through regulation and executive orders?”

The reason is obvious: The separation of powers is an impediment to dictatorship. It is expected that the justices, who are appointed for life, will not leave unanswered this assault on their constitutionally mandated function. Lyndon LaRouche reiterated his demand that only an immediate impeachment of Obama could prevent a catastrophe.

The ESM Is a Dictatorship

Although the circumstances and topics of the European Fiscal Pact and the ESM—the permanent European rescue fund—are somewhat different, ultimately what is happening in Europe is the same thing: the elimination of democracy and the parliamentary process, and the introduction of a supranational dictatorship that is no longer accountable to the citizens. If the ESM is ratified, Germany will really be in for trouble. The Board of Governors, composed of the EU finance ministers, which in turn can transfer all powers to a Directorate, can have unlimited access to German federal finances at any time. There will then be no democratic controls, no disclosure requirements; decisions will be

made in secret, all participants will be assured complete immunity; they can operate on the primary and secondary markets, dealing in loans, credits, stocks, state bonds, real estate, gold, and commodity futures, while the amount of their salaries will remain secret.

In short, the de facto supranational government and a European super-mega-hedge fund will merge into one. Article 21 of the ESM statute states that in the future, euro bonds, i.e., a pooling of the new euro debts, can be issued without further amendment to the EU treaties. And this means, as former ECB board member Otmar Issing recently stated, expropriation, inflation, and loss of sovereignty.

The extent of power of this ESM structure, in conjunction with the Fiscal Compact, which provides no cancellation clause, means practically a return to feudal structures. The financial elite and their political henchmen then possessed an unassailable power structure, while the population is looted and is supposed to remain relatively clueless. All the achievements of the sovereign nation-state, such as the representative parliamentary system and the consequent possibility for



White House/Pete Souza

President Obama's attack on the "unelected group of people" who constitute the U.S. Supreme Court has created a huge and growing backlash. Here, he is shown with his British buddy, Prime Minister David Cameron, in London, May 2011.

the citizens to participate in government, are thrown overboard.

Resistance Now!

It's still not too late. More and more people in public life, constitutional lawyers, citizens' initiatives, etc., are mobilizing against the threat of loss of democratic freedom and the complete economic incompetence of the EMS.

But this also shows how wrong it is to react only on the basis of the ESM's plan as currently stated, because the intention to turn the EU into an empire, a dictatorship of the greatest possible size (according to Robert Cooper), was already in the minds of British Prime Minister Margaret Thatcher and French President François Mitterrand, at least since the fall of the Berlin Wall in 1989.

Since the combination of the fiscal union and the ESM in effect means the end of national sovereignty and the establishment of a European federal state, a constitutional change like this requires a referendum under Article 146 of the German Constitution. There is a serious problem, however, which is that there is no clear legal provision for doing this; for example, it is unclear who has the right to call a



Regierungonline/Kugler

German Chancellor Angela Merkel with then-Israeli Prime Minister Ehud Olmert in Tel Aviv, March 8, 2008. In her speech to the Knesset during that visit, she called the defense of Israel a "raison d'état" for Germany. Some of her constituents are now asking whether that policy will force Germany into a war—even a world war—if Israel attacks Iran.

referendum, whether it is the Bundestag or a certain percentage of the population, or by order of the Federal Constitutional Court.

A decision on this issue is of utmost urgency; it must be resolved before the adoption of the ESM monster is a “done deal.” It is also vitally important, because the consequences of the current EU policy are that one European country after another will plunge into ruin. The suicide of a 77-year-old retiree in Greece, in protest against the EU’s brutal and destructive austerity policies, has already become a rallying point for a broad resistance movement throughout the country. And in Spain, the headlines of the mainstream press announced, after the government’s recent budget cuts: “Spain is dead.” In Italy and Portugal, one general strike has followed another. Is this the Europe we want?

An Alternative Credit System

The only way that a plunge into dictatorship, depression, and ensuing war can be prevented, is an immediate referendum on the European Monetary Union, a return to sovereignty over the national currency and economy, the introduction of a two-tier banking system

in the tradition of U.S. President Franklin Roosevelt’s Glass-Steagall standard, and the introduction of a credit system that is oriented exclusively toward investments in the real economy.

Back in November of last year, this author warned that the developments in the Middle East, the debate in Israel over a preemptive strike against Iranian nuclear facilities, and the huge military deployment of American, British, Canadian, and French forces in the Indian Ocean, the Persian Gulf, and the Eastern Mediterranean meant imminent risk of escalation to a third world war. Then after considerable delay, Wolfgang Ischinger, the head of the Munich Security Conference, called for a public debate on the implications of Chancellor Merkel’s speech before the Israeli Knesset in 2008, in which she declared that the defense of Israel is a *raison d’état* for Germany. So far, responses to this promise of unquestioning loyalty have come only from informed sources among the military and diplomats, who say that it holds Germany hostage to the policies of the current Israeli government, and therefore, that Germany would be drawn into a war between Israel and Iran,

The prose [poem](#) by Günter Grass, “What Must Be Said,” was a bombshell that alerted the general public in Germany to the threat of an imminent third world war. The discrepancy has never been so obvious between the mass media, which is fixated on the alleged outrageousness of Grass’s taboo-breaking [with respect to Israel’s nuclear weapons], and the voices of concerned citizens who, like Grass, see the threat of a third world war.

A new form of resistance is beginning to develop on both these existential issues, the danger of dictatorship in Europe and the threat of a new world war. The winds of change can be felt.

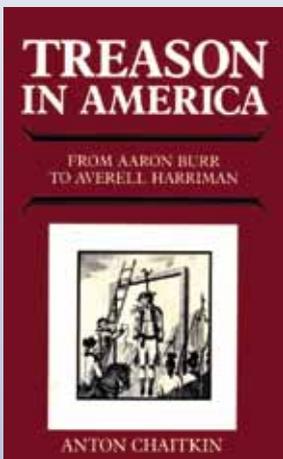
Memories surface of the late Summer of 1989. Then too, the hardliners of a collapsing system insisted on the eternal character of their system (to quote [East German leader] Erich Honecker: Socialism will last 1,000 years). Today, the hopeless attempt to codify the collapsing euro system forever and irreversibly, with the straitjacket of the ESM and fiscal union, will likely have a lifespan about as long as the G.D.R. regime did then. So we must establish an economic system that is free of the inherent faults of both communism and monetarism. This alternative exists with physical economy, which has been the basis of any economic, political, and social progress over the past 300 years.

This article was translated from German.

Treason in America

NOW AVAILABLE ON KINDLE!

Anton Chaitkin’s *Treason in America: From Aaron Burr to Averell Harriman* is an authoritative inquiry into the criminal apparatus



of the British Empire and its arms in Wall Street, Boston, and the Confederate South—that usurped power in America.

The Kindle edition (from Executive Intelligence Review, 1999) is available at www.amazon.com for \$9.99.