



Children of Satan

IV

Cheney's 'Schmittlerian' Drive for Dictatorship



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CHILDREN OF SATAN IV

Cheney's 'Schmittlerian' Drive For Dictatorship

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COVER: Vice President Dick Cheney: World Economic Forum; Adolf Hitler, Nuremberg rally, 1934.

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Judge Samuel Alito and The *Führerprinzip*

by Jeffrey Steinberg

On Jan. 5, 2006, in a front-page story, the *Wall Street Journal* identified Judge Samuel Alito, President George W. Bush's nominee to replace Justice Sandra Day O'Connor on the U.S. Supreme Court, as a leading proponent of the savagely unconstitutional doctrine of the "unitary executive." The idea of the "unitary executive," which forms the core dogma of the ultra-right-wing Federalist Society, to which Judge Alito belongs, is more properly identified by its modern historical name—the *Führerprinzip*, authored by the Nazi regime's anointed "Crown Jurist" Carl Schmitt. Schmitt's doctrine, that the charismatic head of state *is* the law, and can assert absolute dictatorial authority during periods of emergency, has been used to legitimize every totalitarian regime in the West, from Hitler, to Gen. Francisco Franco in Spain, to Gen. Augusto Pinochet in Chile, to President George W. Bush and Vice President Dick Cheney in the United States.

The *Wall Street Journal* quoted Judge Alito from a November 2000 speech, delivered, appropriately, before a Federalist Society convention in Washington, D.C. The Constitution, Alito declared, "makes the President the head of the Executive Branch, but it does more than that. The President has not just *some* executive powers, but *the* executive power—the whole thing."

Judge Alito elaborated, "I thought then"—referring to his 1980s tenure at the U.S. Justice Department's Office of Legal Counsel—"and I still think, that this theory best captures the meaning of the Constitution's text and structure," adding that, in his view, the Framers "saw the unitary executive as necessary to balance the huge power of the legislature and the factions that may gain control of it."

After reviewing the *Wall Street Journal* account, Lyndon LaRouche declared, "If Judge Alito does in fact adhere to the views reported in the *Wall Street Journal*, he should not be allowed near any court—certainly not the United States Supreme Court—except as a defendant." LaRouche insisted that Alito's nomination must be decisively defeated in the Senate, or the Supreme Court will fall fatally into the hands of a cabal of outright "Schmittlerian" Nazis, led by Antonin Scalia, Clarence Thomas, John Roberts, and Alito—all members of the self-avowed "conservative revolutionary" Federalist Society.

LaRouche counterposed the outright Nazi doctrine of the Federalist Society proponents of the "unitary executive" (*Führerprinzip*) to the American System principles invoked by President Franklin Delano Roosevelt, when

he was confronted with the awesome responsibility of preparing the United States for world war. On Sept. 8, 1939, at a press conference following his Proclamation of Limited Emergency, as war was erupting in Europe, FDR assured the American people, "There is no intention and no need of doing all those things that could be done. . . . There is no thought in any shape, manner, or form, of putting the Nation, in its defenses or in its internal economy, on a war basis. That is one thing we want to avoid. We are going to keep the nation on a peace basis, in accordance with peacetime authorizations."

Cheney and 9/11

FDR's respect for the U.S. constitutional system of checks and balances, and separation of powers, stands in stark contrast to the assault on the Constitution, launched by Vice President Cheney even before Sept. 11, 2001.

As LaRouche prophetically warned, in testimony delivered on Jan. 16, 2001 to the U.S. Senate Judiciary Committee, opposing the nomination of John Ashcroft as Attorney General, the Cheney-led Bush Administration came into office committed to government-by-crisis-management, modelled on the Hitler Nazi dictatorship in Germany. LaRouche warned that the Bush Administration would seek, at the first opportunity, a "Reichstag Fire" justification for dictatorship, all based on the legal theories of Hitler's Carl Schmitt. It was Schmitt, who wrote the legal opinion, based on the "unitary executive," *Führerprinzip*, that justified Hitler's declaration of emergency dictatorial rule on Feb. 28, 1933—twenty-four hours after the Reichstag, the German parliament, was set ablaze by agents of Hitler's own Herman Göring.

The aftermath of 9/11 proved that LaRouche was 100% right. On Dec. 19, 2005, in a press conference aboard Air Force Two, Vice President Cheney flaunted the fact that he came into office in January 2001, committed to rolling back the legislative safeguards, passed by Congress and signed into law by Presidents Gerald Ford and Jimmy Carter, in the aftermath of the Watergate scandal and the revelations about illegal FBI and CIA spying on American citizens. In calling for a rollback of those post-Watergate "infringements" on Presidential power, Cheney was, in effect, declaring war on the most sacred principles written into the U.S. Constitution.

Cheney's stooge, President Bush, certified his own adherence to the same *Führerprinzip* when he recently signed the defense budget, and invoked the "unitary executive" right



The events of 9/11 were the Synarchists' 21st-Century 'Reichstag Fire' (the original is at left). Adding Samuel Alito (above) to the Supreme Court of the United States is meant to help consolidate their coup.

to ignore the bill's explicit ban on torture. The McCain Amendment, banning torture of American-held prisoners in the "Global War on Terror," was passed by an overwhelming, veto-proof bipartisan majority in both the House and the Senate, yet the President asserted his "constitutional" authority as commander-in-chief, to ignore Congress.

Pinochet and Hitler

Despite the events of 9/11, the Synarchist bankers behind Cheney did not fully succeed in their scheme for dictatorship and the overthrow of the Constitution. Both the Congress and the American people put up sufficient resistance to partly stymie the efforts to impose crisis-management-style Executive branch rule-by-decree. The May 2005 bipartisan "Gang of 14" Senate revolt against Cheney's so-called "nuclear option" to strip the Senate of its Constitutional role of "advise and consent" represented a particularly significant setback for the Synarchist cabal.

But the Cheney gang's vision for America shows clearly in Chile, a South American nation targetted for "the Hitler treatment" by a cabal of American-based Synarchists, led by Felix Rohatyn, Henry Kissinger, and George Shultz. Chile under the 1970s and '80s dictatorship of General Pinochet offers the clearest picture of what Cheney et al. still intend to impose on the United States—if given the opportunity. The defeat of the Supreme Court nomination of Judge Alito offers the immediate opportunity to deliver a killer blow to Rohatyn, Shultz, and Cheney's scheme.

The Other Sept. 11

On Sept. 11, 1973, Gen. Augusto Pinochet led a military coup that ousted the legitimately elected government of President Salvador Allende. The Pinochet coup would

unleash several decades of terror, which would spread to other parts of South and Central America, through a Henry Kissinger-approved regional death-squad program called "Operation Condor."

Among the American bankers and government officials who ran the Pinochet coup, from the outset, were:

- Felix Rohatyn, the Lazard Brothers banker and ITT director. Rohatyn, a protégé of leading World War II-era Synarchist banker André Meyer, orchestrated the 1971 ITT takeover of Hartford Insurance, and, along with ITT Chairman Harold Geneen, helped oversee the overthrow of Allende from his post on the ITT board. Two years after the

Pinochet coup, Rohatyn would impose the same Hitlerian/Schachtian austerity policies on New York City, through his chairmanship of the Municipal Assistance Corporation ("Big MAC").

- George Shultz, Richard Nixon's Treasury Secretary, who orchestrated the breakup of FDR's Bretton Woods system on behalf of the Synarchist bankers, travelled to Chile, following the Pinochet coup, and gave his personal imprimatur to the regime's radical free-trade economic policies, including the looting-by-privatization of the country's pension system. The same privatization of Social Security was attempted by the Bush Administration last year—with Shultz's enthusiastic backing. Himself a product of the University of Chicago Economics Department of Milton Friedman and the "Chicago Boys" who ran the economic policy of the Pinochet dictatorship, Shultz has been the behind-the-scenes Svengali of the Bush-Cheney Administration, steering it in an explicitly "Pinochet" direction, promoting a bankers' dictatorship of radical free-trade/globalization looting, utilizing unbridled police state power to achieve his aims.

- Henry Kissinger, the National Security Advisor and Secretary of State to President Nixon, who enthusiastically promoted the Pinochet coup, at the very moment that he was formulating National Security Study Memorandum 200 (NSSM-200), which asserted Anglo-American Cold War ownership of the planet's strategic raw-materials wealth and an aggressive corollary doctrine of drastic population reduction, through wars, disease and famine—all targetted at the Third World. Kissinger was the principal American government official behind Operation Condor, a right-wing death-squad apparatus that ran a "strategy of tension" terror war against the sovereign republics of

South American, which spilled over into continental Europe, particularly Italy. One of Kissinger's primary assets in Operation Condor was the Propaganda Two (P-2) Freemasonic Lodge of World War II-era fascist Licio Gelli.

The Chile of the Pinochet dictatorship, steered from Wall Street and the Nixon Administration by Rohatyn, Shultz, and Kissinger, is the model for what these same individuals and the Synarchist bankers cabal they represent, have in mind for the U.S.A.—if they are not stopped.

Carl Schmitt

These are the issues before the U.S. Senate in the case of Judge Alito. The doctrine of the “unitary executive” promoted by Alito is a carbon copy of the doctrine of law devised by Carl Schmitt to justify the Hitler dictatorship of February 1933 and the Pinochet dictatorship of Sept. 11, 1973. In both the Hitler and Pinochet cases, Schmitt was “on the scene.” As the leading German jurist of the 1920s and '30s, Schmitt wrote the legal opinion justifying Hitler's

Reichstag Fire coup. Schmitt argued that the “charismatic leader” derives unbridled power from “the people” in time of crisis, and that any form of government, based on a system of checks and balances, consensus, and separation of powers, is illegitimate, because it stands in the way of the absolute ruler's responsibility to “protect the people.”

In the case of the Pinochet coup in Chile, Schmitt's student-protégé Jaime Guzman, argued that the government had to use violence to impose order. Guzman was the sole source of legal justification for the Pinochet coup and dictatorship, and he insisted that violence was a precondition for success. In effect, Schmitt acolyte Guzman ran fascist Chile—in the name of the same doctrine of “unitary executive” power that Schmitt had earlier codified in the *Führerprinzip*. It is the same doctrine that Cheney et al. seek to impose today on the U.S.A.

This is fascism—pure and simple—and it must be crushed, now, if the United States is to survive as a constitutional republic.

Rohatyn, Pinochet, and the 'Unitary Executive'

Three giant steps transformed ITT from the obscure operator of a telephone system in Puerto Rico, into a world conglomerate: 1) A contract to run the whole Spanish telephone system for then-fascist dictator of Spain, Primo de Rivera, in 1923; 2) Lucrative business in German war industry, after ITT founder Sosthenes Behn became the first American businessman to meet dictator Hitler in 1933; and, 3) The wild merger spree run by Lazard Frères and Felix Rohatyn from 1961 into the 1970s.

Rohatyn held the top post of Lazard Frères representative on ITT's board throughout its role in planning and executing Pinochet's coup. Other officials, from ITT's Chairman on down, have by now admitted their frequent top-level meetings on the subject in Washington and elsewhere, their offers of millions of dollars, and some of their large expenditures for political destabilization and a coup in Chile. Rohatyn was in charge of knowing everything about ITT for Lazard; was he the only one in the dark? And would they have dared to undertake such a scheme without consulting him in advance? No. A glance at the history of the bank makes it clear that it was Rohatyn and Lazard which instigated the conspiracy, along with the lower-level pro-fascist ITT Director John McCone, rather than Harold Geneen.

But in the meanwhile, the release of the Nixon tapes and the record of the Church Committee hearings of 1975, have clarified Rohatyn's and ITT's relationship to a drift towards fascist-like dictatorship here in the United States. For now we know that it was that drift, in reality, not the Watergate burglary, which convinced U.S. institutions that it was imperative that Richard Nixon be removed from the Presidency.

ITT's 1970-71 merger with the Hartford Fire

Insurance Company was opposed by the Justice Department's Anti-Trust Division under Richard McLaren. Somehow, opposition collapsed after Rohatyn went over their head and began meeting with Deputy Attorney General Richard Kleindienst. An ITT internal memo leaked through Jack Anderson implied that ITT had won approval by pledging \$400,000 to the Republican Convention, plus unspecified “services.” It was this Hartford affair that gave Rohatyn his nickname, “Felix the Fixer.”

But unknown at the time were Nixon's telephone calls. The day before his meeting with Rohatyn, the President telephoned Kleindienst, to say that he would no longer tolerate any antitrust action against ITT. “If [that's] not understood, McLaren's ass is to be out of there in one hour. The ITT thing—stay the hell out of it. Is that clear? That's an order.”

Kleindienst tried to stall. He told the President how difficult it would be to interfere so late in the game.

The President became enraged. “The order is to leave the goddamned thing alone. . . . I do not want McLaren to run around prosecuting people, raising hell about conglomerates, stirring things up at this point. . . .”

Kleindienst tried again to explain how difficult it was to stifle such an appeal now. “You son of a bitch. Don't you understand the English language? Drop the goddamned thing. Is that clear?” (See Judith Ramsey Ehrlich and Barry J. Rehfeld, *The New Crowd* [Little, Brown: New York, 1989, p. 99]).

It was also unknown at the time that ITT (and Lazard client RCA) were giving tapes of all their international message traffic to the NSA, so that FBI and Justice could monitor Nixon's enemies.

—Tony Papert

Cheney and the 'Schmittlerian' Drive For Dictatorship

by Edward Spannaus

On Jan. 3, 2001, nine months before the 9/11 terrorist attacks on the World Trade Center and the Pentagon, Lyndon LaRouche issued a blunt warning to a Washington, D.C. audience, that the incoming Bush Administration would attempt to impose dictatorial crisis-management rule, modeled on the Hitler regime in Nazi Germany. LaRouche singled out the nomination as Attorney General of John Ashcroft, a leading figure within the "conservative revolutionary" Federalist Society, as the clearest signal of the intentions of some in the incoming Bush-Cheney regime. "First of all," LaRouche warned, "when Bush put Ashcroft in, as a nomination for the Justice Department, he made it clear, the Ku Klux Klan was riding again. . . . Ashcroft was an insult to the Congress. If the Democrats in the Congress capitulate to the Ashcroft nomination, the Congress is finished."

LaRouche then got to the heart of the matter: "This is pretty much like the same thing that Germany did, on Feb. 28, 1933, when the famous *Notverordnung* [emergency decree] was established. Just remember after the Reichstag fire, that Göring, who commanded at that time, Prussia—he was the Minister-President of Prussia—set into motion an operation. As part of this, operating under rules of Carl Schmitt, a famous pro-Nazi jurist of Germany, they passed this act called the *Notverordnung*, the emergency act, which gave the state the



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U.S. Marine Corps/Cpl. Andrew D. Pendracki

Lurking behind Vice President Dick Cheney's pursuit of dictatorial powers are the Nazi 'legal' theories of 'Crown Jurist' Carl Schmitt (top left) and his boss, Adolf Hitler.

power, according to Schmitt's doctrine, to designate which part of his own population were enemies, and to imprison them, freely. And to eliminate them. This was the dictatorship."

In prescient words, LaRouche continued: "We're

LaRouche Warned the Senate

The evaluation of the danger represented by the Bush Administration's nomination of John Ashcroft as Attorney General, which we quote here, was presented at length and verbatim by Lyndon LaRouche's National Spokesperson Dr. Debra H. Freeman, in written testimony to the Senate Judiciary Committee on Jan. 16, 2001. The testimony was included in the official record of the Senate, and therefore was available to all members of the U.S. Senate, from that time forward.

going into a period in which either we do the kinds of things I indicated in summary to you today, or else what you're going to have is not a government. You're going to have something like a Nazi regime. Maybe not initially at the surface. What you're going to have is a government which cannot pass legislation. How does a government which cannot pass meaningful legislation, under conditions of crisis, govern? They govern in every case in known history, by what's known as crisis-management. In other words, just like the Reichstag fire in Germany.

"What you're going to get with a frustrated Bush Administration, if it's determined to prevent itself from being opposed, you're going to get crisis management. Where special warfare types, of the secret government, the secret police teams, will set off provocations, which will be used to bring about dictatorial powers, in the name of crisis management. You will have small wars set off in various parts of the world, which the Bush Administration will respond to with crisis management methods of provocation."

LaRouche emphasized, "You've got to control this process now, while you still have the power to do so. Don't be like the dumb Germans, who, after Hitler was appointed to the Chancellorship, in January 1933, sat back and said, 'No, we're going to defeat him in the next election.' There was never a next election—there was just this *'Jawohl'* for Hitler as dictator. Because the *Notverordnung* of February 1933 eliminated the political factor. . . ."

Returning to the Bush-Cheney team, LaRouche said, "I know these guys very well, because I've been up against them. . . . These guys, pushed to the wall, will come out with knives in the dark. They will not fight you politically; they will get you in the back. They will use their thugs to get you. That's their method—know it."

LaRouche next turned to the U.S. Supreme Court of Federalist Society godfather, Justice Antonin Scalia: "Given the implications of the grave financial crisis faced by the U.S.A. today, the crucial fact of greatest importance concerning Scalia's doctrines of law, is that his political and legal outlook is identical, on all crucially relevant points of comparison, to the legal dogmas used to bring Adolf Hitler to power during a roughly comparable period of grave financial crisis in Germany. Specifically, Scalia expresses the same explicitly Romantic dogmas of the pro-fascist 'conservative revolution' of G.W.F. Hegel, Friedrich Nietzsche, et al., which Scalia has imitated, in keeping with the model precedent of the so-called 'Kronjurist' of Nazi Germany, Carl Schmitt. That is the Schmitt who was the legal architect of the doctrine creating those dictatorial powers given, with 'finality,' to the Nazi regime of Adolf Hitler."

That was Jan. 3, 2001. Now five years later, Vice President Dick Cheney, the "Herman Göring" of the Bush Administration, has come out with the blunt admission that everything that LaRouche said back in January 2001 was true. On Dec. 20, while traveling to Oman on Air Force Two, the Vice President spoke to reporters, and delivered an unabashed defense of Carl Schmitt's *Führerprinzip* (Leader Principle) of absolute executive

power. Cheney, facing a growing revolt from the Congress, the military and intelligence institutions, and the American people, against his over-the-top push for Presidential dictatorship and his promotion of Nuremberg war crime offenses, let it all hang out, admitting that he came into the Vice Presidency, fully committed to the imposition of rule-by-decree government.

"A lot of the things around Watergate and Vietnam, both, in the '70s, served to erode the authority, I think, the President needs to be effective, especially in a national security area," Cheney began. "If you want reference to an obscure text, go look at the minority views that were filed with the Iran-Contra Committee; the Iran-Contra Report in about 1987. . . . And those of us in the minority wrote minority views, but they were actually authored by a guy working for me, for my staff, that I think are very good in laying out a robust view of the President's prerogatives with respect to the conduct of especially foreign policy and national security matters. . . . I served in the Congress for ten years, . . . but I do believe that, especially in the day and age we live in, the nature of the threats we face, . . . the President of the United States needs to have his constitutional powers unimpaired, if you will, in terms of the conduct of national security policy. That's my personal view."

"Either we're serious about fighting the war on terror or we're not. . . . The President and I believe very deeply that there's a hell of a threat, that it's there for anybody who wants to look at it. And that our obligation and responsibility, given our job, is to do everything in our power to defeat the terrorists. And that's exactly what we're doing."

Presidential Dictatorship: 'The Dark Side'

This view of unbridled Executive power as laid out by Cheney was shocking, even to many seasoned hands in the institutions of our government, especially for Cheney's total rejection of the post-Watergate reforms. It is a view that has been expressed in a number of obscure, and many still-secret, legal memoranda written in the past five years by a cabal of lawyers around Cheney, most of whom were groomed in the misnamed Federalist Society, but it has seldom been so openly expressed by the Vice President himself.

Five days after the 9/11 attacks, Cheney had hinted at what he was planning, during an appearance on NBC's "Meet the Press," when he declared that "lawyers always have a role to play, but . . . this is war." He elaborated his Hobbesian view:

"We also have to work, though, sort of the dark side, if you will. We've got to spend time in the shadows in the intelligence world. A lot of what needs to be done here will have to be done quietly, without any discussion, using sources and methods that are available to our intelligence agencies, if we're going to be successful. That's the world these folks operate in, and so it's going to be vital for us to use any means at our disposal, basically, to achieve our objective. . . . It is a mean, nasty, dangerous, dirty business out there, and we have to operate in that

arena. I'm convinced we can do it; we can do it successfully. But we need to make certain that we have not tied the hands, if you will, of our intelligence communities in terms of accomplishing their mission."

At the same time that Cheney was talking about America's venture to "the dark side," the Vice President was attempting to bully the U.S. Congress into surrendering dictatorial powers to the White House—including the authority to spy on American citizens, without the legally mandated court orders. As the *New York Times* revealed on Dec. 16, 2005, within days of the 9/11 attacks, Cheney attempted to ram through Congress a war powers resolution, granting *carte blanche* authority to use "any means necessary" both abroad and at home, to conduct the "war on terror." Sen. Tom Daschle (D-S.D.), the Senate Majority Leader at the time of the 9/11 attacks, blocked authority for domestic operations, and the Congress, as a whole, limited the President's war powers to actions against the perpetrators of the 9/11 attacks. Cheney and his gang of Federalist Society legal gun-slingers proceeded to ignore the Congress, and launched unauthorized surveillance and dirty tricks against American citizens, on a scale yet-to-be-revealed.

Already at that point—in fact, even before 9/11—Cheney and his hand-picked legal mouthpieces (David Addington, Timothy Flanigan, and John Yoo, in particular) wrote this into policy in the documents that have become known as the "torture memos." In order to get to "the dark side," they repeatedly claimed that any law or act of Congress which infringes on the "inherent authority" of the President as Commander in Chief to conduct war, is unconstitutional. It is the President, and the President alone, who decides what is necessary to defend the nation.

The Leader Creates the Law

This argument has a definite pedigree—even if its proponents, understandably, fail to footnote it.

It is called the *Führerprinzip*, and its foremost theorist was Carl Schmitt, known in his time as the "Crown Jurist of the Third Reich." Schmitt's theories have been undergoing a revival in the United States and elsewhere in recent years, so it is not surprising to see them popping up here.

Schmitt contended—as do Cheney's lawyers today—that, in times of crisis, legal norms are suspended, and the Leader, in this case, the President, both *is*, and *creates*, the law. "All law is derived from the people's right to existence," Schmitt wrote in 1934. "Every state law, every judgment of the courts, contains only so much justice, as it derives from this source. The content and the scope of his action, is determined only by the Leader himself."

The "theoretical" grounding for these arguments in the Nazi period, was provided by Schmitt, who contended that legal norms are applicable only in stable, peaceful situations, not in times of war when the state confronts a "mortal enemy." The Leader determines what is "normal," and he also defines "the state of the exception," when legal norms, and notions such as the separa-

tion of powers, and constitutionally guaranteed checks and balances, no longer apply.

When Bush and Cheney recite that "9/11 changed everything," they are mouthing the words of Hitler's Crown Jurist, Carl Schmitt.

The Federalist Society

How did these Schmittlerian arguments get laundered into the Bush-Cheney Administration?

Needless to say, the Administration's lawyers don't go around quoting Carl Schmitt—at least not by name. Whereas Schmitt labelled his theory of the all-powerful Leader, the *Führerprinzip*, David Addington and the Federalist Society give it a different name: the "unitary executive."

This came to light in an Oct. 11, 2004 profile of Addington, written for the *Washington Post* by Dana Milbank.

"Where there has been controversy over the past four years, there has often been Addington," Milbank wrote, noting that Addington's views are "so audacious that even conservatives on the Supreme Court sympathetic to Cheney's views have rejected them as overreaching."

"Even in a White House known for its dedication to conservative philosophy, Addington is known as an ideologue, an adherent of an obscure philosophy called the unitary executive theory that favors an extraordinarily powerful President," Milbank continued.

The "theory" traces its origins to the Reagan Administration—and in time it coincided with the formation of the Federalist Society (which, to be historically accurate, would better be known as the Anti-Federalist Society). One of the founders of the Federalist Society, Steven Calabresi of Yale University, is also the foremost proponent of the unitary executive.

At its core, is the dogma that the President has as much right as, perhaps even more than, the Supreme Court, to interpret the Constitution, and that the President must brook no interference from the other two branches with his prerogatives and powers. The President is entitled, indeed obligated, to disregard any laws he regards as unconstitutional (although this is, to be sure, a quite perverted meaning of what is "constitutional" and "unconstitutional").

In the Bush-Cheney Administration, under the direction of Addington and his clique, the doctrine has been applied to military and national security matters in an unprecedented manner, even to the chagrin of some of its proponents.

How It Worked

David Addington first surfaced as the Bush-Cheney Administration's latter-day Carl Schmitt two months after 9/11, when a number of military-linked lawyers told *EIR* of their anger over the President's Nov. 13, 2001 Military Order establishing military commissions to try suspected terrorists. They identified the almost-unknown Addington as one of those who blocked the views of the uniformed military, who were advocating

sticking with the existing procedures under the congressionally enacted Uniform Code of Military Justice.

Although bits and pieces of the story came out over time, it wasn't until October 2004 that a comprehensive account was published about the battles around the military commissions; this was in the *New York Times* of Oct. 24 and 25, 2004.

The *Times* documented Cheney's specific role in crafting a scheme to bypass both the traditional military justice system, and the Federal courts, in order to create a system under which prisoners could be held indefinitely as "enemy combatants," and then eventually, perhaps, tried by military tribunals.

Cheney operated in secrecy, excluding uniformed military lawyers from the planning, and then, when a draft Military Order was prepared, even ordered it to be withheld from National Security Advisor Condoleezza Rice and Secretary of State Colin Powell.

While the 9/11 attacks were the pretext, the *Times* noted that the strategy was shaped by long-standing agendas—of expanding Presidential power and downgrading international treaty commitments—that had zero to do with fighting terrorism.

The core grouping of lawyers in the White House and Justice Department involved in crafting the new strategy were predominantly members of the Federalist Society, and most had clerked for Supreme Court Justices Antonin Scalia and Clarence Thomas, or for Appeals Court Judge Lawrence Silberman—a Federalist Society stalwart and architect of the campaign to bring down President Clinton in the mid-1990s.

The key planners, as identified in the *Times* article, were Dick Cheney (at the top of their chart), then Cheney's Counsel Addington, Bush's Counsel Alberto Gonzales, Gonzales's deputy Timothy Flanigan, and the Justice Department's Office of Legal Counsel. What the chart should have shown, was Addington and Flanigan running circles around Gonzales, a corporate lawyer who was way over his head in these matters. Excluded from the process were most of the government's experts in international law and military law.

The *Times* said that the idea of using military tribunals to try suspected terrorists came in a phone call from former Attorney General William P. Barr, to Flanigan, who had worked at the Justice Department under Barr during the Bush "41" Presidency. Tribunals would give the government wide latitude to hold, interrogate, and prosecute suspected terrorists, with control of the entire process totally in the hands of the Executive, not the Federal Judiciary. "The same ideas were taking hold in the office of Vice President Cheney," the *Times* noted, and were being championed by Addington, described as a long-time Cheney aide with an undistinguished legal background.

The Justice Department's Office of Legal Counsel (OLC) worked up a plan to establish tribunals, ostensibly modeled on the one used by Franklin D. Roosevelt to try Nazi saboteurs in 1942—despite dramatic

changes that had taken place since then, the most important of which were the 1949 adoption of the Geneva Conventions, and the 1951 enactment of the Uniform Code of Military Justice. Addington seized upon the outdated 1942 precedent, and was the most influential in pushing it through, because of the clout he had by virtue of representing Cheney. Top military lawyers offered proposals to shift the scheme closer to the existing military justice system; their suggestions were completely ignored. The OLC memo argued that the President could act unilaterally, bypassing Congress, by using his "inherent authority" as Commander in Chief.

Addington and Flanigan drafted the Military Order. On Nov. 10, Cheney chaired a meeting in the White House, attended by Ashcroft, Pentagon General Counsel William Haynes, and White House lawyers. Senior State Department and National Security Council officials were excluded, and Cheney advocated withholding the final draft from Rice and Powell. Cheney later discussed the order privately with President Bush over lunch, and the President dutifully signed it on Nov. 13.

As *EIR* was told at the time, military lawyers were furious at the President's order and at the bypassing of the court-martial system, fearing that the entire system of military justice would be tainted. The *Times* quoted Adm. Donald Guter, who has since retired as the Navy's Judge Advocate General: "The military lawyers would from time to time remind the civilians that there was a Constitution that we had to pay attention to."

Hunter-Killer Squads

That particular case study illustrates the way the process worked. But it would be much too sanitized, to just consider this as a question of what kind of trials to give captured terrorist suspects. The Administration's rejection of U.S. military law and the Geneva Conventions was the marker for a policy that intentionally and inevitably produced widespread torture and abuse of prisoners (officially referred to as "detainees"). Over 100 prisoners have died in U.S. custody, many from torture; the Pentagon has classified at least three dozen of these as criminal homicides.

Parallel to the creation of the President's Military Order in the weeks following 9/11, was a related process, to authorize CIA and military covert action programs which included "renditions," secret prisons, and the creation of hunter-killer squads to track down suspected terrorists to be captured or killed. Investigative reporter Seymour Hersh has provided the best description of this, emphasizing the role of Secretary of Defense Donald Rumsfeld and his deputy for intelligence, Stephen Cambone.

The *Washington Post* has focussed almost exclusively on the CIA's role in this, the latest example being a lengthy article published on Dec. 30, 2005, concerning the authorization of an expanded CIA covert action program after 9/11—precisely what Cheney was describing



EIRNS/Dan Sturman

The LaRouche Youth Movement, shown here organizing in New York City in December, is demanding the immediate ouster of Cheney.

in his “dark side” remarks on Sept. 16, 2001. In fact, the next day, on Sept. 17, according to the *Post*, Bush signed a top-secret Presidential Finding which authorized the creation of hunter-killer teams and related covert programs.

And, the *Post* reported, when the CIA asked for new rules for interrogating key terrorism suspects, “the White House assigned the task to a small group of lawyers within the Justice Department’s Office of Legal Counsel who believed in an aggressive interpretation of presidential power,” while at the same time excluding from its deliberations lawyers from the uniformed military services, the State Department, and even the Justice Department’s Criminal Division, which had traditionally been responsible for dealing with international terrorism.

Former CIA Assistant General Counsel, now a law professor, A. John Radsan, described the process to the *Post* as follows: “The Bush administration did not seek a broad debate on whether commander-in-chief powers can trump international conventions and domestic statutes in our struggle against terrorism . . . an inner circle of lawyers and advisers worked around the dissenters in the administration, and one-upped each other with extreme arguments.”

The Addington/Gonzales Memo

The process of trashing U.S. laws and international treaties came to a head around the issues of the treatment of prisoners captured in Afghanistan and elsewhere. After these prisoners began arriving at the Guantanamo Bay prison camp in January 2002, there was still a debate within the Bush Administration over whether the Geneva Conventions would apply, which was not resolved until early February. The *New York Times* reported that around Jan. 21, while returning from a “field trip” to Guantanamo, Addington urged Gonzales to seek a blanket designation, declaring all prisoners at Guantanamo to be covered by the President’s order on military tribunals. Gonzales agreed, and within a day, the Pentagon set into motion the procedures intended to prepare for military tribunals to try the Guantanamo prisoners.

It was publicly known at the time, that there was a fierce debate under way within the Administration, with Secretary of State Powell and the Joint Chiefs of Staff arguing for the application of the Geneva Conventions. Amidst press reports of this raging dispute, Cheney went on two Sunday talk shows on Jan. 27, where he was asked

about Powell’s objections.

On ABC’s “This Week,” Cheney attacked Powell’s position, asserting that “the Geneva Convention doesn’t apply in the case of terrorism.” He went on:

“These are bad people. I mean, they’ve already been screened before they get to Guantanamo. They may well have information about future terrorist attacks against the United States. We need that information, we need to be able to interrogate them and extract from them whatever information they have.”

The debate over just what was permissible in order to “extract” such information, continued through 2002 and into 2003. At every point, it was Addington and Flanigan, working through the John Yoo and the DOJ Office of Legal Counsel, who pressed the Schmittlerian doctrine that the President as Commander in Chief (i.e., the Leader) could unilaterally determine which laws to obey, and which to disregard.

Planning for War Crimes

There is no question that they knew exactly what they were doing, and that they recognized that the actions they were proposing, constituted war crimes under U.S. and international law. This is documented in their memoranda, which obviously were never intended to see the

The 'Torture Trio'

David S. Addington: Counsel to the Vice President, and now Cheney's Chief of Staff, replacing Lewis Libby, who resigned when he was indicted in late October 2005. Addington was Assistant General Counsel at the CIA from 1981-84, and then went to work for various Congressional committees; he hooked up with Cheney during their work together in the Minority for the Iran-Contra investigation. When Cheney became Secretary of Defense in 1989, under Bush 41, he brought Addington in as a Special Assistant, famously giving him an office adjacent to his own, which was normally occupied by a military aide. He was later promoted to General Counsel of the Department of Defense, where, according to military sources, he served as Cheney's personal hatchet-man, purging the ranks of the uniformed military of officers who resisted Cheney's commitment to the doctrine of preventive nuclear war. During the interregnum of the Clinton years, he worked for private law firms, and in the mid-1990s, he formed a political action committee which was Cheney's vehicle for exploring a Presidential bid.



White House/David Bohrer

David Addington, now Vice President Cheney's Chief of Staff.



Timothy Flanigan's support for torture was so flagrant that he lost his bid to be named Deputy Attorney General.

Timothy E. Flanigan: As Deputy White House Counsel (i.e., Alberto Gonzales's deputy) during 2001 and 2002, Flanigan was a key player in all the discussions around detainee policy and in the development of the "torture memos." During the Bush 41 Administration, he was an Assistant Attorney General in the Justice Department's Office of Legal Counsel—the office responsible for advising the Executive Branch on the constitutionality of actions and legislation, and a stronghold of "unitary executive" proponents during Republican Administrations.

In September 2005 President Bush nominated Flanigan to be Deputy Attorney General, but he was forced to withdraw the nomination a month later because of both Flanigan's role in the torture memos, and his later role as General Counsel of Tyco International in 2003-04, where he supervised the lobbying activities of the now-indicted Jack Abramoff. Earlier, Flanigan had received over \$800,000 from the Federalist Society in "consulting fees," ostensibly to write an "unau-

thorized biography" of Supreme Court Justice Warren Burger.

John C. Yoo: Although only a Deputy Assistant Attorney General in the DOJ Office of Legal Counsel, in the first three years of the Bush-Cheney Administration, Yoo wielded inordinate influence due to his close ties to Addington and Flanigan, to the chagrin of senior Justice Department officials, according to a report in the Dec. 23, 2005 *New York Times*, which also noted that he was able to bypass normal DOJ channels to send his memos directly to the White House. Yoo had clerked for Judge Lawrence Silberman at the D.C. Court of Appeals, and then Justice Clarence Thomas at the Supreme Court; both judges have been key figures in the Federalist Society, in which Yoo himself was extremely active. Having earlier come to Flanigan's attention, Yoo hooked up with Flanigan again on Bush's legal team in the 2000 Florida recount, whence Flanigan sponsored his appointment to the Justice Department's OLC.



University of California, Berkeley

John C. Yoo, a Federalist Society booster, was promulgated into prominence by powerful sponsors, including David Addington.

light of day.

According to the record as known so far, it was John Yoo who first raised the alarm that U.S. officials might be liable for criminal prosecution under the U.S. War Crimes Act. This was in a Jan. 9, 2002 memo, and his arguments were incorporated into a more formal Jan. 22 memo from the Office of Legal Counsel, to Gonzales and Defense Department General Counsel William Haynes. The memo asserted that “the President has plenary constitutional power” to suspend the operation of the Geneva Conventions.

Powell strongly protested, and in response to his objections, Addington drafted the Gonzales “Memorandum for the President” dated Jan. 25, in which he argued that the OLC’s interpretation “is definitive.”

Addington/Gonzales wrote to the President:

“As you have said, the war against terrorism is a new kind of war. It is not the traditional clash between nations adhering to the laws of war that formed the backdrop for GPW [Geneva Convention on Prisoners of War]. The nature of the new war places a high premium on other factors, such as the ability to quickly obtain information from captured terrorists and their sponsors and their sponsors in order to avoid further atrocities against American civilians. . . . In my judgment, this new paradigm renders obsolete Geneva’s strict limitations on questioning of enemy prisoners and renders quaint some of its provisions. . . .”

But they didn’t stop there. They pointed out that another advantage of such a determination, was that this “substantially reduces the threat of domestic criminal prosecution under the War Crimes Act (18 U.S.C. 2441).” They continued: “ ‘War crime’ for these purposes is defined to include any grave breach of GPW or any violation of common Article 3 thereof (such as ‘outrages against personal dignity’). . . . Punishments for violations of Section 2441 include the death penalty.”

Addington/Gonzales went on to explain to President Bush why his determination that GPW does not apply, would guard against a “misapplication” of the War Crimes Act, and they noted that “it is difficult to predict the motives of prosecutors and independent counsels who may in the future decide to pursue unwarranted charges. . . .” They tried to reassure Bush, “Your determination would create a reasonable basis in law that Section 2441 does not apply, which would provide a solid defense to any future prosecution.”

The ‘Torture Memos’

The most atrocious of the “torture memos” was the Aug. 1, 2002 memorandum signed by Jay S. Bybee, the DOJ/OLC chief, entitled: “Standards of Conduct for Interrogations, under the Convention Against Torture and the U.S. Anti-Torture Act.” It is this, which states that treatment may be “cruel, inhuman, or degrading, but still not produce pain and suffering of the requisite intensity” which would fall under the Federal Anti-Torture Act. This was defined as pain which is “equiva-

lent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of body function, or even death.”

Addington’s notable contribution to this memo, was his pressuring the OLC to include a strong section on the President’s Commander-in-Chief powers. The memo concluded that a prosecution under the Anti-Torture Act “would represent an unconstitutional infringement of the President’s authority to conduct war.”

Another critical memorandum, still undisclosed, was discussed in a Nov. 14, 2005 *New Yorker* article by investigative reporter Jane Mayer. International lawyer Scott Horton has pointed to the memo, written by John Yoo, as reflecting the influence of Carl Schmitt.¹ Mayer wrote:

“A March 2003 classified memo was breathtaking, the same source said. The document dismissed virtually all national and international laws regulating the treatment of prisoners, including war-crimes and assault statutes, and it was radical in its view that in wartime the President can fight enemies by whatever means he sees fit. According to the memo, Congress has no constitutional right to interfere with the President in his role as Commander-in-Chief, including making laws that limit the ways in which prisoners may be interrogated.”

There are numerous other examples of this same application of the Schmittlerian doctrine by Cheney, Addington, et al., some now disclosed, some yet to be revealed. But the point is clear.

Waiting for Carl . . .

Sept. 11, 2001 was clearly the moment that Cheney and his coterie of lawyers had been waiting and hoping for, the “exception” which would justify the suspension of the laws.

For Addington and the Federalist Society cabal, this was the culmination of two decades of struggle. For Cheney, it was more. As former White House Counsel John Dean revealed in his book *Worse than Watergate*, the issue of unrestricted Presidential power had been an obsession of Cheney since Cheney’s days in the Ford White House of the mid-1970s, in the wake of Vietnam and Watergate, when Congress had set about dismantling the “imperial Presidency.”

“Cheney has long believed that Congress has no business telling Presidents what to do, particularly in national security matters,” Dean said. And, as Dean wrote and Cheney demonstrated in his Air Force Two interview, “Cheney still seems to resent these moves to bring the Presidency back within the Constitution.”

Addington and the Federalist Society provided Cheney with a way to transform his anti-constitutional resentments into the closest thing to a Nazi-style dictatorship that America has ever experienced. It was a match made in Hell.

1. “The return of Carl Schmitt,” www.balkin.blogspot.com, Nov. 7, 2005.

Carl Schmitt: Dick Cheney's *Éminence Grise*

by Barbara Boyd

Lyndon LaRouche is not the only Constitutional scholar to remark that President Bush's claim of absolute Presidential power, trumping any mere law or statute, and Cheney's Air Force II ramblings, come straight out of Carl Schmitt. Sanford V. Levinson, who holds dual professorships in law and government at the University of Texas, and is an eminent Constitutional scholar, wrote in the Summer 2004 issue of *Daedalus* that, "although some analysts have suggested that the Bush Administration has operated under the guidance of the ideas of German emigré Leo Strauss, it seems far more plausible to suggest that the true *éminence grise* of the administration, particularly with regard to issues surrounding the possible propriety of torture, is Schmitt."

In a similar vein, Scott Horton, chairman of the International Law Committee of the New York City Bar Association and adjunct Professor at Columbia University, published a note on the blog "Balkinization" on Nov. 7, titled "The Return of Carl Schmitt." In discussing Justice Department lawyer John Yoo's advice that the Executive Branch was not bound by the Geneva Conventions and similar international instruments in its conduct of the war in Iraq, Horton writes, "Yoo's public arguments and statements suggest the strong influence of one thinker: Carl Schmitt."

According to Schmitt, Horton notes, "the norms of international law respecting armed conflict . . . are 'unrealistic' as applied to modern ideological warfare against an enemy not constrained by notions of a nation-state, adopting terrorist methods and fighting with irregular formations that hardly equate to traditional armies. For Schmitt, the key to successful prosecution of warfare against such a foe is demonization. The enemy must be seen as absolute. He must be stripped of all legal rights of whatever nature. The Executive must be free to use whatever tools he can find to fight and vanquish this foe. And conversely, the power to prosecute the war must be vested without reservation in the Executive—in the words of Reich Ministerial Director Franz Schlegelberger (eerily echoed in a brief submission by Bush Administration Solicitor General Paul D. Clement) 'in time of war the Executive is constituted the sole leader, the sole legislator, sole judge.' I take the liberty of substituting Yoo's word, Executive; for Schmitt or Schlegelberger, the word would, of course, have been *Führer*."

Who Was Carl Schmitt?

Born in 1899 to a Catholic working class family, Carl Schmitt studied jurisprudence at Berlin, Munich, and Strasbourg, and then served under the German general staff in World War I, administering martial law. Following this formative experience, Schmitt formed his central political idea: that how the state acts in the face of "concrete danger" or the "concrete situation," rather than any moral purpose, determines its legitimacy. The sovereign or legitimate dictator is the person who decides the "state of exception" in order to preserve order and protect the constitution. Committed to the world view of G.W.F. Hegel and Thomas Hobbes, in which man is "fallen" and "evil," Schmitt argues that all politics reduces itself to the relationship of "friend and foe."

In the Schmitt corpus, democracies based on "norms," legal rules, and the separation of powers are powerless when confronted by charismatic and powerful religious or political threats to their existence, such as the Bolsheviks. The existence of "exceptional situations" such as states of emergency, refute the very foundation of liberal political systems, which are premised on pre-established laws and norms purportedly applicable to all possible situations. Schmitt mocked the idea that rational, endless legislative debate and discussion could generate the truth, noting that a social democrat when asked, "Christ or Barabbas?" would immediately seek consultation and then convene a commission to study the matter. The enlightened public sphere, the "city on the hill" in our American discourse, had disappeared in post-World War I Germany. For Schmitt, it had been superseded by the advent of mass markets, myth-making, and propaganda machinery, self-interested partisan assertion, and civilizational chaos and moral collapse.

From 1921 through 1933, as a law professor producing polemical tracts which were closely read, studied, and promoted by the synarchist banking crowd which sponsored Europe's fascist experiment, and then as a counselor in the governments of Brüning and von Papen, Schmitt relentlessly attacked and undermined the Weimar Constitution.

As early as 1922, Schmitt argued in *Political Theology* that the true sovereign is the individual or group who makes decisions in the exceptional situation. This individual or group, not the Constitution, is the sovereign. The most guidance a Constitution can provide is the stipulation of who can act in such a situation.

In *The Concept of the Political*, published in 1927, Schmitt asserted that the state's very identity and existence proceed from the more fundamental or basic relationship between "friend and enemy," and that sovereignty is determined by the individual or entity who is able to define and protect society against the foe under conditions of existential threat. Rather than resort to norms, Schmitt stipulates, the sovereign resorts to the law of the battlefield, or "concrete decisionism."

Throughout a long career, which continued until his death in 1985, Schmitt remained devoted to the Italian form of fascism under Mussolini, which, Schmitt claimed, united the church, an authoritarian state, a free economy, and a powerful mythos which motivated the population.

The Transition to Constitutional 'Dictatorship'

Schmitt's principal weapon in deconstructing the German Constitution, however, was its Article 48 provision which allowed for the creation of a state of emergency and Presidential rule by executive order. In *The Guardian of the Constitution*, published in 1931, Schmitt argued that Article 48 conferred an unlimited authority in the German President to suspend the Constitution during a state of emergency, as long as he restored the Constitution when the emergency ended. Under Article 48, the President had inherent dictatorial powers as "protector of the Constitution," including the power to legislate, free from the need of parliamentary authorization. Since the President alone represents all of the people, resort to direct plebiscites would resolve any doubts about democratic legitimacy under Presidential rule.

After Brüning's fall in 1932, Germany was governed by a Presidential dictatorship with Schmitt as its legal advisor. When the Nazis staged the Reichstag Fire on Feb. 27, 1933, of course, the stage had already been set for a relatively unremarkable legal transition from Schmitt's "commissarial" or temporary dictatorship to Schmitt's idea of a sovereign or permanent dictatorship.

On Feb. 28, 1933, Hitler utilized Article 48 to suspend the rights of his opponents, labelling them as terrorists. A frightened Parliament, believing that Germany was under attack by the Bolshevik hordes, then passed enabling legislation legitimizing the dictatorship on March 23. In an article in the *Deutsche Juristen Zeitung* of March 25, Schmitt defended the enabling legislation, claiming that the Executive prerogative now included the power to pass new Constitutional laws, and declare the Weimar Constitution a dead letter. The new law was, Schmitt wrote, the expression of a "triumphant national revolution." According to Schmitt, "the present government wants to be the expression of a unified national political will which seeks to put to an end the methods of the plural party state which were destructive of the state and the Constitution."

When Hitler slaughtered his political opponents in the "Night of the Long Knives," including Kurt von Schleicher, whom Schmitt had once declared a friend,

Schmitt wrote in the *Deutsche Juristen Zeitung* in 1934 that, "The *Führer* protects the law against the worst abuse when he, in the hour of danger, by virtue of his leadership, produces immediate justice. The true leader is, at the same time, always a judge."

In a propaganda piece published in Germany in 1936, and later in France, Schmitt characterized every government in post-World War I Europe as suppressing the constitutional distinction between legislative and executive powers because they needed to keep legislative powers "in harmony with the constant changes in the political, economic, and financial situation." The only unique thing about the Hitler Reich was that this process had reached its logical conclusion in Germany. In 1933, Germans had fully dispensed with conventional notions of the "separation of powers" by instituting a system of genuine "governmental legislation." It would be wrong, Schmitt said, to characterize this evolution as a "dictatorship." Rather, it represented the triumph of an older constitutional legality, one rooted in the thinking of Aristotle and Thomas Aquinas.

During his service to the Nazis, Schmitt reported to Herman Göring and Hans Frank, supervising a project to purge German universities of any Jewish influences, and to conform all German law to Nazi theory. Schmitt justified Hitler's aggression against other nations of Europe by claiming that Germany was creating a *Grossraum*, a sphere of influence, as the United States did with the Monroe Doctrine. When Schmitt fell out of favor with the SS, he travelled to Spain, Portugal, and Italy, under synarchist sponsorship providing lectures on how to continually legitimize the fascist governments of those nations. He refused de-Nazification after his arrest at the end of the war, arguing that he took no part in the actual administration of genocide, but only provided "ideas," or "a diagnosis."

The U.S. Schmitt Revival

The close relationship between Carl Schmitt and Leo Strauss, and the explosive revival of Schmitt's works in the United States, funded by the same foundations which sponsor the Federalist Society in the 1980s and 1990s (see following article) suggest that Dick Cheney's advocacy of the *Führerprinzip* is not a matter of coincidence. Schmitt helped Strauss obtain a Rockefeller Foundation grant to come to the United States. Strauss and Schmitt collaborated on Schmitt's book, *The Concept of the Political* and on Strauss's book on Hobbes. Strauss's fawning letters to Schmitt continued long after the Nazis' ascent to power.

New York University Professor George Schwab produced two books on Schmitt in the 1970s, working with Schmitt himself to cleanse and minimize Schmitt's Nazi past for a U.S. audience. Schwab was a protégé of foreign policy "realist" Hans Morgenthau, also of the University of Chicago, and Schmitt's works proved useful in the 1970s dirty work of George Shultz and Henry Kissinger in overthrowing the Allende government in Chile, and establishing a bankers' dictatorship run

through the University of Chicago and Gen. Augusto Pinochet. Jaime Guzman, an open and proud follower of Carl Schmitt, is widely recognized as the individual who provided popular legal legitimization for Chile's "constitutional coup," utilizing, Guzman states, the theories provided by Carl Schmitt. José Piñeras, the leader of Chile's social security reform, who toured the U.S. on behalf of George Bush's Social Security reform proposals, declares on the Internet that he was "the closest friend" of Guzman.

In the late 1970s, a German Straussian, Heinrich Meier of the Siemens Stiftung, also began working on a major reformulation of Schmitt for purposes of the emerging Conservative Revolution. Concentrating on Schmitt's postwar diaries, his early work with Leo Strauss, and Schmitt's resurrection of the Spanish philosopher Donoso Cortes for purposes of legitimizing Franco, Meier recast Schmitt as the theoretician of permanent religious warfare, or world civil war on behalf of the God of revealed religion, a theory which has chilling resemblance to the worldview expressed by George W. Bush.

In the 1980s and 1990s Schmitt became a staple on

reading lists of U.S. colleges and universities in political science and philosophy, a revival which produced English translations of most of Schmitt's works, and reams of "scholarly" articles, conferences, and presentations. Funding for this project centered in the Lynde and Harry Bradley Foundation and other neo-conservative foundations. Michael Joyce, who chaired the Bradley Foundation during this period, is a Straussian who started his career with Irving Kristol and the Institute for Educational Affairs—the same Foundation that provided seed funding for the Federalist Society. The English translations of both Meier books on Schmitt were published by the University of Chicago Press under grants from the Bradley Foundation, facilitated by Hillel Fradkin. Fradkin, a Straussian, taught on the Committee on Social Thought at the University of Chicago; was vice president of the Bradley Foundation from 1988-1998; was a program officer at the Olin Foundation; heads a Straussian think tank in Israel called the Shalem Center, and recently replaced Iran-Contra's Elliott Abrams as the head of the Ethics and Public Policy Center in Washington, D.C.

Fascist 'Feddies' March Through the Institutions

by Jeffrey Steinberg

The same right-wing tax-exempt foundations that are behind the Carl Schmitt revival of the past 20 years, have also bankrolled a "Schmittlerian" "march through the judicial institutions" via the misnamed Federalist Society. Founded in 1982, at the University of Chicago and Yale University law schools, the Federalist Society has promoted the dismantling of all regulatory protection of the General Welfare, while advocating the most draconian police-state excesses, typified by the Patriot Acts and the "torture memos." These have been authored by a team of Federalist Society members and allies inside the Department of Justice Office of Legal Counsel and the White House Office of the General Counsel—under the sponsorship of Vice President Dick Cheney and Cheney's current chief of staff and general counsel, David Addington.

The Federalist Society's *modus operandi*: To hijack the curriculum at major American law schools on behalf of patently anti-American "Conservative Revolution" fascist dogmas, and place a carefully screened and indoctrinated group of ambitious right-wing attorneys in key posts in the Executive Branch, and in Federal regulatory agencies, to overturn the U.S. Constitution. Federalist Society members and fellow-travellers now dominate the Office of the White House General Counsel and the

Justice Department's Office of Legal Counsel, and hold a large and growing number of Federal Court judgeships, including on the U.S. Supreme Court. Federalist Society board member C. Boyden Gray, who was White House General Counsel under President George H.W. Bush, employed Federalist Society founder Lee Liberman Otis to head up judicial screening at the Bush 41 White House; she boasted, according to Lawrence Walsh, that not one judicial appointment was made by Bush of a non-Federalist Society member.

When then-First Lady Hillary Clinton denounced a "vast right-wing conspiracy" behind the impeachment of President Bill Clinton, she was, knowingly or not, shining a spotlight on the Federalist Society. Federalist Society booster Judge David Sentelle, Jr. headed the judicial committee that selected Federalist Society member Kenneth Starr to head the Whitewater probe. Starr selected Federalist Society member Brett Kavanaugh as one of his deputies (Kavanaugh has been a White House Associate Counsel since the Bush 43 inauguration in January 2001). Federalist Society board of visitors co-chairman Sen. Orrin Hatch (R-Utah) chaired the Senate Judiciary Committee at the time of the Clinton impeachment trial. His son, Brent Hatch, is the Treasurer of the Federalist Society board of directors. Federalist Society

Washington, D.C. chapter President Theodore Olson, the recently retired Solicitor General of the United States, ran the “Get Clinton salon” that drew together right-wing media pundits, lawyers, and foundation executives, to drive the propaganda barrage against the Presidency.

For the most part, the Federalist Society has gone out of its way to hide its “Schmittlerian” roots. To read the Society’s glossy literature, one would get the false impression that they are revivalists of the James Madison Federalist tradition. The group’s Fiscal Year 2003 Annual Report claimed, “The Federalist Society for Law and Public Policy Studies is a group of conservatives and libertarians interested in the current state of the legal order. It is founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. The Society seeks both to promote an awareness of these principles and to further their application through its activities.”

Then the Big Lie concludes: “This entails reordering priorities within the legal system to place a premium on individual liberty, traditional values, and the rule of law. It also requires restoring the recognition of the importance of these norms among lawyers, judges, law students and professors. In working to achieve these goals, the Society has created a conservative intellectual network that extends to all levels of the legal community.”

Many civil rights activists see it quite differently. They characterize the Federalist Society as a network committed to the revival of the “Confederate doctrine of law,” aimed at overturning all of the civil rights advances since Franklin Roosevelt and the New Deal. Indeed, one leading Federalist Society member, University of Chicago Law School professor Richard Epstein, heads a movement called the “Constitution in Exile,” which claims that FDR ripped up the Federal Constitution with his New Deal programs of Social Security and other social-safety-net guarantees—this, despite the fact that the General Welfare Clause of the Constitution’s Preamble explicitly mandates that the Federal government “promote the general welfare” of current and future generations.



www.usdoj.gov

Robert Bork, one of whose protégés was Steven Calabresi, a founder of the Federalist Society. Bork and Scalia were among the first faculty sponsors of the Federalist Society when it was launched in 1982.



naif.org

Justice Antonin Scalia: many of the Federalist Society members involved in promoting the “unitary executive” scheme had clerked for him, or look to him for inspiration.

Lino A. Graglia, a Federalist Society member and University of Texas law professor, whose Reagan-era nomination to the U.S. 5th Circuit Court of Appeals was pulled when he admitted that he had referred to African Americans as “pickaninnies,” openly asserts, to this day, that blacks and Latinos are inherently inferior to whites. “Blacks and Mexican Americans are not academically competitive with Whites in selective institutions,” he was quoted in a 1999 profile of the Federalist Society, “Hijacking Justice.” “It is,” he elaborated, “primarily of cultural effects. Failure is not looked upon with disgrace.” About the Federalist Society, Graglia acknowledged, “They certainly are unenthusiastic about civil rights laws. Richard Epstein thinks we will be better off if civil rights laws were all repealed. These people do believe, as I believe, that so-called civil rights have gone too far and are not civil rights at all.”

Lawrence Walsh, the Iran-Contra independent counsel, put it bluntly: “The impression I have is they are trying to return to the 18th Century and undo the work of the Supreme Court since the New Deal. And I think it is wrong to put someone on the court who has a pre-commitment with a political dogma, whether it’s the Ku Klux Klan or the Federalist Society.”

Even James Baker III, who held a variety of Cabinet-level posts in both the Reagan and Bush 41 Administrations, was quoted in the *Washington Post*, referring to Reagan Administration Attorney General Edwin Meese and his deputy Kenneth Cribb as “Big Bigot” and “Baby Bigot,” respectively. Cribb is a director of the Federalist Society, and is also on the board of the Scaife Foundation, a cash spigot to the Society, and to a

wide range of right-wing front organizations. The Mellon Scaife foundations almost single-handedly financed the Federalist Society-led impeachment campaign against Bill Clinton. Ed Meese is one of the Federalist Society's most prominent boosters and frequent conference speakers. He is listed on Federalist Society literature as a member of the group's board of visitors.

But the most on-target diagnosis, to date, of the Federalist Society, was provided by Scott Horton, professor of law at Columbia University Law School and a leading figure in the New York City Bar Association. In a Nov. 5, 2005 commentary on the Bush Administration's "torture memos," which had claimed that the President was exempt from the Geneva Conventions and other international laws barring torture, Professor Horton identified Hitler's "Crown Jurist" Carl Schmitt as the source for John Yoo's Justice Department arguments. Yoo, a leading Federalist Society booster since his departure from the Justice Department to take up a teaching post at the University of California Law School at Berkeley, was promulgated into prominence by powerful sponsors at the top of the Bush Administration, including Vice President Cheney's general counsel and current chief of staff, David Addington, and Timothy Flanigan, the recipient of over \$800,000 in Federalist Society consulting fees (paid to him to write an "unauthorized biography" of former Supreme Court Justice Warren Burger, for whom he clerked).

'Secret Handshakes'

On July 18, 2005, CNN began its coverage of a Federalist Society luncheon in Washington with the following profile: "At a recent Friday luncheon, former Solicitor General Theodore Olson cast his eyes over a hotel ballroom crammed with lawyers and wryly welcomed 'all of you Federalists who seem to have mastered the secret handshake. For those of you who have stumbled in off the street, it is my duty to advise you that you have stumbled into a right-wing cabal—you will never be the same again,' the government's one-time chief courtroom lawyer deadpanned as chortles erupted from members of the Federalist Society."

Of course CNN went on to acknowledge that the Federalist Society does not have a secret handshake, and its meetings are generally open to the public. But beyond that caveat, the Federalist Society, from its inception, has been, at its essence, a Schmittlerian/Straussian conspiratorial association, aimed at overturning the Constitutional order.

According to a wide range of public accounts, the Federalist Society was launched by three Yale University undergraduates, who went on to study law at Yale or at the University of Chicago. The three were: Steven Calabresi, Lee Liberman, and David McIntosh. At Yale Law, Calabresi was a protégé of two law school professors who would both be appointed to the Federal bench by Ronald Reagan: Robert H. Bork and Ralph K. Winter. At the University of Chicago Law School,

Liberman and McIntosh were mentored by Prof. Antonin Scalia. Bork, Winter, and Scalia would become the first faculty sponsors of the Federalist Society, when it was launched in 1982.

The Federalist Society was initiated at the urging of another Yale Law graduate, Michael Horowitz, who delivered a speech in 1979, calling for the conservatives to move in and take over the public-interest law field. As CNN described it on July 19, 2005: "The Society's origins can be traced back to 1979—the year before Ronald Reagan's victory—when a legal scholar named Michael Horowitz published a tract on the public-interest law movement, exhorting conservatives to overturn a half-century of liberal dominance of the legal establishment. This could be done, he wrote, by indoctrinating or winning over succeeding generations of law students, lawyers, and judges. By definition, the campaign had to be rooted in the fertile ground of law schools. To Horowitz's good fortune, Reagan was elected in 1980, and his administration set to work filling the sails of the Federalist movement."

The project involved two tracks. The first was steering a large number of right-wing law professors and attorneys into the Federal courts. "The second track," CNN continued, "was even more forward-looking and involved the apprenticing of a new generation of conservative lawyer-intellectuals-under-30 to the Reagan apparatus. The second track required fresh meat, which is where the Federalist Society came in."

By the late 1980s, the Federal courts were teeming with clerks hand-picked from the emerging ranks of the Federalist Society. In the October 1988 session alone, a "cabal of 10" Federalist Society members came in as U.S. Supreme Court clerks, according to a book-length account. Michael Horowitz, now at the Hudson Institute, became the General Counsel to the Office of Management and Budget at the start of the Reagan Administration, and he typified Federalist Society members and boosters who dominated the Executive Branch legal postings under both Reagan and George H.W. Bush. After that dozen years of Reagan-Bush, the Federal courts and regulatory agencies were, in effect, taken over by members of "the cabal."

The current Bush 43 Administration is also loaded with Federalist Society members, including current and former Cabinet members John Ashcroft, Spencer Abraham, Gail Norton, and Michael Chertoff; and senior political appointees Larry Thompson, John Bolton, C. Boyden Gray, Timothy Flanigan, and Theodore Olson.

The current U.S. Supreme Court includes prominent Federalist Society members and patrons, including Justices Scalia, Clarence Thomas, and the newly installed Chief Justice John Roberts. Nominee Samuel Alito is another Federalist Society member.

The Funding Cabal

The same tightly knit collection of right-wing tax-exempt foundations that have bankrolled the revival of Carl Schmitt at American law schools, has been behind

the Federalist Society, from day one. The first substantial grant to the Society was a \$25,000 payout, in 1983, from the Institute for Educational Affairs, to sponsor the first national symposium. IEA was then headed by William Simon, head of the Olin Foundation, and Irving Kristol, the “godfather” of the neo-conservative movement.

By 1998, the Federalist Society was directly raking in \$2.6 million, and that figure has steadily increased since then. Major foundation donors include: Olin, the Mellon Scaife foundations, the Bradley Foundation, the Eli Lilly Endowment, the Richard and Helen DeVos Foundation, the Charles Koch foundations, and the Deer Creek Foundation. Corporate donors include Holland Coors, Verizon, Microsoft, and Daimler-Chrysler.

The Federalist Society, in turn, has spawned an extensive network of religious and secular fronts, all working in concert, to further the Schmittlerian march through the institutions: Federalist Society trustee C. Boyden Gray has his Citizens for a Sound Economy; Federalist Society member Manuel Klausner runs the Individual Rights Foundation; Michael Rosner, an early Federalist

Society leader, runs the Center for Individual Rights; Federalist Society figure James Bopp was a long-time top official of the National Right to Life Committee and the Christian Coalition; Roger Clegg runs the Center for Equal Opportunity; Donald Hodel, a leading Federalist Society figure and former Reagan Cabinet secretary, was the long-time President of the Christian Coalition.

Pat Robertson’s Regent University Law School is a major recruiting ground for the Society, and Ave Maria School of Law, founded by Domino’s Pizza magnate Thomas Monaghan, lists Society co-chairman Robert Bork on its faculty.

Other Federalist Society affiliates include: the Institute for Justice, the Washington Legal Foundation, the Pacific Legal Foundation, the American Center for Law and Justice at Robertson’s Regent University Law School, the Christian Legal Society, the Rutherford Institute, and the Alliance Defense Fund. The Alliance Defense Fund is a coalition of religious groups, involved in a series of court cases challenging the separation of church and state.

What’s a ‘Rohatyn’?

Tony Papert reveals that the Synarchist financial interests who sought to turn France fascist in the 1930s, are trying to do the same to the U.S. today. (Researched by a team coordinated by Pierre Beaudry.)

When a proposal of Felix Rohatyn’s appeared in the *Washington Post* of Dec. 13, 2005, counterposing his own plan, to Lyndon LaRouche’s well-known proposals for national economic recovery through long-term, low-interest Federal credits for vital infrastructure-building, leading Congressional Democrats tended at once to realize that there was something “fishy” in what Rohatyn was suggesting, but many were unsure about exactly what was wrong with it.

Small wonder.

Most Americans, even among those who imagine that they have known him for many years, lack any understanding of who or what Felix Rohatyn is. Why? Because Rohatyn is neither an American, nor does he resemble anything which more than very few living



Felix Rohatyn is no American; he was groomed by top European Synarchist bankers at France’s Lazard Frères bank, to work for the international fascist financiers of the same stripe who put Hitler into power.

Americans have ever knowingly encountered. Not only does he belong to a species—the European Synarchist—with which they have not the slightest acquaintance. Worse, their ignorance of European history, or, what is the same thing, the dumbed-down, flat-earth versions of history which they have swallowed, leave no room for the even possible existence of such a species as Rohatyn’s.

What is the European Synarchist? A definition will be provided, but first, given the cults of stupidity which pervade our society, first it is necessary to demonstrate that something exists “out there” to be defined.

The U.S. diplomat, Ambassador Anthony J. Drexel Biddle, Jr., wrote to President Roosevelt from London on Jan. 7, 1942, describing a *clique* which controlled the fascist Vichy government of France, the government which (more or less) ruled that country everywhere south of the German zone of direct occupation. “This group,” he said, “should be regarded not as Frenchmen, any more than their corresponding

numbers in Germany should be regarded as Germans, for the interests of both groups are so intermingled as to be indistinguishable; their whole interest is focussed upon furtherance of their industrial and financial stakes.”¹

Ambassador Biddle went on to detail the proof that the “Banque Worms clique” controlled most parts of the Vichy government, with a special emphasis on total control over all economic and related portfolios. On paper, Banque Worms had been established earlier by the Lazard Frères bank of Paris, on behalf of the Worms family of industrialists. In reality, the closely integrated Lazard Brothers bank of London, Lazard Frères of Paris, and Lazard Frères of Wall Street, had established Banque Worms as a “cutout,” a vehicle through which top financier families could deploy the forces of the Synarchy.

Lazard Paris, where Rohatyn’s patron André Meyer was a leading senior partner, was intertwined with certain other leading French banks, and integrated into the treasury and finances of the state, in large part because of its intimacy with Lazard Frères of New York, on Wall Street, and Lazard Brothers (London), which latter was part of the inner circle of financiers around the monarchy and around Bank of England head (and Hitler bankroller) Montagu Norman. Lazard London’s Lord Robert H. Brand, a senior managing partner in the early decades of the century, had founded the British Round Table for these circles in 1906-09. Brand and Lazard Brothers president Sir Robert Molesworth Kindersley, were the British representatives to the Dawes Committee to reorganize the German debt in 1923, and so forth.

As a senior partner, and then also (1938-40), associate manager of Lazard Frères of Paris, André Meyer was very close to the center of the France-centered Synarchist conspiracies which had brought fascism to power in Italy (1922), Portugal (1932), Germany (1933), Spain (1939), and other countries. In France itself, the Synarchy tried and failed to overturn the Third Republic in three successive putsch attempts between 1928 and 1937, even while “burrowing from within” and infiltrating successive Paris governments at the same time. These were Marshall Lyautey’s intended putsch in Alsace-Lorraine in 1928, aided by pro-fascist clergy, which would have paved the way for a takeover of Paris; Colonel LaRocque’s planned storming of the Parliament at the head of his Croix de Feu (Cross of Fire), seconded by Charles Maurras’ Action Française, on Feb. 6, 1934; and finally, a putsch attempt apparently led by the Cagoules (“hooded ones,” right-wing goon squads), which was exposed and aborted on Feb. 17, 1937. At last, by 1940, the Synarchy’s only recourse had been to invite the German Reichswehr in, to do what they could never do themselves: to sweep away the hated Third

1. William L. Langer, *Our Vichy Gamble* (New York: The Norton Library, 1947), p. 169.

Republic, along with probably hundreds of thousands of its supporters.

This was the great “mystery” of how France could fall to the Germans in six weeks. The Synarchy effectively disarmed the country and prevented effective resistance. This is well documented by Robert “Raoul” Husson, whose writings and clippings form the bulk of the Mennevee Archive of the University of California at Berkeley, “les Documents Politiques Diplomatiques et Financiers,” and by other investigators. Husson and others also document that the 1.9 million French troops who were outflanked and helplessly taken back to Germany as prisoners, had been largely selected for that role by a Synarchist military intelligence operation headed by the pseudonymous “P.C. Victor,” under which 60 French fascists were brought into a “Cinquième Bureau” to profile 600,000 anti-fascist or pro-republican Frenchmen supposedly considered a “danger to national defense.” Many of the 600,000 who escaped German captivity in this first round, were sent to Germany later as forced laborers, under a program proposed by Pierre Laval, through which (pro-fascist) prisoners of war were released back to France, on condition that (anti-fascist) forced laborers be sent from France, to take their places in the German munitions factories.

Having fled to New York from his own golem, as it were, in 1940, this was the André Meyer who later adopted the fellow Jewish refugee, the Viennese Felix Rohatyn, to succeed him in place of his own son Philippe, of about the same age as Rohatyn, who had wisely refused.

What Rohatyn did to his adopted city of New York between 1975 and 1982, as sketched in an accompanying article by Richard Freeman, proves that old André Meyer was right: young Rohatyn did indeed have the makings of a European Synarchist of the same mold as himself.

Ambassador Biddle continued, “On the one hand, Pierre Pucheu (Interior) and Yves Bouthillier (National Economy) were members of the Worms clique. Gérard Bergeret (Secretary of State for Aviation) was included by some among Pétain’s personal following, by others among the Worms group. Excluding Bergeret, the Secretaries of State were almost to a man associates of the same clique. They were Jacques Barnaud (Delegate-General for Franco-German Economic Relations), Jérôme Carpopino (Education), Serge Huard (Family and Health), Admiral Platon (Colonies), René Belin (Labor), François Lehideux (Industrial Production), Jean Berthelot (Communications) and Paul Charbin (Food Supply). . . . Among the Worms group should be mentioned further a large number of somewhat subordinate officials (chiefly secretaries-general) like Lamirand, Borotra, Ravalland, Bichelonne, Lafond, Million, Deroy, Filipi, Schwartz, and Billiet.’ ”

Although the name Synarchy was invented by Joseph-Alexandre Saint-Yves, called D’Alveydre (1842-

1909), its occult secret organization, the freemasonic Martinist Order, had existed long before, formed in France, centered in Lyon, in the 1770s. This exclusive, secret, magical-mystical Freemasonic order was sponsored from Jeremy Bentham's London. London used it to insure that no version of the American Revolution and Republic would occur in Europe, specifically in France, which was most ripe for it. Manipulations of the Martinist Order were largely to blame for the fact that the French Revolution became the bloody tragedy it did, right through the reign of Napoleon Bonaparte, and through to that of his nephew, Napoleon III.

Notable 18th-Century Martinists in French politics included the Pierre Mesmer whom Franklin and his French ally Sylvain Bailly exposed as a scientific fraud. Another was the mountebank magician and psychic who called himself Cagliostro. The blood-drenched Savoyard nobleman Joseph de Maistre pre-planned the personality and role of Napoléon Bonaparte, modelling it on the Spanish Grand Inquisitor Tomás de Torquemada who expelled the Jews in 1492. Although his moral doctrines were those of a Caligula, and Sir Isaiah Berlin dubbed him "the first fascist," Maistre is revered by many contemporary Catholic integrists.

Moving to the early 20th Century, the most powerful known organizations of French Synarchy, the

Synarchist Movement of Empire (SME) and its military wing, the Secret Revolutionary Action Committee (SRAC), were founded in 1922, coincident with Mussolini's March on Rome. Writing in *La France Intérieure* in February-March, 1945, investigator "D.J. David" (Robert Husson) defined the SME as "the great French fascist secret society. It is this institution which, ever since its creation, had been recruiting patiently and prudently, with extreme care, the men destined to take power after the awaited revolution, after this revolution which was to destroy, no matter what, all republican institutions."

He classified the SME as an "intermediary" secret society, as follows. "Inferior secret societies are those that everybody knows about. . . . Whoever wants to join them, for personal reasons, can do so. All he has to do is to submit a request at the address of the secret society, generally known, or he transmits his request to a known member. . . . Such secret societies are very numerous." David mentions the Masons, the Cagouards ("hooded ones," a right-wing goon squad), the Theosophists and others, concluding, "in the inferior secret societies, the ideologies put forward, whatever they are, are nothing but philosophical, religious, mystical, or political *teasers* which recruit people who are *generally personally disinterested and sincere*."

He continues, "The *intermediary* secret societies have

What Is Synarchism?

"Synarchism" is a name adopted during the Twentieth Century for an occult freemasonic sect, known as the Martinists, based on worship of the tradition of the Emperor Napoleon Bonaparte. During the interval from the early 1920s through 1945, it was officially classed by U.S.A. and other nations' intelligence services under the file name of "Synarchism: Nazi/Communist," so defined because of its deploying simultaneously both ostensibly opposing pro-communist and extreme right-wing forces for encirclement of a targeted government. Twentieth-Century and later fascist movements, like most terrorist movements, are all Synarchist creations.

Synarchism was the central feature of the organization of the fascist governments of Italy, Germany, Spain, and Vichy and Laval France, during that period, and was also spread as a Spanish channel of the Nazi Party, through Mexico, throughout Central and South America. The PAN party of Mexico was born as an outgrowth of this infiltration. It is typified by the followers of the late Leo Strauss and Alexandre Kojève today.

This occult freemasonic conspiracy, is found among both nominally left-wing and also extreme right-wing factions such as the editorial board of the

Wall Street Journal, the Mont Pelerin Society, and American Enterprise Institute and Hudson Institute, and the so-called integrist far right inside the Catholic clergy. The underlying authority behind these cults is a contemporary network of private banks of that medieval Venetian model known as *fondi*. The Synarchist Banque Worms conspiracy of the wartime 1940s, is merely typical of the role of such banking interests operating behind sundry fascist governments of that period.

The Synarchists originated in fact among the immediate circles of Napoleon Bonaparte; veteran officers of Napoleon's campaigns spread the cult's practice around the world. G.W.F. Hegel, a passionate admirer of Bonaparte's image as Emperor, was the first to supply a fascist historical doctrine of the state. Nietzsche's writings supplied Hegel's theory the added doctrine of the beast-man-created Dionysiac terror of Twentieth-Century fascist movements and regimes. The most notable fascist ideologues of post-World War II academia are Chicago University's Leo Strauss, who was the inspiration of today's U.S. neo-conservative ideologues, and Strauss's Paris co-thinker Alexandre Kojève.

—Lyndon H. LaRouche, Jr.

a completely different structure. They are, to say it bluntly, *infinitely more secret* than the inferior ones. Their names and their existence are less generally known, except in rare cases. More important, their members are unknown.

“Consequently, an individual cannot simply request membership in these secret societies, and their method of recruitment is not the same as in the inferior secret societies. You have to be chosen by a secret member, who chooses you *without your knowing it*. It is not the candidates who ask for membership [but, rather], it is a superior secret recruiting committee which decides to attempt to recruit this or that person.

“From that moment on, a whole *tactical approach* is put forward: the person is invited from among ordinary groups, during lunches, meetings, small committees, etc.; the recruiter must outwit the candidate and study him; and then, when the situation is ripe, the existence of the secret group is revealed to him, and the member is recruited right then and there. . . .

“Within the intermediary secret societies, there is no need to use teasers, or camouflage ideologies. There is no international humanitarian propaganda as in the Freemasonry, or any ridiculous nationalist appeals as in the Cagoule, or any mystical illuminations as in Theosophy. This is deemed *useless*, given the level of culture in the members. The themes are sometimes political or philosophical, such as organizing the world, and the dignity of human life, etc. . . .”

Elsewhere, the author notes that intermediary secret societies “are used primarily for penetrating the institutions of the state.”

“The *superior* secret societies are still more secret, if I may say so, than the intermediary secret societies. Neither their name, nor their existence, nor the names of their members are known. In general, they contain only a small number of members, no more than one or two hundred, and sometimes less, but assembling in their hands either immense political powers, or immense capital.

“These secret societies are *behind* the intermediary secret societies. They organize them, inspire them, finance and direct them, often without the knowledge of the latter.

“There exists a set of converging proofs that lead one to think that at least two such superior secret societies are in existence today.

“The first one was formed in earlier times by a powerful group of representatives of the main ruling families of Europe, as well as the members of the high nobility. . . .

“On the other hand, a second secret society of this type, which has been in existence for at least a quarter of a century [i.e., since 1920—ed.], in Europe, unites a large portion of the industries in France, and in the United States, less in England. Proof of its activities has been found as early as 1924, and its existence is no longer deniable. It secretly directs the Synarchist Movement inside the biggest countries, and seemed to

have been in very close contact with the European fascist governments which have emerged since 1922.”

Explosive Revelations

During the six-week phony war and thereafter, explosive revelations concerning Synarchy shake France, coincident with a series of deaths related to Jean Coutrot, probably its most active known organizer, who had created hundreds of front organizations of professionals, scientists, women, and whatnot else during the interwar years. Here is the account of the same D.J. David. (Other writers give different versions, but the differences are not material for our purposes.)

“After revelations were made about the activities of the SME, the secretary of Coutrot, Frank Théallet, dies in a hospital of Saint-Brieuc, on April 23, 1940. His personal papers are stolen while his effects are being moved after his death. Twenty-six days after, Jean Coutrot commits suicide in his home, after he had expressed, to some of his closest friends, the terrible remorse that was haunting him, because of the misery his revolutionary action had brought to his fatherland. One month later, the new secretary of Coutrot, Yves Moreau, dies mysteriously in his home. And a few weeks later, the brother-in-law of Coutrot dies of a heart attack. The emotions run high in the synarchist gang, but a heavy silence covers up this series of singular events. . . .

“On August 23, 1941, the thunderbolt strikes: the newspaper *L'Appel* publishes, under the name of two collaborators, Costantini and Paul Riche, a special issue concerning the revelations of the SME. The reaction from Vichy is immediate: the Minister of Interior [Paul Pucheu of the Worms clique-ed.] issued five arrest warrants against Costantini and Paul Riche, and three other journalists of that newspaper, using the argument that their action was ‘disturbing the anti-communist policy.’”

Characteristic such revelations concerned the “Revolutionary Synarchist Pact,” which was the signed secret oath of allegiance, as it were, of each SME member. “The Revolutionary Synarchist Pact appeared in the form of a mimeographic document of a hundred pages, with a characteristic luxury gold-plated cardboard binding. It was given to each member, against a signed receipt. On the first page, one reads an ominous warning: ‘Any illicit possession of this document will incur unlimited sanctions.’. . .

“Each Synarchist pact document is identified with two numbers similar to a Martinist procedure.” The meaning is what Robert Husson wrote in a July 14, 1944 memo: that the mode of membership of the SME was the same as that of the Martinist Order, called chain membership; that each member receives two numbers, his own, and that of the member who recruited him. That is the only person with whom he may discuss the work of the Movement or Order, and the only other person whom he knows is a member of it.

Of the 598 propositions, David quotes only a relative few, of which:

“Proposition 121: All current revolutionary effort of the Revolutionary Synarchist Brotherhood (RSB) which inspires the Synarchist Movement of Empire (SME) is thus oriented toward taking over the control of the state; everything must concur to the taking of power, or coming to power.

“Proposition 255: Preventive revolution must be established at the heart of the state, and be assisted by a Synarchist elite, which is entirely devoted in a spirit of sacrifice.

“Proposition 344: The organized hierarchy of professions is the fundamental instrument of the effective Synarchist revolution; its best technical means.

“Proposition 308: Outside of the organized hierarchy of professions, there can exist only an abstract pseudo-citizen.

- “Dangerous for the people whom he frightens;
- “Dangerous for the state that he loots, weakens and corrupts;
- “An abstract pseudo-citizen in a constant conflict with a state which is anarchistic, no matter what regime is in power.

Proposition 505 asserts that “the imperial conscience requires for its exaltation the concerted activity of a Synarchist Party of Empire.” This party “must be recognized by the constitution,” (Proposition 507), “must be the only political party federally extended unilaterally to all of the countries of the Empire,” (Proposition 508) and must “remain the inspiration and the censor of all of the orders and of all of the sectors of activity of life in the Empire.” (Proposition 510).

Proposition 113 asserts that the concrete reality of immediate needs requires the control of the following economic organisms:

- “Agreements between consumers or users;
- “Agreements between distributors of products or services;
- “Agreements between producers;
- “Finally, the bringing together of these diverse sorts of agreements forming themselves and perfecting themselves under the protection of the public powers.”

Proposition 405 prescribes the separation of powers between five powers: the cultural, the judiciary, the executive, the legislative, and the economic.

Proposition 314 clarifies this separation of powers by specifying that “The role of the political state must never be:

“A) In economic property (soil, subsoil, energy sources, raw materials, means of production or distribution, enterprises of profitable material services, or financial capital, etc.)

“B) Or direct management of one or the other elements of economic life of the people in one of the other of these nations of empire.”

Finally, Propositions 441-444 specify that the entire synarchist economy is based on the use of *plans* of coordination and direction. These plans are established

by a “Bureau of Planification, which is the center and qualified chief of popular democracy in the synarchist social order, the economic coordinator of the group of free popular republics: regional, communal, and professional.”

London coordination of the French Synarchy continued throughout this period, with the Occult Bureau and the British Fabian Society playing a notable role. After the demoralizing defeat of the 1934 putsch attempt we described above, the Synarchy tried to recoup by bringing the Fabians over from London, and bringing hundreds of Synarchists out of the woodwork, to call in unison for a radical reform of the French Constitution, curtailing the legislative powers, enhancing the executive, limiting national sovereignty, and enhancing “integral human relations between complete human beings, not between simple units of production and consumption.”

This “Plan of July 9, 1934,” written by Jules Romain, led to the creation, in 1936, of the Centre d’Études des Problèmes Humains (Center for the Study of Human Problems), created by Jean Coutrot and run by the infamous Dr. Alexis Carrel and Dr. Serge Tchakhotine, and, in 1938, of the Institute for Applied Psychology (IPSA). These French institutions were run by the British Fabian Society, and personally managed by Aldous Huxley on location in France. Husson wrote that the central focus of the IPSA was the “destruction of the human personality,” transforming humans into “modified individuals” with the use of drugs and surgical intervention, “especially sterilization and castration.”

You hadn’t forgotten, had you, that H.G. Wells, of “The Island of Dr. Moreau,” was the godfather of the Huxley boys, Aldous and Julian?

Meanwhile, in 1933, H.G. Wells and Aldous and Julian Huxley had already created a brother British Synarchist organization in London, called the Federation of Progressive Society and Individuals (FPSI). In their published *Manifesto*, they wrote:

“Then came 1931, and there was an operation planned to bring Germany into the dictatorship-world empire scheme. The British monarchy was behind it; others were behind it; people in New York were behind it. Initially the understanding of the Anglo-American supporters of this fascist project—which was largely based in France, actually, around firms like Lazard Frères and so forth. But the intent of the project was to have the Germans re-arm, and destroy the Soviet Union. While Germany was embedded in Russia, in the process of trying to [defeat] the Soviet Union, then, the allies—France and Britain—intended to jump on Germany’s rear, and crush Germany, and be rid of the Soviet Union at the same time, and set up world dictatorship.”²

2. *Manifesto* (London: George Allen & Unwin Ltd., 1934).

Felix Rohatyn, New York Dictator, 1975-82

The following is an abridgement of "How LaRouche Fought New York's Fascist Financial Dictatorship, 1975-82," by Richard Freeman, EIR, July 27, 2001.

Even back in 1975, Rohatyn's most feared opponent was Lyndon LaRouche; the reader is directed to Richard Freeman's original 12-page article for the circumstances of the struggle between the two.

The paradigm for the genocide that is carried out today in such U.S. cities as Washington D.C., or Camden, New Jersey, is the Lazard Frères' plan that was deployed against New York City from 1975 through 1982. Under that plan, every vital service needed for human existence was imploded in large areas of the city. People living in those areas either died, or fled from the city.

Katharine Graham and her gang's policy to force the closing of D.C. General, Washington's only public hospital, by an unelected Financial Control Board—which set off a national battle led by LaRouche Democrats, over "general welfare vs. genocide"—is modelled on the 1975 New York Plan, and was drawn up by the same forces, with Lazard Frères investment bank directors at the center.

New York City black and Hispanic neighborhoods, which were targetted for extinction, either were left as abandoned urban wastelands, or, in selected neighborhoods, were taken over by urban renewal/gentrification real-estate interests; and new apartment complexes and fancy restaurants were built for wealthy, mostly white, tenants. The rents were often three to ten times those that the displaced poorer families would have been able to pay.

The Lazard/New York Plan was aimed at shrinking a city, and leaving only enclaves of wealthy residents. It is the City of London-Wall Street financial oligarchy's paradigm for application under conditions of financial disintegration in the near future in the United States and other nations.

In 1974-75, the financier oligarchy precipitated a financial crisis in New York. They took the known, but soluble underlying economic-financial problems that beset the city, and made them worse. By April 1975, thanks to the bankers' operations, New York City had no money, and its credit rating was so destroyed that it could not borrow from the financial markets. Seizing on the crisis it had created, the Wall Street banking elite rammed through the New York State legislature, legislation which invoked "emergency police powers," and in June 1975, created the Municipal Assistance Corp. (Big MAC), and, in September 1975, the Emergency Financial Control Board (FCB—the "Emergency" was dropped three years later).

Under the direction of Lazard Frères banker Felix Rohatyn, who became the unelected Führer of New

York for the next several years, the FCB and Big MAC ruled as a single, unified dictatorship. The power of the City Council and Mayor, in all but name, was suspended. Lazard was especially equipped for this function, because it had long pursued the racist policies of Cecil Rhodes, and in 1933, helped install Hitler into power.

The oligarchy did not hide its policy, but arrogantly brandished it publicly, calling it the "planned shrinkage" of New York. On Nov. 14, 1976, Roger Starr, a member of the *New York Times* editorial board, and a spokesman for the banker and real-estate interests, wrote a 4,000-word feature in the Sunday *New York Times Magazine*, advocating planned shrinkage. Starr declared, "Planned shrinkage is the recognition that the golden door to full participation in American life and the American economy is no longer to be found in New York." At that time, New York City had a population of 7.5 million. Starr decreed that, "New York would continue to be a world city even with fewer than 5 million people." This led to only one conclusion: forcibly killing or expelling one-third of the city's population.

Starr elaborated his account of how this genocide would be accomplished. After labelling sections of New York City as "virtually dead," Starr wrote that in the past, the New York government and various soft-headed people had tried to keep those "dead" sections alive. This was a mistake: "Yet the city must still supply services to the few survivors, send in the fire engines when there are fires, keep the subway station open, even continue a school. In some of these sections, under the pressure of a local official . . . the city is pressed to make new investments in housing."

So, new investment must be stopped: "If the city is to survive with a smaller population, the population must be encouraged to concentrate itself in the sections that remain alive," and leave the "dead sections" to die.

He described how undesirable districts of the city "can be cleared away" by tax policy, making it unprofitable to invest in buildings in these districts. He mentioned other means to shut a district down.

Once an area that Starr designated for closure, were cleared away, "The stretches of empty blocks may then be knocked down, services can be stopped, subway stations closed, and the land left to lay fallow." Starr realized, but did not say, that "stopping services," is a direct means to actually facilitate the clearing away of an area.

Rohatyn: 'The Pain Is Just Beginning'

At around the same time, Starr also insisted: "Stop the Puerto Ricans and the rural blacks from living in the city, . . . reverse the role of the city, . . . it can no longer



EIRNS/Stuart Lewis

Felix Rohatyn became the dictator of New York City after that city's financial crisis in 1975. Here he is addressing a meeting of the Emergency Financial Control Board, in 1980, while Mayor Ed Koch (far left) and another admirer look on.

be the place of opportunity.

"Our urban system is based on the theory of taking the peasant and turning him into an industrial worker. Now there are no industrial jobs. Why not keep him a peasant?"

Starr's "philosophy" was not original, but only a working-out of the outlook that came from the higher level of Lazard Frères investment bank and Felix Rohatyn. While the oligarchy was creating the Big MAC and FCB in 1975, Führer Felix looked straight into the television cameras, and summarized the plan which Starr would detail: "The pain is just beginning. New York will now have to undergo the most brutal kind of financial and fiscal exercise that any community in the country will ever have to face." . . .

Big MAC

The first stage of the dictatorship was the Municipal Assistance Corp., dubbed "Big MAC," established in June 1975, and soon run by Rohatyn.

The powers delegated to Big MAC were:

- It would monitor the city's financial position.
- It would protect new as well as old creditors.
- It could restructure the city's debt.

The corporation could issue MAC bonds, up to the sum of \$3 billion. The June 10 law demanded that the following city income streams be "earmarked" to pay the interest and principal on the MAC bonds: the city's 4% sales tax revenues, the city's stock and transfer tax receipts, and per-capita aid paid by the state. *The law mandated that only after the city paid off its bondholders—MAC bondholders and others—could it use the remainder of its revenues to pay city workers or essential services.*

In early July, MAC issued a \$1 billion bond issue, at a 9.5% interest rate. In mid-July, MAC issued its second billion-dollar bond issue—but this one had trouble selling. By mid-August, the value of existing MAC bonds started to fall. The money that MAC received for the

bonds, it doled out drop by drop to the city, keeping the city on a tight leash.

The MAC board began instituting austerity programs against the city—shutting down city programs, laying off workers, cutting wages—to squeeze out wealth to back up the bonds. But this method reduced the functioning of the city's economy further, making it even more difficult to support the bonds. The conclusion that should have been drawn is that the method of life-threatening austerity was a failure.

But Lazard and Rohatyn drew an opposite conclusion: that the level of austerity had to be increased. Rohatyn believed that a major limitation was that the MAC board still had to obey civilized standards, and did not have enough power to loot the population, institute fascist economics, and crush popular organizations. He sought a dictatorship that had all the power it needed, and would not flinch at inflicting pain.

Creating the Financial Control Board

Rohatyn then drafted a 111-page report that sought harsher austerity and a stronger institution that could enforce it. In September 1975, new legislation, arising from Rohatyn's report, was introduced into the New York State legislature. The legislation was called the Financial Emergency Act. In the early hours of Sept. 6, 1975, after the legislators had been kept up for hours, the legislation was rammed through by a close vote. The key feature of the act is contained in the summary of it in the New York State Laws 1975 (chapter 868, Sec. 1): The situation in New York City "is a disaster and creates a state of emergency. To end this disaster, to bring the emergency under control and to respond to the overriding state concern . . . the state must undertake an extraordinary exercise of its police and emergency powers under the state constitution, and exercise controls and supervision over the financial affairs of the City of New York."

The Rohatyn-drafted act specifically announced a "state of disaster" and "emergency" to exist, which it said, required "undertak[ing] . . . extraordinary police and emergency powers." These sweeping powers, normally reserved for a state of insurrection, were to be used to issue diktats for an artificially created financial crisis. This was a reprise of what Hitler and the Nazis had done in Germany in March 1933, after the staged Reichstag Fire.

To effect his coup, Rohatyn had the act instantly create an Emergency Financial Control Board (EFCB), and in 1978, the term "Emergency" was dropped. The way Rohatyn interpreted the act, and the way it was used, the FCB had "the extraordinary police and emergency powers." The powers of the New York City Council and the Mayor were overridden.

The EFCB was a dictatorship. According to one summary account, the "EFCB [was placed] as trustee over all

city accounts in all banks,” that is, it had control over the city bank accounts, and further, “the EFCB was granted powers . . . over investment and disbursement.” Thus, the EFCB controlled all of New York City’s money flows. Moreover, the payment of debt was enshrined in the act: “the act created a debt service account . . . to ensure that debt service would be given first priority.” The EFCB had the power to draw on every one of New York City’s revenue streams to pay the debt.

The act replayed the Nazis’ practice of looting workers’ pension funds to support worthless financial paper, in this case, dictating quotas to the pension funds of New York State and City, for the amount of Big MAC bonds they had to buy—the state pension funds had to buy \$225 million, the city Employees’ Retirement System had to buy \$225 million, the Teachers Retirement System had to buy \$200 million; and so forth—all told, more than three-quarters of a billion dollars.

The EFCB could either “accept or reject any contract entered into by the city.” It promptly ripped up most labor agreements.

Finally, the bankers made their dictatorship explicit, by writing, with matchless contempt for elected government, that they were the Supreme Power, to which all officials and citizens must bow down. “Violations of the emergency act or the EFCB’s policies included misdemeanor charges and, upon vote, removal from office. The mayor was not excluded from these potential penalties.” Whoever failed or refused to implement the EFCB’s policies, including the Mayor, could be removed.

Whatever power the Big MAC had lacked, the EFCB now had. They acted together as a unified dictatorship.

Gutting the City

Rohatyn gutted city services. Garbage was left to rot in the streets. Preventive maintenance was ended in the public transportation system, and all capital expenditures halted. Subway train breakdowns doubled. By 1980, nearly a quarter of the city’s bus fleet was out of service every day.

Enrollment in the City University fell 40%, and tuition fees were imposed.

One out of four uniformed police officers were laid off. Police were told to limit arrests to serious crimes, to lower costs. Street patrols were cut, and the Organized Crime Bureau, which had narcotics oversight, was reduced from 1,600 men to 439, as drug-dealing exploded.

Over the next two decades, five out of the 17 public hospitals in New York City were shut down, and now other public hospitals are threatened with closure. The attack on the public hospitals was the wedge-end to shut down New York’s hospital system, private, non-profit, and public. In 1960, New York City had 154 hospitals; by 1990, that was slashed to 79.

Starting 1975, the FCB/Big MAC vastly expanded the arson policy started earlier by Mayor Lindsay, by making deeper cuts from an already-depleted Fire Department. As a result, in constant dollar terms, the 1980s budget for the Fire Department was slashed 35%

below that of 1975. Many fire stations were shut down. Between 1976 and 1979, residential inspections had been cut by more than 30%, on top of the two-thirds cut in the number of inspections over 1966-76. Between June 30, 1975 and April 30, 1981, an additional 10% of the city’s firefighters were laid off.

The arson policy was one of the earliest and most “effective” forms of urban renewal, from the criminal standpoint of the oligarchy and real estate interests. The real estate moguls hired arsonists to do their dirty work, a fact that was known to everyone in the city, including the Fire Department. In a study, “Fire Service in New York City, 1972-86,” researchers Rodrick and Deborah Wallace gave a graphic example of how the urban renewal through arson worked:

“The [New York] Planning Commission informed the Fire Department that certain sectors of the Rockaway Peninsula [in Brooklyn] were to undergo urban renewal and that fewer fire units would be needed. . . . After elimination of one of the [fire] engine companies, large areas of that sector were cleared by [arsonists’] fire for redevelopment without the city having to spend time and money for legal urban renewal work.”

The financier-real estate elites in New York got two bonuses with the arson. First, they were fully compensated for burnt properties through their insurance policies. (That they were not indicted, bespeaks something about how this operation worked.) Further, they also could deduct losses on their tax filings. Second, they could either leave the ground fallow—as per Roger Starr’s recommendations—or they could retain the land or sell it to a new landlord for development. This meant urban renewal/gentrification. An entire area could be designated to become an apartment area for high-income, predominantly white tenants. Not only could the landlords collect rents as much as ten times what they had collected from the previous poor tenants, but from New York City they got special tax abatements and exemptions. Thus, the landlord/real estate interests made profits several times over.

But as a result of this process, if a family could manage to continue to live in the same area of the city, its rent shot up. A study conducted by Columbia University found that in 1975, there were approximately 225,000 housing units in the South Bronx area, one of the nation’s poorest neighborhoods, which charged \$150 or less per month for rent. Already, as a result of economic decline, the white population had begun leaving the South Bronx in the early 1970s. After the FCB/Big MAC-supervised real estate transformation, by 1978, the study found that there were only approximately 115,000 units that rented for \$150 per month or less, a loss of nearly half of the 1975 level. In the intervening three years, 46,000 were “upgraded” into more expensive units, and another 60,000 had been abandoned outright.

Roger Starr had in mind the South Bronx as one of the areas, when he stated in his Nov. 14, 1976 *New York Times* piece that the place should be left to die, and “services cut off.”