

Freedom Day commemorated Lincoln's signing of the 13th Amendment in 1865.² Starting in 1942, Major Richard Wright, a former slave, celebrated 1 February by meeting with Philadelphia's community leaders to place wreaths at the Liberty Bell. Truman proclaimed it a national holiday in 1948. Two earlier 13th Amendments and the broken chains at the foot of the Statue of Liberty³ reflect its controversial ideal and onslaught against it by *oligarchy*.⁴

Definition of Freedom by John C. Rees⁵

- A. In its most general sense the term denotes the state of being free or at liberty, of not being under the control of another; of being unimpeded, unrestrained, or unburdened.
- B. 1. The history of the concept records a variety of definitions; some have departed from the normal meaning; asserting e.g. that freedom means a presence of opportunities or conditions deemed essential for development of one's capacities. Nazi and Fascist philosophers took up this view in support of Hitler and Mussolini.⁶ Hobbes and J. S. Mill treat the concept of Freedom in its normal sense. Thus Hobbes: "*A free man is he that in those things, which by his strength and wit he is able to do, is not hindered to do what he has a will to*".⁷
 2. On the other hand it has been persistently represented as a particular way of living, i.e. doing what conforms to the moral law or reason. Thus Epictetus and Carlyle held that no wicked man is free,⁸ and Milton's distinguished liberty from license: "*Licence they mean when they cry Liberty. For who loves that must first be good and wise*".
 3. Elsewhere, for example, in the works of T. H. Green and Hegel, this concept of freedom forms part of an elaborate political philosophy. Green said moral freedom is the determination of the will by reason; for the individual it consists "*in the realization of an idea of perfection in and by himself*".⁹ In contrast, Hegel maintains that the standard of goodness or reason is to be found in the state; "*the state in and by itself is the ethical whole, the actualization of freedom*".¹⁰ Some have argued that, since the individual finds his true self in the service of the state, he can, in the case of disobedience, be forced to be free.
- C. 1. In view of the many diverse ways in which freedom can be curtailed, it is necessary to distinguish kinds of *liberty*. "*There is no one freedom but many freedoms; and they are as various as are constraints, impediments and burdens*".¹¹ However, in each case of its normal usage the elements present have been commonly thought to comprise (a) a desire to do something; (b) the ability (real or supposed) to do it; and (c) prevention by some other person(s), group(s) or institution(s). Thus D. Fosdick: "*The claim for liberty ... is a demand for conditions under which one is not prevented from doing what one has desire, competence and means to do*".¹² The assumed context is one where a *demand* for freedom is made in order to *do* something positive.¹³
 2. Some argue that freedom cannot be identified with the fulfillment of one's moral capacity or with obedience to the commands of the state. Freedom, as K. J. Scott argues, is a non-moral state.¹⁴ License is merely a special case of liberty, i.e. the sort of liberty (freedom) which the speaker (writer) disapproves: "liberty" has favorable associations, "license" carries unfavorable.

Although freedom has "*a strong laudatory emotive meaning*",¹⁵ it is not always good in itself; it depends on what one is free to do. As one of several values, freedom sometimes gives way to other claims, e.g. equality, justice or security. Thus freedom of economic enterprise, with general approval, was curtailed in past decades for the sake of other ends. The existence of a social order rests on the imposition of some restraints. Law is not necessarily the enemy of everyone's freedom; but "*freedom for the pike is death for the minnows*".¹⁶

This leads to a discussion of what "law" may apply and what could be defined as *natural rights*.

Natural Law by J. Roland Pennock¹⁷

- A. *Natural law* refers to a body of principles and rules believed to be uniquely fitting and binding upon a community of rational beings. Sometimes thought of as applying only to an "ideal" society, it generally has relevance to the governance of existing societies and usually is related directly as an ideal standard or guide for the positive laws of existing societies.
- B. In the social sciences the terms *natural law* and *law of nature* are prescriptive; they relate to some concept of what rules ought to prevail. It is often held, however, that there is a close relationship between natural human laws and natural physical laws. Although the latter are purely 'descriptive' they may be thought of as 'regulating' the phenomena to which they apply. At the same time, the prescriptive laws of nature held binding upon human conduct are often believed to derive from a general body of laws of the universe that include the laws of physical nature as well.¹⁸ Ever since the dawn of political and legal theorizing, natural law doctrine has been important role in political and legal philosophy.¹⁹ Although adhered to by the Catholic Church, utilitarianism and positivism have loosened their social hold but still find sources of support as a reaction to totalitarian doctrines.
- C. The set of ideas that attach themselves to the term can best be portrayed by a series of antinomies.
 1. There is the opposition between *natural* and *artificial*. Artificial law is law that is the product of deliberation and will; and conversely natural law is spontaneous and uncontrived, a product of the continuous flow of life.
 2. Natural law is *rational* as opposed to *empirical*; it is the product of reason and conforms to reason as contrasted with rules of conduct or that are accepted as binding merely because they are generally obeyed or because they are commanded by recognized authority.
 3. A third antinomy, between the *ideal* and the *real*, is perhaps the most basic for modern usage. But the point at which the ideal applies varies.²⁰ But the most common notion is that of an ideal for existing society.
 4. Finally, one must note the twin antinomies of the *immutable* and the *changing* and the *eternal* and the *temporary*. Throughout all concepts of natural law runs the thread of universality and eternity.²¹
- D. Natural law may also be defined, or at least explained, in terms of its source, nature, or foundation. How is natural law discovered or made known to man?
 1. A widely acceptable answer would be that natural law is the law peculiar to rational beings and is made evident to them by their reason. How reason discovers natural law is a more difficult question.²² Most writers would hold that only the most general principles of natural law (e.g. that one should not do harm to others) could be known in this fashion. Other principles and rules can be derived from these by reasoning and experience.
 2. Another way in which it is held that natural law may be found out by reason is by deriving it from the physical and psychological nature of man and especially from observed *tendencies* of human nature.²³
 3. For centuries Churchmen tended to identify natural law with the law of God. Although St. Thomas kept the two distinct, no less an authority than Gratian identified natural law with the law of the Scriptures and the Gospel, and more particularly with the golden rule. For supporters of this view the source of natural law is revelation.
 4. Many recent writers sought to avoid difficulties regarding the foundations of right and justice by defining natural law as those principles of morality that could appropriately be enacted into positive law; or, as that portion of morality that finds support in the popular 'sense of right'.
- E. However defined, natural law serves various functions; and the way it is viewed in turn affects its role in society.
 1. For instance, it may be considered as the basis of all human (positive) law, the latter being only an extension and application of its principles.²⁴

2. Again, natural law may be considered as a standard by which to judge positive laws and the actions of the rulers who make and administer those laws. Such a critical notion is conducive, as generally in the medieval period, to the thought that acts of tyrants who defy natural law are not binding and may even justify violent resistance.²⁵
3. Finally, natural law may also play a role in the more limited sphere of the judicial process, providing a standard for judges in interpreting laws and constitutions, in filling in gaps in the law, and even (in the most extreme application of the theory) for declaring laws null and void as contrary to the law of nature²⁶

F. Despite disagreement as to the content of natural law, if we confine ourselves to general rules and principles, there is probably more consensus as to the substance of the rules than to their origin or authority. Almost any list of such rules would include the following propositions: human life is to be protected and forwarded; no one should injure another. Perhaps more subject to dispute, yet widely held, are the propositions that all men are born free and equal. Modern analysis tends to reduce this age-old formula to the contention that there is a presumption in favor of freedom, and likewise of equality. In other words, any infringement on man's freedom or equality must be justified.

Dr. Pennock also had an extensive definition on *natural right* as a liberty or immunity that ought to be protected or a service or enablement that ought to be provided for all men at all times and under all conditions; i.e., such rights must be unconditional, immutable, and inalienable, and it is usually claimed that they are the same for all men.

They were thought of as those rights that man enjoyed in a "state of nature" before the establishment of civil society; or rights that *would* pertain to man in the absence of government. The most commonly asserted natural rights were those of life, liberty, and equality – generally stated without further definition. They were widely believed to be self-evident, but attempted justification was generally in terms of circular reasoning discussed under *Natural Law*.²⁷

In England, both Burke and Bentham, so unlike in other ways, united in condemning the doctrine,²⁸ but it has long retained its vigor in the United States. Courts have made use of the concept in declaring certain laws invalid, and especially in interpreting the vague constitutional provision regarding *due process of law*. Nowadays the doctrine is generally being invoked in support of vested interests, more conservative than revolutionary. Whether such rights can be validated is a matter of philosophical dispute. The current tendency among those who accept the notion as valid is to define the asserted natural rights much more carefully than in earlier practice.²⁹ For example, it may be used to demand procedural liberties essential to individual freedom and justice, such as the right to a fair trial.

DID AMERICANS FIGHT FOR FREEDOM?

There is some question about what the Founder's generation fought for, as will be described later. However, all four copies of the Gettysburg Address³⁰ begin with "*Four score and seven years ago our fathers brought forth, upon this continent, a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.*" The next two paragraphs are nearly identical, and the common ending is a hope that the nation "*shall have a new birth of freedom; and that this government of the people, by the people, for the people, shall not perish from the earth.*"

After a colonial adventure against Spain (Cuba & Philippines), America decided to join in a what was proclaimed as a *War to save Democracy*, but later became a struggle for civilization.³¹ Nearly 5 million Americans served during the war, including over 4 million in the Army.³² The Republican Party blocked a majority vote for the Versailles Treaty, so there was soon another war.

There was a Second World War. Thanks to the *Paris Treaty* of 1928, as incorporated into the U.S. Constitution.³³ A World War II Victory Medal was awarded by Congress to members of U.S. Armed Forces for service between 7 Dec. 1941 and 31 Dec. 1946.³⁴ With over 12 million eligible recipients, it is one of the most widely awarded military decorations. One side is a full-length figure of *Liberation* with head turned west, looking to the *dawn of a new day*. She holds a broken sword and her foot rests on a war god's helmet. The reverse has *Four Freedoms*: separated by palm branch. These are:



*FREEDOM FROM
FEAR AND WANT*

*FREEDOM OF SPEECH
AND RELIGION*

Can we restore core
values that defined a
"Greatest Generation."

Then there were more wars and more medals,³⁵ but were they really wars? Although Congressional "authorizations" continued, per international law there was no official declaration of war since 1946.³⁶ The arbitrary extensions of a "war on terror" based on emergency powers by presidents remains highly controversial. Since Vietnam we can even compare the political loyalty to leaders to the British Loyalists in the American War of Independence.³⁷ Were U.S. soldiers fighting for freedom or for the whims of presidents Johnson and Nixon?

Even if the Tonkin Gulf incident had not been a *false flag*, Congress had no authority to delegate the power of declaring war to a president. Who was held accountable?³⁸ Did these *State Crimes Against Democracy* (SCAD)³⁹ remain unpunished? If we follow the money there seems to be plenty of blame to go around. Could we have indicted both presidents and Congress? How about dereliction of duty by a Supreme Court that allowed outlaw killing in Iraq?⁴⁰

Their SCAD allowed the president to virtually enslave millions of young soldiers into acts of aggression that violated International Law (and Nuremberg Principles).⁴¹ Besides 58 thousand Americans who died directly, probably ten times faced early mortality and millions of Asians died.⁴² Was it a legitimate "war"?⁴³ Our military spends more on war than other ten largest countries combined.⁴⁴

Remember the Four Freedoms

Without getting deep into details, let me suggest that the maybe the United States did not fight for freedom since World War 2. Therefore let's look at what that war was about. Based on mention in a news conference of July 1940, on 6 **January** 1941, in a *State of the Union* address, President Roosevelt publicly declared that the United States was interested in safeguarding four fundamental freedoms that people "*everywhere in the world*" ought to enjoy.⁴⁵ These included Freedom from want, Freedom from fear, Freedom of worship, and Freedom of speech.⁴⁶

At the same time he asked Congress to approve Lend-Lease credits "*to those nations which are now in actual war with aggressor nations.*" We will say more about them later.

Roosevelt's concept of "four freedoms," as officially presented in the State of Union address, announced the national policy as: "*...all-inclusive national defense [with] ...full support of all those resolute peoples, everywhere, who are resisting aggression and are thereby keeping war away from our Hemisphere [because] ...our own security will never permit us to acquiesce in a peace dictated by aggressors and*

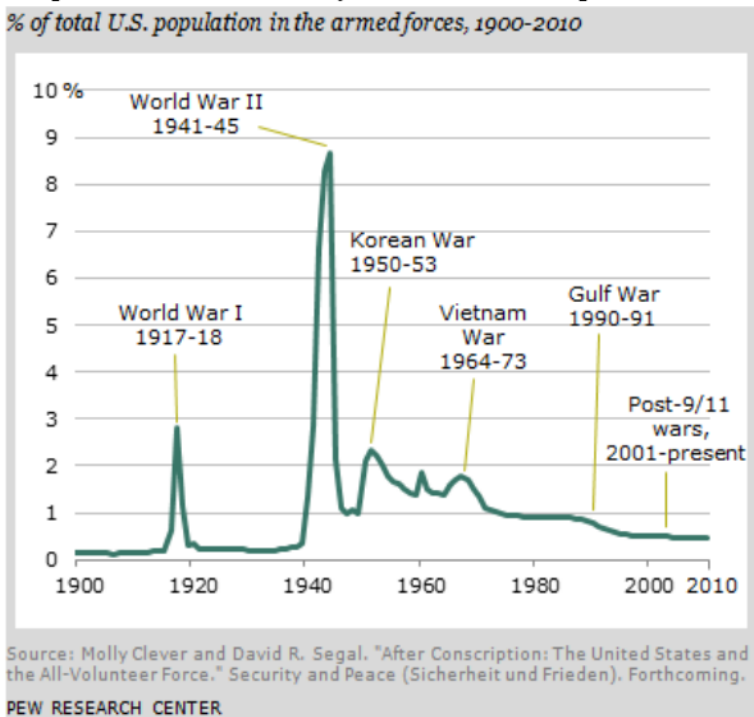
sponsored by appeasers. *We know that enduring peace cannot be bought at the cost of other people's freedom.*"

Later in 1941 (14 Aug.), the *Atlantic Charter* was prepared in a meeting between Franklin Roosevelt and Winston Churchill. They met because there was a need to rationalize Lend-Lease and Roosevelt's earlier *Declaration of Four Freedoms* was inconsistent with colonialism. An agreement was achieved but Churchill was reluctant to share "Western civilization" with British colonies and he inserted a "sovereign rights" exception. Twenty-six powers formally subscribed to the charter on 1 January 1942. This foreshadowed creation of the United Nations.

The oligarchs don't want you to remember Universal Declaration of Human Rights (UDHR),⁴⁷ which consists of a preamble and 30 articles that set out a broad range of fundamental human rights and freedoms to which humanity around the world is entitled. It guarantees rights without distinction of nationality, place of residence, gender, national or ethnic origin, religion, language, or any other status. This embarrasses most oligarchs, so don't anticipate corporate support. Why? Remember that corporate charters don't give rights; they take rights from others.⁴⁸

Rachel Maddow's recent *Ultra* series, could remind us of President Truman's criminality. He protected the Nazis in the U.S. Congress. His additional crimes included mass killing behind "Iron Curtain" rhetoric. It was treasonous because in 1945 the Soviet Union was still an ally against Germany and existing war plans (UNTHINKABLE, DICK TRACY, DROPSHOT, PLAN TOTALITY) favored former Nazis. He popularized the "better dead than red" cult that had originated with Goebbels. It peaked amid debates about nuclear disarmament. The "tell" was in his quote as senator *"If we see that Germany is winning we ought to help Russia, and if we see Russia is winning we ought to help Germany, and that way let them kill as many as possible,..."* (NYT, 24 June 1941).⁴⁹ Several later U.S. presidents were just as bad.⁵⁰ At least President Eisenhower warned of a Military-Industrial (Congressional) Complex in 1961.⁵¹

One reason that the Four Freedoms and United Nations receive little respect is that the World War 2 generation has largely died off. See the chart below. Corporate oligarchs control the media and manipulate public opinion.⁵² Corporate rule is obviously at the root of the problem.⁵³



President Roosevelt, in a formal message to Congress in 1938, had called the control of government by private power "fascism."⁵⁴ It was actually closer to Nazism and, more specifically, Christian Nazism (*nationalism*). Most of the Germans who fought for Hitler were Christians and their morality was based Old Testament ideas of genocide.

This might be a hard concept to grasp and the previous versions of this Freedom Day newsletter go into the many *symptoms* of fascism, but its greatest evil is in the idea of slavery and treating people as expendable commodity. Hitler's Germans were not evil because they murdered Jews; that was a symptom of their evil. *They were murderers* and lesser crimes of lying, cheating and stealing comes easy to gangsters who kill innocent people.

That is the key lesson of this paper and maybe focus on the Freedom of Fear in nuclear war will make that clear. Many Americans live near climate catastrophe (as shown by the flooding in California and Florida) so that is another possible approach to oligarch apathy. The oligarchs allowed COVID, which can be seen as national security scandal that killed more Americans than the U.S. military lost in all its wars.⁵⁵ Compared to six similarly wealthy countries, the US failed to protect citizens' health.⁵⁶ We will emphasize *Estimated Deaths in a Nuclear War*.⁵⁷

Slavery and 13th Amendment

Before getting to that there is one matter related to the 13th Amendment that should be cleared up. After all, that was the initiative for Freedom Day. Here's the short story.

The Emancipation Proclamation ended slavery in most of the Confederacy but did not apply to five northern slave states (DE, KY, MD, MO, WV), so passage of the 13th Amendment aimed to define *national* policy. Robert E. Lee's army surrendered on 9 April 1865 in Virginia, followed by the even bigger surrender of Johnston's Army of Tennessee at Greensboro (NC, SC, GA, FL) on the 26th.

The Confederate States of America collapsed on 13 May 1865, after Jefferson Davis was captured,⁵⁸ but it took another month to assure victory. General E. Kirby Smith's Army of the Trans-Mississippi surrendered at Galveston (TX) on 2 June. When Union General Gordon Granger arrived at Galveston Island with a few thousand federal troops, he announced "General Order No. 3" on 19 June for emancipation of those held as slaves.⁵⁹ Angry whites who had escaped to Texas from more war ravaged states resisted adopting the 13th Amendment of 1865. Negro attempts to enjoy freedom were often met with violence from former slave owners and Confederate parolees.⁶⁰

The many slaveholders who migrated to Texas to escape fighting had increased its enslaved population to an estimated 250,000 in mid 1865. On April 2, 1866, President Johnson issued a proclamation stating that the insurrection was over in all of the former Confederate states except Texas, which had not yet succeeded in establishing a new state government. Harassment and violence had continued amid administrative emancipation, so Juneteenth (19 June) became another Freedom Day.⁶¹

Former slaves celebrated their release on a Juneteenth jubilee in 1866 to defy the unreconstructed whites who remained in power. At such events, former slaves sang spirituals or honored a slain Abraham Lincoln, partly because former slaveholders blamed him for destroying their "freedom."⁶² Jim Crow and repression of blacks in the early 20th century made such celebration difficult, but the sentiment expanded beyond Texas with black migration so the holiday is established in all but four states.

Their attack can be traced to 1812 when Louisiana joined the Union as a slave state. Then came Mississippi (1817). Alabama (1819, Missouri (1821), Arkansas (1836) Florida (1845), and the *illegal annexation* of Texas (1845), followed by a war of aggression against Mexico, which had banned slavery. The next five states (WI, CA, MN, OR, KS) did not have slavery and President Lincoln signed the law

ending slavery in Utah and all other territories in June 1862, based on his 1860 campaign platform.

The American Civil War (1861–1865) ended slavery and restored some freedom until Reconstruction failed. The unequal Senate was still a problem. Most of the 22 states admitted after Texas remain the size of territories. This gave control of the Senate to a numerically undemocratic majority. Being released from slavery did not give food and shelter. People needed earn money to buy food. Beyond that most Americans worked to make others rich, spending their productive years, maybe a seventh of a lifetime, doing jobs that aren't needed for personal survival.

Lincoln (2012), contender for a dozen Academy Awards, showed passage of the **current (1865) 13th Amendment**: “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”⁶³ Contrary to the film’s premise, Union victories had doomed slavery⁶⁴ and the election of 1864 provided enough Republicans in Congress to pass the stronger 14th Amendment, but Lincoln’s effort did speed an end to *chattel*⁶⁵ slavery, peonage and some race-based “badges and incidents of slavery”.

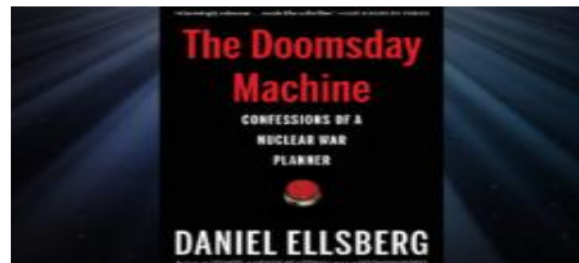
Unfortunately, the Senate version of the Amendment was biased in favor of lawyers. In effect, it legitimized forms prison slavery. The percentage of those “duly convicted” rose dramatically after the 1870s. It is possible to follow some changes.⁶⁶ America now has by far the highest imprisonment *rate* in the world.⁶⁷ The U.S. is the only Western democracy with a death penalty. It still employs long-term solitary confinement, regarded as a form of torture. *Federal* imprisonment rose by 28% for all crimes in the 1980s and drug arrests rose by 126%.⁶⁸ Over 70 million Americans have a criminal record!

As mentioned, previous editions of this paper go into symptoms of the problem that result from oligarch rule. Most Americans survive in a hard-working but highly unequal society; with more billionaires than ever. The definition of American *Freedom* has been twisted to mean the power of the few to rule the many. The lessening of Freedom, can partly be attributed to a loss of patriotic veterans (previous chart) and elimination of the draft.⁶⁹

FREEDOM FROM FEAR [DOOMSDAY]⁷⁰

The Following is a description of *Doomsday Machine* - in 13 parts, starting in 2018. Daniel Ellsberg, former military analyst employed by the RAND Corporation, began a national political controversy in 1971 when he released the *Pentagon Papers* to *The New York Times* and other newspapers. It was a top-secret study of government decision-making about Vietnam planning that documented state crimes against democracy (SCAD).⁷¹ Unfortunately, senior leaders were not held accountable and the crimes continued under Nixon. Ellsberg was later thinking about papers he didn’t get to leak⁷² and described them in a new book. He revealed that the US military had planned first strike nuclear attacks on every city in Russia and China and gave many low-level field commanders the power to push the button.⁷³ The series that follows below explores this book with Ellsberg. Its introduction warns:

“No policies in human history have more deserved to be recognized as immoral or insane. The story of how this calamitous predicament came about and how and why it has persisted over a half a century is a chronicle of human madness. Whether Americans, Russians, and other humans can rise to the challenge of reversing these policies and eliminating the danger of near-term extinction caused by their own inventions and proclivities remains to be seen. I choose to join with others in acting as if that is still possible.”



Transcripts of these videos are also available by “Reality Asserts Itself” (RAI) on *the Real News Network*⁷⁴ and listed with YouTube links below. They were written for each episode. Assume that each of the 13 descriptions below begins with the phrase: “On Reality Asserts Itself, Daniel Ellsberg tells host Paul Jay that...”.



1. The Doomsday Machine: Big Lie of the Cold War

>www.youtube.com/watch?v=ym3zRufS6LI&t=113s< (October 29, 2018) 16m

US intelligence agencies knew that Stalin was not planning to invade Western Europe or seek world domination, but based on the myth, the world came close to nuclear war – and it’s all happening again

2. Hitler Wouldn’t Risk Doomsday, But U.S. Did

>www.youtube.com/watch?v=qsI9JBiVtaw&t=586s< (Oct 31, 2018) 17m

Hitler ended the German nuclear weapons program in 1942 when told it could end life on Earth—the Americans were willing to take the risk; since the end of WWII the Cold War was to a very large extent, from beginning to end, a marketing campaign for subsidization of the aerospace industry.

3. Truman Delayed End of WWII to Demonstrate Nuclear Weapons

>www.youtube.com/watch?v=NuKdRF5r3FI&t=222s (Nov 1, 2018) 21m

To intimidate the Soviet Union and prove to Congress the nuclear program should be funded, Truman dropped nuclear weapons on Japan to end the war; no scientist came forward to warn of the dangers to life on earth.

4. The Largest Act of Terrorism in Human History

>www.youtube.com/watch?v=nwNRWcl5usQ (Nov 4, 2018) 16m

The British bombing of Hamburg (1942) and American firebombing of Japan in (March 1945)⁷⁵ created the conditions for the atomic bombing of Hiroshima and Nagasaki, as mere extensions of the firebombing tactics.



5. Russian “Doomsday Machine” Answer to U.S. Decapitation Strategy

>www.youtube.com/watch?v=Hof3LRBT_ec&t=73s (Nov 4, 2018) 17m

The U.S. military still thinks that a nuclear war can be won by targeting Russian leadership in a bizarre Dr. Strangelove logic; it’s a recipe for unmitigated catastrophe.

6. U.S. Planned Nuclear First Strike to Destroy Soviets and China

>www.youtube.com/watch?v=VAHGzK9m_DY&t=25s (Nov 9, 2018) 11m

U.S. cold-war nuclear plan called for all out attack on China, even if it was not involved in the war.

7. U.S. Refuses to Adopt a Nuclear Weapon No First Use Pledge

>www.youtube.com/watch?v=Mr-uRKzYTv0&t=42s< (Nov 12, 2018) 17m

Every President since Truman has used a nuclear first strike threat as leverage in U.S. foreign policy; it’s institutional insanity.

8. Once Fired, There’s No Calling a Nuke Back

>www.youtube.com/watch?v=ngXCZ6_7mBY&t=12s< (Nov 15, 2018) 15m

There are many fingers on the nuclear missiles trigger and once an attack begins, even the President can’t order it reversed.

9. Discovery That Should Have Changed the Cold War

www.youtube.com/watch?v=nCMilzEym6Y&t=219s< (Nov 18, 2018) 12m

In 1958, then Senator John F. Kennedy claimed there was a “missile gap”, saying the USSR was far ahead in ICBM weapons; when satellite photos showed the astounding true number, it meant the USSR did not have plans for global domination, but it remained a secret.

10. A Strategy of War Crimes, Killing Civilians to Win a War

www.youtube.com/watch?v=M4WfF1_pJb4&t=26s< (Nov 21, 2018) 16m

General Curtis LaMay, who directed the firebombing and nuclear attacks on Japan said, “War is killing people, when you kill enough of them, the other guy quits”.

11. The Domsday Machine and Nuclear Winter

www.youtube.com/watch?v=M4WfF1_pJb4&t=69s< (Nov 23, 2018) 14m



SOLUTION: END MASTERS AND SLAVES

Modern solutions get simpler if we understand the evil status quo suggested by President Carter’s claim that the U.S. is an oligarchy. Prominent sociologists⁷⁶ note that this is more than rule by a small group. It has pejorative connotations because the group is not responsible to the many and is corrupt. Politically, ever since Plato, it has been contrasted with rule of the many—democracy.⁷⁷

Some claim that we were instead to be a republic.⁷⁸ *In fact* the Founders were specific in carefully allocating Representatives (Art. I, Sec. 2.3), especially in the *original* First Amendment, which is usually removed from Civics curriculum.⁷⁹ To *plan a solution* we’ll need to restore facts and the late sociologist Dr. James Loewen has examples of how to replace myth-making with honest history.⁸⁰

The shift of power started with the Federalists and invention of *Judicial Review* (1803). The Legislative and Executive branches were to be regulated by the people, maybe acting as juries, but certainly not ruled by oligarchs or judges,⁸¹ and their group structure (class, clique, party, etc.) gives us monarchy, empire, dictatorship, theocracy, or some rarer government form.⁸² Unfortunately, a slaveholder ruling group took over the government. They had doubtful *legality* in a system where “all men are created equal”⁸³ but there was also a religious dimension⁸⁴

Thomas Paine had warned about the danger of *judicial review* (1803), in a “Compass” attached to his 1805 “Letter to the Citizens of Pennsylvania”.⁸⁵ The elite lawyer class that had served earlier robber barons was rebuilt in 1878⁸⁶ and State level judges increasingly imprisoned citizens for economic crimes (drugs or inability to pay bond), usually without jury trial.⁸⁷ After *Gilded Age* oligarchs took over America,⁸⁸ such injustice became more common.⁸⁹

In contrast; the Founders had opposed oligarchy in 1776 and pledged “*...to each other our Lives, our Fortunes and our sacred Honor*”. In 1789, they also opposed private corporations. *By what authority* do they continue?⁹⁰ The outlaw power might remain even if impeachment of the judicial *branch* succeeded, but maybe there would be enough of the honorable attorneys to reshape the system.⁹¹

An H Bomb first strike will create firestorms and smoke that ends most human life; this fact is ignored by military planners some of whom don’t believe in climate science.

12. Dismantle the American Domsday Machine

www.youtube.com/watch?v=-vNUT09FqPE&t=198s< (Nov 27, 2018) 19m

Congress should hold hearings into nuclear winter and eliminating the hair-trigger and obsolete ICBM’s.

13. Convert Military to Green Production, or Perish

www.youtube.com/watch?v=udsSEZNfdFI&t=9s< (Nov 29, 2018) 19m

A massive reduction in ICBM’s and transforming the economy away from the military-industrial complex are prerequisites for our survival.

Some pictures from the series



Eisenhower’s warning of a *Military-Industrial Complex* in his 1961 *Farewell Address* suggests a corporate legal fiction: that *property is a person*.⁹² It is like the myth of slavery: that *a person is property*. Both fictions form a bodyguard of lies to protect the ruling class.⁹³ U.S. veterans should particularly care because their inattention allowed the seditious takeover by “enemies foreign and domestic.”⁹⁴

Consider the revival of slavery in the industrial society of Nazi Germany. It applied to both that network of murder and slave labor, but also to those who carried it out, as in Albert Speer’s study of *Infiltration*.⁹⁵ It was far more brutal than the type of oligarchy that existed in Italy at the time.⁹⁶ Nazism and fascism⁹⁷ are forms of oligarchy, as was Soviet Communism. Although the current threat to America is neo-Nazi, the underlying morality is much like that of *Mafia* crime families but more brutal.

The German oligarchs of World War 2 overthrew democracy and incorporated a leader principle (*führer-prinzip*). American oligarchy is different mainly because it allows free speech and some democracy but President Eisenhower warned of the Military Industrial Complex and “academic elite” as the possible danger.

Due Process is not a new policy initiative. Even the 10th Amendment, which grants limited power to states, ends with “*or the people.*” State governments cannot properly delegate such unequal power,⁹⁸ even though they often do.

The Supreme Court never defined *Due Process* and selective enforcement soon allowed *white supremacy* to prevail against Reconstruction. *Black Codes* and *Jim Crow* laws soon subjected black Americans to involuntary labor, especially after the regressive *Plessy vs. Ferguson* “separate and equal” Supreme Court decision that “legally” restored racism (1896).⁹⁹ It allowed local violence to be regulated by state laws. Politicians and lawyers created a new form of slavery in prisons Meanwhile, the 14th Amendment, meant to overcome discrimination against former slaves was more often used to protect corporations.

As states jumped aboard to seek revenue, they typically delegated¹⁰⁰ incarceration powers to county judges and local magistrates who usually deny jury trials, often with an

enthusiastic enforcement of Civil forfeiture laws. Such “local government” applications became an income source for cash-strapped communities. Even the CIA got involved in the drug trade as an income source.¹⁰¹

It’s time to demand more commonsense, effective and humane approaches. The question of when coercion is legitimate goes to the foundation of the country. Slavery was a major crime¹⁰² and continues. Recall those who first dominated America before 1776. Rather than *defending* against “corporate persons” we could go on the offensive with an emphasis on progressive political reform.¹⁰³

If we agree that U.S. oligarchy had no *right* to begin, then problem is one of removal. Restoring a truly representative Congress can start with having citizens grouped by each of the Four Freedoms in all of the Congressional Districts. Maybe one or two more political parties might be needed, which could easily be done thanks to recently proven Ranked Choice Voting (RCV).

It might even be useful to change **National Freedom Day** into a ***Four Freedoms Day*** starting in Philadelphia. Let Juneteenth take the burden from Major Wright’s great idea. The benefits of such a change will be discussed later as we connect the dots from the end of World War 2 back to the Declaration of Independence.

Endnotes

¹ This paper updates earlier editions and places original quotations in bold italic to ease attribution. My credentials include a diploma as a Foreign Affairs Officer (T/S clearance) on two Joint Staffs, skill in 6 languages, graduate degrees in Sociology (MA) & Business (MBA), plus doctoral work. Similar papers were presented to VFW District 8 (PA) members. For ***Independence Day*** it emphasized Lincoln’s Speech of 4 July 1861. For **Flag Day**, it compared *Pledge of Allegiance* to the military *Oath*. For ***Constitution Day*** (17 Sept.) and week, it defined **Constitution, Constitutionalism, and Corporatism**. For ***Bill of Rights Day*** (15 Dec.), it defined **Representation, Republics and Republicanism**. This material on citizenship education offers a frame of reference for members talking on patriotism in local schools (*Patriot’s Pen, Voice of Democracy*, etc.). Defending the Constitution is not Republican or Democrat, but about an oath to the Constitution. Most citizens never take such an oath so we can stress the public object (*res publica*) of the *Pledge of Allegiance*: “with liberty and justice for all.” The main definitions are based on a *Dictionary of the Social Sciences* (edited by **JULIUS GOULD** And **WILLIAM L. KOLB**) in 1964 by the United Nations Educational, Scientific, and Cultural Organization. Cross-cultural definitions help guide school discussions. Corrections are welcomed.

² The 13th Amendment passed the Senate in April 1864 and (after one unsuccessful vote), passed the House on 31 January 1865. Lincoln signed a legally unnecessary *Joint Resolution on 1 February*. The Amendment was finally *ratified* on 6 Dec. 1865. See the film *Lincoln* form more detail.

³ See >www.nps.gov/stli/historyculture/abolition.htm< by National Parks Service about the donation of the Statue of Liberty (1865). These origins of the can help recall connections. More than a monument; it is an international symbol of freedom. Starting in 1865, a French political intellectual (Edouard de Laboulaye) felt that the Union Civil War victory reaffirmed ideals that offered a platform to argue for stronger freedom in France. He proposed a statue, representing liberty for the U.S. centennial. Enthusiasm spread as a young sculptor (Auguste Barthold), fascinated by colossal works, came to the U.S. (1871) to promote the Statue and look for possible sites. His plaster model was approved (1875) as “The Statue of Liberty Enlightening the World”. Broken shackles at her feet symbolize newly achieved freedom. Her radiant crown represents the light she sheds on the continents and seven seas. She holds a tablet inscribed in Roman Numerals for July 4, 1776. It identifies her as the goddess of American freedom, law, and justice. A Franco-American Union formed to oversee fundraising, and the French agree to fund the Statue if the US funds the pedestal. The Statue’s hand holding the torch was completed and sent for display at a Centennial Exposition in *Philadelphia in 1876*, and President Grant allowed Bedloe’s Island to be the Statue’s official site. The tapestry of symbols includes the Roman goddess *Libertas* to recall how both American and French revolutions proposed separation of church and state. Although the statue didn’t complete for the 100th anniversary of 1776, there was an unveiling ceremony on Liberty Island in 1886 and the US presented France replica (quarter-size) of the Statue to applaud the 100th anniversary of the French Revolution. It stands in Paris (near the Grenelle Bridge).

⁴ U.S. replicas portray *Liberty Enlightening the World* on paper currency, postage, coins, and state flags. She appears on capitol domes of the U.S., Georgia, and Texas. In the early 20th Century, *Libertas* often displaced a 19th century *Columbia* figure (sometimes in Native dress). Both were a non-Christian personification and there is no doubt that the Founders had rejected Christian symbols. However, by the time of the Chicago International Exposition (Chicago World’s Fair, 1893), US oligarchs shifted emphasis to *Manifest Destiny* and the imperial voyage of Columbus 400 years earlier. Oligarchs did not want American thinking of the French Revolution and *Libertas* had also been politicized on Roman coinage to support of a *populares* faction that included assassins of the anti-Republican Julius Caesar. The symbolism of broken shackles by the feet also violated the resurgent racist sympathies, evident in 1893. The centerpiece of the Fair was still an alternate version of the statue of liberty but it was ordered destroyed in 1896. A smaller, golden version of the ***Statue of the Republic*** was rebuilt in 1918, with an alternate in California. A young, winged cap *Libertas*, was on a coin (issued 1916-1945), incorrectly called a Mercury dime. More recently, Nixon invented Columbus Day as a national holiday in 1971, but President Biden instead proclaimed the second Monday in October as Indigenous Peoples’ Day.

⁵ John Collwyn Rees (1919-1980) was Professor of Political Theory and Government at the University College of Swansea, Glamorgan, from 1955 until 1962 and at Leicester University. He wrote *Equality* (Key Concepts in Political Science, 1971) and *On Liberty*, about political theory and John Stuart Mill. He also published articles that examine Marxism and Communism.

⁶ See Sir Isaiah Berlin’s *Two Concepts of Liberty*, Oxford University Press, 1958.

⁷ *Leviathan*, ed. by M. Oakeshott, Oxford: Basil Blackwell, 1957, ch. XXI, p. 137.

⁸ *The Discourses and Manual*, trans. by P. E. Matheson. London: Oxford U. Press, 1916, vol. II, Book IV, i). Carlyle wrote “*the true liberty of a man ... consists in his finding out the right path, and to walk thereon*”; in *Past and Present*, Works, London: Chapman & Hall, 1899, vol. X, p. 212.

⁹ *Principles of Political Obligation*, London: Longmans, Green, 1913, pp. 26-7.

¹⁰ Hegel, *Philosophy of Right*, trans. by T. M. Knox, Oxford: At the Clarendon Press, 1942, p. 279.

¹¹ M. Cranston, *Freedom*, London: Longmans, Green, 1953, p. 6.

¹² *What is Liberty?* NY: Harper & Brothers, 1938, p. 7.

¹³ See *ibid.*, chap. I. It does not cover the occasions when one desires to be rid of a burden or a responsibility rather than to perform a specific action, to be released from onerous ties or obligations or from a sense of guilt. Moreover, it *does* seem appropriate to say that a person lacks freedom if, although he has no present desire to do something, he *would* be restrained should he want to do it. Thus we need to distinguish freedom to do only what the state allows, when no one desires to do otherwise, from a condition in which ‘all present and potential alternatives of choice’ are still open.

¹⁴ “Liberty, Licence and Not Being Free” in *Political Studies*, vol. IV, 1956, pp. 176-85.

¹⁵ See Cranston, *Freedom*, p. 21.

¹⁶ R. H. Tawney, *Equality*, London: Allen & Unwin, 3rd edn., 1938, p. 208.

¹⁷ Dr. Pennock was Richter Professor Emeritus of Political Science at Swarthmore College, his alma mater, where he taught from 1929 until his retirement 1976. He served as chairman of the department of political science for 39 years and was a visiting professor at Harvard and Columbia Universities, the University of Minnesota and the University of California at San Diego. He was a past president of the American Society for Political and Legal Theory and a principal editor of its annual *Nomos* series, published by New York University Press. Books include *Religion, Morality and the Law* (1988), *Authority Revisited* (1987), *Criminal Justice* (1985), *Property* (1980), *Anarchism* (1978), and *Due Process* (1977). His personal books were *Democratic Political Theory*, *Self-Government in Modernizing Nations* and *Administration and the Rule of Law*.

¹⁸ According to this view, some laws of nature govern the movements of the planets and others govern the conduct of men; but they are of the same general kind.

¹⁹ Adopted from the Stoics by the Roman lawyers, it played a key role in the formation and spread of Roman law, in two epochs of history, over most of the civilized world. In the medieval period the Church took it up and gave it currency and prestige, while in the 17th and 18th centuries a secularized version, expounded first by Grotius, not only served as the foundation for the developing law of nations but also absorbed the whole body of theory of law, state, and society.

²⁰ Some writers have considered natural law as the law that would be ideal for (and perhaps would prevail in) a primitive society. Others have spoken of it as the law that would be proper for an ideal society.

²¹ Even those modern notions that speak of ‘natural law with changing content’ retain the idea of a central core, though it be a matter of form rather than substance that is eternal.

²² Some hold with Plato that reason in its highest form includes the faculty of perceiving a priori truth, of direct insight into the eternal verities. Many who speak of the principles of natural law as self-evident to rational beings have this sense in mind. This concept of natural law may be referred to as *transcendental*.

²³ Just as it is the nature of an acorn to become an oak tree, so it is the nature of man to develop wisdom and virtue, and those things that are natural and right may be discovered by observing the tendencies inherent in man and essential to him. This *immanent* view of natural law is characteristically Aristotelian. Some modern writers who reject any idea of ‘essence’ nonetheless hold that it is possible to discover, empirically, certain rules of conduct that lead to the most satisfactory life, or the most happy and harmonious society, or something of the sort. This notion of *empirical* natural law provides yet another category.

²⁴ This view, generally combined, as with Aristotle and Aquinas, with the contention that the state is natural, tends to be conservative, because it is then presumed that the laws of the state partake of the quality of natural law.

²⁵ While the notion of resistance was generally minimized during this period, post-Reformation philosophers, who started with man’s natural freedom and thought of the state as an artificial device for the protection of that freedom and of other rights derived from natural law, were easily led to more radical doctrines. Thus Locke and Paine used natural law, and its derivative natural rights, to justify individual claims against the state and ultimately the right to revolt. While this point of view has been characteristic of the post-Reformation world, it should be stressed that this individualistic approach is by no means necessarily anti-social. Burlamaqui was typical of many 18th-century writers in defining natural law as ‘that which so necessarily agrees with the nature and state of man that, without observing its maxims, neither the individuals nor society can maintain themselves in an honest and comfortable state’ (*The Principles of Natural and Politic Law, 2 vols.*, trans by T. Nugent, London: Nourse, 3rd edn., 1784, vol. 1, pt. 1, ch. X, par. 15, p. 110).

²⁶ In the application of *Judicial Review*) the theory may be conservative, reformist, or neutral.

²⁷ The Puritan Revolution and the Revolution of 1688 in England and the American Revolution all provided examples of this kind of use. T. Hobbes (1588-1679) would have nothing of self-evident or rationally apprehended truth. Locke (1632-1704) held a view, more typical for alleged rights of revolution (a use to which Locke himself put the notion and which was applied by Jefferson in formulating the American Declaration of Independence) and for bills of rights as frequently embodied in constitutions (as in the case of the French Declaration of the Rights of Man and Citizen and the American Bill of Rights). The rights of life, liberty (freedom from arbitrary rule), and equality. Property, by a process of derivation from principles believed to be self-evident, was added to the list. This Lockean doctrine has been historically important, but it should be noted that they were twisted to include slavery. Locke wrote part of the colonial Charter for the Carolinas and generally excused the idea of slavery to as an allowance for those captured in the process of war.

²⁸ They would have agreed with the remark of the American Supreme Court Justice Holmes, who declared that the word “rights” was “a constant solicitation to fallacy”. Bentham himself considered talk of rights as “nonsense”, while natural rights to his way of thinking were “nonsense on stilts”.

²⁹ They sometimes narrow their range to a single natural right, for instance the right to equal freedom.

³⁰ The copies (Nicolay, Hay, Everett, Bancroft Bliss) are substantially the same except for 3rd paragraph.

³¹ The Victory Medal was awarded by War Departments in 1919 for military service from 6 April 1917 to 11 November 1918, and was later extended to include two U.S. *Expeditionary Forces* to Russia between 12 Nov. 1918 and 1 April 1920. The medal’s obverse has winged Victory standing full length and face. The reverse is inscribed with *THE GREAT WAR FOR CIVILIZATION*.

³² There were about 380,000 Negroes in the US military, and about 200,000 deployed to Europe mostly in segregated regiments or as support troops. After the war, racial violence and riots several cities, massacred hundreds of Negroes who tried to assert their equality.

³³ See Paris Treaty (Kellogg-Briand Pact and Constitution Article VI, Paragraph 2.

³⁴ U.S. President Truman said to (1946), “*Although a state of war still exists, it is at this time possible to declare, and I find it to be in the public interest to declare, that hostilities have terminated.*” He proclaimed the cessation of hostilities effective noon, 31 December 1946. In a Petersburg Agreement (22 Nov. 1949), the U.S. State of War with Germany was maintained on a legal basis to keep U.S. troops in West Germany. Except for West Berlin it ended in 1955 (5 May). East Germany remained annexed and Germany did not legally accept that fact until 1970, when it signed treaties with Poland and the Soviet Union recognizing the Oder-Neisse line between Germany and Poland. In accordance with the Yalta agreement, this allowed major repatriation of German POWs and civilians who had been forced into labor (U.S., France, and U.K. had released POWs by 1949).

³⁵ The **Korean Service Medal** (KSM) was created by order of President Truman in Nov. 1950 as the primary military award for U.S. service members who served in the Republic of Korea. A UN Service Medal (Korea) was awarded to military service members of any Armed Force allied to participate in defending South Korea from North Korea from June 27, 1950 to July 27, 1954. The Korea Defense Service Medal was authorized in 2004 for later service. President Johnson ordered the Vietnam Service Medal (VSM) on 8 July 1965 to award service during the Vietnam Conflict. To all U.S. service members provided they met certain requirements between 1 March 1961 to 28 March 1973. It was made retroactive to 1 July 1958 and replaced Armed Forces Expeditionary Medal (AFEM) that was issued for initial operations in South Vietnam, Laos, and Cambodia (Some time limits may be waived). The Mayaguez incident missed qualification for VSM by a few weeks. No person was entitled to more than one VSM or its AFEM equivalent.

³⁶ Congress did approve combat *veteran* status in 38 U.S. Code § 101 as noted in “Definitions” 4.B (11).

³⁷ Modern Anglo-American loyalty to royalty is to corporate “kings”, wherein oligarchs rent politicians, judges, prestitutes, and clergy. Plato called oligarchy a degenerate form of aristocracy, just as tyranny was the corruption of monarchy and mobs corrupt democracy. Thorn Hartmann wrote a book showing it as a precursor to fascism. *Oligarchical* may be more accurate than fascist.

³⁸ See the last 4 pages of General Telford Taylor’s *Nuremberg and Vietnam* (1970) In The Anatomy of the Nuremberg Trials: A Personal Memoir he wrote: “*The laws of war do not apply only to the suspected criminals of vanquished nations. There is no moral or legal basis for immunizing victorious nations from scrutiny. The laws of war are not a one-way street.*”

³⁹ Professor Lance deHaven Smith has excellent material on the SCAD issue. Criminal indictments could be obstruction of justice, dereliction of duty, seditious conspiracy, reckless endangerment, etc...

⁴⁰ Nelson Mandela Condemned George W. Bush and War With Iraq, January 30th, 2003 “*What I am condemning is that one power, with a president who has no foresight, who cannot think properly, is now wanting to plunge the world into a holocaust. ... If there is a country that has committed unspeakable atrocities in the world, it is the United States of America. They don't care.*”...>www.youtube.com/watch?v=NQyN4X0sFdA< (6 Dec.2013 4m). For a formal indictment of the war crimes, there’s probably nothing better than Vincent Bugliosi’s prosecution of Bush for Murder. >www.c-span.org/video/?202621-1/the-prosecution-george-w-bush-murder< (116m)

⁴¹ Why did we go after the Taliban in Afghanistan if *9/11* was mostly (15 of 20) by Saudi Arabia? The Iraq invasion was similarly based on numerous lies. WW2 Fascism was based on a similar SCADs.

⁴² See *Vietnam: American Holocaust* (2008) for a discussion of the millions of Asians killed by the U.S. invasion. It should be troubling that most U.S war crimes went unpunished.

⁴³ There was no legitimate excuse for aggressive U.S. bombing. It was not a declared “war” according to the Constitution. Instead, per USC38 (Sec. 101). “Period of war” was defined to include “*...the Korean conflict, the Vietnam era, the Persian Gulf War, and the period beginning on the date of any future declaration of war by the Congress and ending on the date prescribed by Presidential proclamation or concurrent resolution of the Congress.*” The red part was invented by Congress and approved by its

lawyers. Who gave them the right to replace a unilateral declaration by Congress into a concurrent resolution? Such de-facto amending of the Constitution is a State Crime Against Democracy (SCAD).

44 The U.S. military has the distinction of being the only U.S. government agency to have never passed a comprehensive audit. The Pentagon recently failed its 5th audit in a row and only managed to account for 39% of its \$3.5 trillion in assets.

45 The discussion about the words *everywhere* and *anywhere* warrants further research because these were likely watered down to serve British colonial concerns.

46 Corporations later joined in advertising campaigns to invent a “fifth freedom” which they called free enterprise, and how the business of America was Business. They invoked images of God to give supernatural blessing to their system, as if the modern corporation worked for the national good rather than directors and stockholders. Such images are now routine. They have overcome the fact that the country arose from a visceral opposition to the idea of rule by colonial *charters*.

47 See >www.youtube.com/watch?v=5RR4VXNX3jA&t=370s<. In 1948, the United Nations General Assembly adopted the document and the slogan “1370, Freedom, and Justice for All” with a call to action “#StandUp4HumanRights”. It’s what united nations fought for in WW2 and parallels the intent of the Four Freedoms listed on the United States WW2 Victory Medal.

48 For example, recall that even the colonies of 1776 grew from “charters” based on stolen land. Consider how corporations profited from militarism >www.youtube.com/watch?v=gmu7hTEgXYA< (130m). They want to keep the UN weak so it won’t interfere with their plunder. The current UN budget is only \$10 billion, to include peacekeeping @ \$7 billion). Compare it to corporate revenues >https://money.cnn.com/magazines/fortune/global500/2013/full_list/<! Fortunately, some private donors help (Ted Turner at \$1 billion and Gates family at \$2 billion!).

49 His actions were treasonous because *the war had not ended*. The Paris Victory Medal covered service between 6 December 1941 and 1 January 1947 and the initial Paris Treaty also wasn’t signed until 1947. Over a 100,000 POWs remained in the Soviet Union in 1950 and the final treaty involving Germany was delayed until 1990 (see > https://en.wikipedia.org/wiki/Potsdam_Agreement < See Dr. Chomsky’s opinion at >www.youtube.com/watch?v=1h2XjTfYr0M< (14m).

51 He was aware it started with Truman’s outlaw National Security Act of 1947. It initiated unconstitutional military branches (Air Force, CIA, NSA) and planned for wars of aggression. He helped U.S. oligarchs take power through militarism. The Eisenhower Memorial built in Washington D.C. in 2020 describes much of his service but leaves out his warning.

52 See >www.youtube.com/watch?v=34LGPIXvUSM&t=174s< (5m) for the short story.

53 Corporations were intended for creation by state charters as “artificial persons” to serve a public purpose. The Constitution does not mention such corporations, charters, or companies because that what a source of the British imposition. Where did a distant king get the right to charter the lands and lives of distant peoples? After the Civil War, the 14th Amendment mandated equal protection under the law, so lying corporate lawyers, including those in black robes, had no right to impose such personhood. Even if the national government had the right to create “necessary and proper” entities it could not further delegate such power to lower creations, including state governments. Meanwhile states like Delaware and Nevada made business out of chartering permissive corporations that concentrated power to autocratic commercial hierarchies. As Thomas Paine pointed out in *Rights of Man*, such charters do not give rights they take rights from the majority!

54 Consider the risk of oligarch propaganda and fascism with talks by Dr. Jason Stanley Jason starting at “How Fascism Works” >www.youtube.com/watch?v=CpCkKWMbmXU< (2022, 10m) and “America Is Now in Fascism’s Legal Phase” >www.youtube.com/watch?v=1xkcCmndE1u4< (18m).

55 U.S. Life Expectancy plummeted; COVID is still a top cause of death. For example, see >www.worldlifeexpectancy.com/usa-cause-of-death-by-age-and-gender<.

56 See > www.worldometers.info/coronavirus/<.

57 See related film >www.youtube.com/watch?v=b1AF7kBbGKk&t=24s< (2017, 14m).

58 Richard Taylor, son of 12th U.S. president, surrendered his Department (AL, MS, east LA) on 4 May at Citronelle (AL). Its combat strength was about 10,000, mainly under Bedford Forrest.

59 Gen. Granger proclaimed “...from the Executive of the United States, all slaves are free. This involves an absolute equality of personal rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and hired labor. The freedmen are advised to remain quietly at their present homes and work for wages. ...”

60 See historian Elizabeth H. Turner’s essay “Juneteenth: Emancipation and Memory.” She wrote that “Between the Neches and Sabine rivers and north to Henderson,” “reports showed that blacks continued in a form of slavery, intimidated by former Confederate soldiers still in uniform and bearing arms.”

61 General Granger’s small occupation force could not pacify Confederate Army remnants. One freed slave reported, “They would catch them swimming across Sabine River and shoot them.” “You could see lots of Negroes hanging from trees in Sabine bottom right after freedom.” Defiant slaveholders could not later compete with Lincoln’s national proclamation and finally ended slavery on paper.

62 Freshman Democratic state representative Al Edwards helped make Juneteenth a state holiday in Texas in 1980 and since 2008 most US states give ceremonial observance to the holiday. Only four do not (HI, ND, SD, MT). Organizations such as the National Juneteenth Observation Foundation seek congressional designation of Juneteenth as a national day of observance.

63 The film *Lincoln* was about finding votes. Earlier efforts to pass similar constitutional amendment were introduced by Representative Livermore in 1818 and by John Q. Adams in 1839, but failed to gain traction. In 1863 (14 Dec.), a bill proposing the amendment was introduced and another soon followed. Senator Henderson (MO) then submitted a joint resolution (14 Jan. 1964) to abolish slavery. The Senate Judiciary Committee, started merging proposals for an amendment based on wording in the *Northwest Ordinance* (1787). Senator Charles Sumner (backed by Rep. Thaddeus Stevens) sought an expansive version (8 Feb.) that stated “All persons are equal before the law, so that no person can hold another as a slave...” but this was rejected. The Senate passed the current amendment on 8 April by a vote of 38 to 6. However, two months later (15 June), the House failed to do so (93 in favor & 65 against) with thirteen votes short of the two-thirds needed for passage.

64 About half a millions slaves escaped from the South between 1861 and 1865. The Confederate defeat at Antietam (Sharpsburg) led to an *Emancipation Proclamation* that officially freed “all persons held as slaves within any State or designated part of a State” where the residents were “in rebellion against the United States.” Although it did not free slaves in the five slave states that stayed in the Union, those who lived near Union lines and could make escape or take advantage of the Northern advances. The twin victories of 4 July 1863 (Gettysburg & Vicksburg) sealed the fate of South, especially since no foreign country recognized the Confederacy as a country.

65 *Chattel* definition - items of tangible movable or immovable property; related to cattle from Anglo-French *kattil* and Medieval Latin *capitale*. The Latin neuter of *capitalis* - of the head.

66 The US Census Bureau stopped collecting data for its *Statistical Abstract* program in October 2011.

67 It is higher than in so-called “police states” like Iran, China, or Egypt. A state is a distant second. Although “prisoner” in status varies by nation and culture, it is closer to a state of slavery than serfdom (vassal or peon); e.g. in transport such persons are often treated as mere property. The SCAD issue has do with the failure of the current 13th Amendment and goes beyond mere racial discrimination.

68 In 1994, the *New England Journal of Medicine* reported that drug arrests resulted in the incarceration of one million Americans each year. By 2008, the *Washington Post* reported that of 1.5 million Americans arrested each year for drug offenses, half a million would be incarcerated.

69 The U.S. military is often seen as a mercenary force that allows politicians to pursue criminal wars.

70 See a review by Lawrence S. Wittner (Apr. 17, 2018) at >www.lawrencewittner.com<. He is Professor of history emeritus at SUNY/Albany and author of *Confronting the Bomb*.

71 Our newsletters previously discussed the *Papers* and provided links to all 47 volumes. State Crimes Against Democracy (SCAD) by Dr. Lance deHaven Smith were previously discussed.

72 See >http://nymag.com/intelligencer/2017/11/daniel-ellsberg-on-the-doomsday-machine.html< (New York Magazine Nov. 27, 2017) by Andrew Rice.

73 See >www.globalresearch.ca/u-s-military-planned-first-strike-nuclear-attack-on-every-city-in-russia-and-china-and-gave-many-low-level-field-commanders-the-power-to-push-the-button/5621871< (*Global Research*, Dec. 6, 2017). Mark Hertsgaard also wrote about Ellsberg’s new book in “The Secret Daniel Ellsberg Really Worries About” in *The Nation* (April 20, 2018).

74 Please contribute to this excellent news network if you are able.

75 It is estimated to have killed as many as 120,000 people in the one night of bombing,

76 Dr. Robert Bierstedt (1913–1998 Charlottesville VA) and Robert Morrison MacIver FRS (1882 Scotland–1970 NYC) provided parts of a definition in a *Dictionary of the Social Sciences* (*Op. Cit.*)

77 Oligarchy for Plato was the corruption of aristocracy, just as tyranny is the corruption of monarchy and mob rule the corruption of democracy. Plato’s classification persisted, with some critics. For example, T. Hobbes remarked “They that are displeased with Aristocracy, call it Oligarchy” (*Leviathan* (1651), Oxford: Blackwell, 1955, vol. II, ch. XIX, p. 121).

78 We may inform parrot patriots that the Constitution, defined the U.S. as a representative democracy. See >www.independent.co.uk/news/world/americas/americas-democracy-rated-donald-trump-not-fully-democratic-us-president-report-the-economist-a8195121.html< for discussion.

79 The website >thirty-thousand.org< provides proof of this gradual coup.

80 A free version of *Lies My Teacher Told Me* is at > https://issuuhub.com/view/index/22937 <.

81 See discussion and classification of the forms of government by R. M. MacIver. “*The constitutional question concerns the relation of the one to the few but above all the relation of the few who rule to the many who are ruled. If the few are not responsible to the many, then it is oligarchy.*” *The Web of Government*. New York: The Macmillan Co., 1947, p. 149; also pp. 151-62.

82 He claimed that an important distinction among the various forms of the character of the elite. This class-biased imposition is discussed in *Patterns of Anti-Democratic Thought* (NY: 1949, p. 74)

83 This term appeared in the *Declaration of Independence* (1776) and had become popular since a 1598 translation of *The Counsellor and The Accomplishd Senator* by Wawrzyniec G. Goslicki (published in Venice 1568 as *De Oportuno Senatore*, Basel 1593). It was in opposition to British oligocratic traditions that went back to the *Magna Carta*, which was essentially a contract between a king and his barons.

84 It generally proposes a *divine right of kings*. As oligarchs came to dominate worship, British Bibles soon instructed Christians to “Render unto Caesar...” as if America had one. There are 78 federal “Emblems of Belief” for military ceremonies, but still none for Reason, even though prominent Founders (Franklin, Paine, Jefferson) claimed to be Deists.

85 It noted: “*There is no article in the Constitution of this State, nor of any of the states, that invests the Government in whole or in part with the power of granting charters or monopolies of any kind; the spirit of the times was then against all such speculation; and therefore the assuming to grant them is unconstitutional, and when obtained by bribery and corruption is criminal.*” On his return to the U.S. in 1802 Paine wrote several letters “To the Citizens of the United States and this 1805 “Letter” was likely the most important because it warned of specific British subversion.

86 Loyalist sympathizers, who had not overtly served England, stayed in America after 1783. Others returned after short exile in Canada to become Federalists, along with some lawyers. British agents also infiltrated back under *shield bearer* (esquire) protection. They overcame democratic resistance. Their power was recognized with abuses by the *First bank of the United States*. After the Civil War, a number of private corporations expanded in power and sought accomplices like those who served British corporations. In 1878 (Aug. 21), lawyers met in Saratoga Springs NY (<100), to form an *American Bar Association* (ABA), mostly comprised of elite corporate counselors, not courtroom litigators. They soon lobbied for a “national code of ethics” and bar exams that ultimately shape law into an English case-law format — based on judicial precedents — opposed to democracy.

87 The U.S. has by far the highest prison rate in the world and it is severely biased by race (footnote 43).

88 *Short story*: By 1890, about 4,000 U.S. millionaires held a fifth of the national wealth. That enormous inequality translated to political corruption. The application of *Gilded Age* wealth bought U.S. Senate cooperation and the top 1- Percent thrived on such exploitation.

89 The reapportionment procedure for House seats after a decennial census became formal (1941) when Congress updated the specific formula but not the 435 limit for House seats (It temporarily rose to 437 with AK & HI.). The so-called Democratic Party failed to offer any significant defense of democracy.

90 In fact, the Judiciary, President, and even Congress, *have no right to overthrow representation*. Some Democrat opponents did decry the 1929 *Act* as abdicating vital fundamental powers of Congress but they did not have the numbers to prevail. Afterwards they lost interest in true democracy and did not restrict giant corporations. A solution can start with serious tax rates on those who use corporate shields. We could recall that in the 1950s the top tax rate was near 90% and if rich corporations don’t pay them then the burden falls on under-represented citizens. Also, since two-thirds of the corporate giants are foreign, a “least-favored nation” tax could be imposed on them.

91 Unfortunately lawyers are paid to offer major obstacles to equality and, at 1.35 million, our country has over 60% of the global total. They dominated politics since 1890 and helped to officially end democracy. Our legal system was designed for juries following a Constitution, not precedents of unelected judges. According to Bruce Fein and Ralph Nader (see added minutes to episode 292, *Nader Radio Hour*), **many lawyers do not support democracy**. That was also exposed by Thomas Paine in 1805 and confirmed by President Jefferson. According to profiles of the 116th & 115th Congress (see >https://csrreports.congress.gov/product/pdf/R/R445583<), 47-50 senators and 145-168 representatives are lawyers, rented by the oligarchs through campaign contributions.

92 See his speech of April 16, 1953 and *Farewell Address* of January 17, 1961. *Why We Fight* (2005) looks specifically at the latter in its discussion of militarism. The “Complex” is defined with an out-take on “The Missing C”, which referred to the term “Congressional” that was removed from the speech. It could just as well have referred to the word “corporate” but maybe he wanted to distract from the lobbying connection. A study guide that accompanies the excellent documentary is at: >http://sonyclassics.com/whywefight/download/WhyWeFight-StudyGuide-Sony.pdf/<

93 The Democratic Party is why we fight of omission than criminal commission, but in part of the country party membership is based on a loyalty to power rather personal or party ideology.

94 Active veterans are marginalized by those with economic power. Their organization is relatively weak if compared to lawyers, teachers, and unionized government employees. Soldiers do not have “unions” and, after they leave active duty, often join protective associations that honor them as victims (in the name of community). Most veterans are kept unaware of specific forms of discrimination against them. For example, male veterans trail non-veterans in labor participation. They lead in suicide rates.

95 See Albert Speer’s second book *Der Sklavenstaat meine Auseinandersetzungen mit der SS* (1966). It translates as *The Slave State - My Conflict with the SS*, but was renamed *Infiltration* for the Anglo-American market. It examined how Himmler wanted to make the SS independent of the Nazi party and German state. The book exposes his ruthless military-industrial *Infiltration*. Speer was a high-ranking official within the Third Reich who became aware of the plot. Himmler then targeted Speer as an opponent. My related volume is *Hitler’s Elite Guard: Between Fascism and Genocide* (Valor Book 5), which also includes coverage of both the *Waffen SS* and Göring’s land army. It discusses political motivations. Economic aspects are examined in books 7 and 8.

96 In the 1944 essay “What is fascism”, George Orwell wrote that most English persons would accept ‘bully’ as a synonym for ‘Fascist’. “...rough speaking, something cruel, unscrupulous, arrogant, obscurantist, anti-liberal and anti-working-class.” There’s an extensive U.S. government definition in a 1947 study titled *Fascism In Action - A Documented Study And Analysis of Fascism In Europe*. It followed a similar work on Communism.

97 See >www.openculture.com/2018/10/yale-professor-jason-stanley-identifies-three-essential-features-of-fascism.html<. Yale professor Jason Stanley offers valuable insights into the *ethics of power* as embodied in fascism. Its form existed in U.S. history has roots going back to ancient times. He wrote *How Fascism Works* to examine how a fascist philosophy developed in America. He claims that the three essential features of fascism are (1) invoking a mythic past, (2) sowing division, and (3) attacking truth. He shares the convictions of Dr. Tim Snyder. See a 90m interview with both the philosopher and historian by a *New Yorker* writer >www.c-span.org/video/?452234-1/how-fascism-works<.

98 See the legal concept as upheld by the Supreme Court: *delegata potestas non potest delegari*.

99 See *New Yorker*, Feb. 4, 2019 Issue: “The Supreme Court Case That Enshrined White Supremacy in Law” at >www.newyorker.com/magazine/2019/02/04/the-supreme-court-case-that-enshrined-white-supremacy-in-law<. Consider that even the Nazi Holocaust was “legally” imposed.

100 Such *delegation* to “separate and unequal” government corporations is probably unconstitutional.

101 No significant CIA leaders were punished for this involvement in the drug trade but it was well documented. Soon after World War II, U.S. intelligence helped the Sicilian Mafia’s worldwide heroin smuggling operations in exchange for preventing the rise of Communism in Italy. Senator John Kerry’s 1988 U.S. Senate Committee on Foreign Relations report on Contra drug links concluded that members of the U.S. State Department “who provided support for the Contras are involved in drug trafficking... and elements of the Contras themselves knowingly receive financial and material assistance from drug traffickers.” In 1996, journalist Gary Webb published reports in the *San Jose Mercury News* (and book *Dark Alliance*) to detail how Contras were involved in distributing crack cocaine into Los Angeles while receiving CIA money. See many more examples in Douglas Valentine’s *The CIA as Organized Crime: How Illegal Operations Corrupt America and the World* (2017). The CIA often works with global corporations.

102 Unfortunately, there has been no effort to properly investigate, much less punish such crimes. Corporate media hide such truths. For gold mine of hidden truths see *Project Censored*’s archives >www.projectcensored.org/top-25-censored-stories-of-all-time/<. For recent crimes, after the (now obvious) fraud of the 2000 selection, the still hidden 2004 theft, there evidence that the 2016 election was also stolen> For example, in PA 50 of 67 counties had no paper trail?! Similar trickery in OH or FL would have reverse the national contest, but we already know “None of the above” won the vote.

103 Both film lists and podcasts are widely available. Ralph Nader’s *Breaking Through Power* on YouTube has many presentations with useful insights on citizen rights. It includes about 160 speakers averaging about 20 minutes each. For daily news watch *Democracy Now!* and *Real News Network* has good weekly features. Daniel Sheehan’s is another lawyer whose legal exploits go back to the Pentagon Papers. He married the head of the Chrstic Institute and leads the Romero Institute, while teaching full-length college courses at Santa Clara since 2012. His last course on the *Tragedy of Justice* has detailed information on Climate Change.