

proclaimed new Roman-style Caesar, Napoleon Bonaparte. As a result of the successive, combined impacts of British and Habsburg hatred of our republic,<sup>8</sup> combined with the impacts of the Jacobin Terror and Napoleon's reign, the U.S. was isolated, and its existence imperilled, over the entirety of the interval 1789-1863.

As a consequence of these and related developments, the foundations of modern fascism were first set into place, in France, beginning with the July 14, 1789 storming of the Bastille, a process which continued to unfold its development through the reign of Napoleon and the Congress of Vienna. The original statement of a general plan for fascism, was written by ex-Jacobin "leftist" G.W.F. Hegel, as his fascist philosophy of the state and its laws. Although the neo-Kantian, Romantic school of law of Hegel's crony, Friedrich Karl Savigny, contains many of the rudiments of the fascist doctrine in general, it is Carl Schmitt who follows Hegel explicitly in defining the legal doctrine of all fascist states up to the present time. Newt Gingrich copied the argument of Hegel and Schmitt explicitly, thus defining himself as wittingly, and most specifically a fascist, in his public description of the historical base in revolutionary law for his "Contract With America."<sup>9</sup>

The bare historical facts of the 1782-1789 developments leading into the July 14, 1789 events are the following.

From the beginning, Lord Shelburne's policy for the destruction of the economies of both France and the English colonies of North America, had been premised upon exploiting, against France, the reactionary tradition within France shared among France's depraved Sun-King, Louis XIV, and other opponents of the influence of Cardinal Mazarin and Minister Jean-Baptiste Colbert. Key assets of the Europe-wide network of salons organized by the Paris-based Venetian Abbé Antonio Conti, had included the reactionary Physiocrat Dr. François Quesnay, of *laissez-faire* notoriety, and his followers, such as that notorious French Minister A. Turgot from whom Adam Smith had plagiarized much of the essential content of his own *Wealth of Nations*.

It was Minister Turgot and another key asset of Shelburne's, the sometime French Finance Minister, the Swiss Jacques Necker, who typify key roles played in the post-1782 bankrupting of France, and in the events leading directly into the launching of the Jacobin Terror on July 14, 1789.<sup>10</sup> The

8. For example, Henry A. Kissinger, *A World Restored: Metternich, Castlereagh and the Problems of Peace 1812-1822* (Boston: Houghton-Mifflin, 1957).

9. By "revolutionary," we mean, in this case, the so-called "conservative revolution," as defined, for example, by Armin Mohler's *The Conservative Revolution in Germany (Die Konservative Revolution in Deutschland: 1918-1932* [Darmstadt, 1972]). The Republican far right's enthusiasm for "globalization" specifically defines them as *universal fascists* in the sense of Mohler's historical account.

10. Necker, from Lausanne, Switzerland, is otherwise best known as the father of the notorious Madame de Staël. The mother of the latter creature had been putatively affianced to Shelburne lackey and historian Gibbon.

storming of the Bastille on that date, was organized by Benjamin Franklin adversary Philippe Egalité, the Duke of Orleans, explicitly as part of an election-campaign to have the Necker who had done so much, as former finance minister, to bankrupt the King of France, appointed as the King's Prime Minister!<sup>11</sup> As a result of this celebrated event, the King of France lost not only his throne but his head, and France gained the five years of the Jacobin Terror it suffered prior to the ironical decapitation of the chief terrorists Robespierre and Saint-Just.

These events, including the Terror overall, were directed explicitly from the British Foreign Office in London, directed personally by that Office's "secret committee" which was headed by Shelburne's most politically significant protégé, Jeremy Bentham.<sup>12</sup> Looking back from 1789-1794 to Benja-

11. Pierre Beaudry, "Jean-Sylvain Bailly: The French Revolution's Benjamin Franklin," *EIR*, Jan. 26, 2001.

12. Cf. letter of Simón Bolívar, warning of the evil represented by Bentham's orchestration of the British-orchestrated revolutions in South America. In his *Introduction to the Principles of Morals and Legislation* (Oxford: Clarendon Press; New York: Oxford University Press, 1996), Shelburne lackey utilitarian Bentham lays out the variety of British liberalism from which fascist movements and regimes have sprung repeatedly since.

## Carl Schmitt's Influence In Today's Venezuela

Hugo Chávez Frías was elected President of Venezuela by an absolute majority in December 1998, but at his inauguration in February of 1999, instead of pledging to abide by the Venezuelan Constitution, he pledged to bury it and create another. Even before the inauguration, those who had brought him to power were promoting the ideas of Carl Schmitt — who in turn bases himself on the legal theories of Hegel and Savigny — as the legal foundation for Chávez's absolutist and totalitarian regime. On Jan. 19, 1999, former banker Ignacio Quintana wrote an article for the newspaper *El Nacional*, entitled "Constitutional Violence Against the Constituent Assembly," in which he attacked certain failures, both real and alleged, of the regimes of the past 40 years, in order to justify the need for a constituent assembly with absolute powers. Wrote Quintana: "Carl Schmitt described in his *Theory of the Constitution*, on page 225, the underlying structure of a Constitution that responds to the interests of the people, and not to the interests of economic groups, of parties, of a political and ideological superstructure which seeks through 'constitutional' text, to usurp political power and its derivatives."

Quintana is currently Venezuela's ambassador to the Vatican. He was an official of the Banco Latino, which brought the Venezuelan banking system into bankruptcy

min Franklin's earlier associations and conflicts within French freemasonry, the pattern of such Jacobin and related agents of the British intelligence interest in France, was already in evidence even decades earlier than the events of 1789.

*The storming of the Bastille was never a blow for the cause of human freedom; it is to be recognized, in retrospect, as not only a counterrevolution against the constitutional movement led by the Marquis de Lafayette and Jean-Sylvain Bailly,<sup>13</sup> but also the first modern fascist coup d'état.*

To understand that counterrevolution, one must see it first, most immediately, as a counterrevolutionary blow, delivered by the rabidly anti-American elements of the European oligarchy, against the 1763-1789 struggle to establish the U.S. Federal republic. It was a blow intended to prevent France from following in what we would call, retrospectively, today, the footsteps of the U.S. Philadelphia Constitutional Convention, as the case of the "Tennis Court Oath"<sup>14</sup> underscores this fact.

However, to find the deeper roots of that British-directed

anti-Americanism, the storming of the Bastille must be seen more broadly. In the latter respect, it was a blow, orchestrated chiefly by the British monarchy, against the existence of that modern sovereign form of nation-state which is based upon the same constitutional principle of *the general welfare* which set President Franklin Roosevelt apart from his political enemies, whom he named as "the American Tories." *This nation-state premised upon the supreme principle of the general welfare, is a form of state, based upon a scientifically validated, universal principle of natural law, which had first appeared in practice during the course of the Fifteenth-Century, Italy-centered Renaissance, and from which all the subsequent significant achievements of modern European civilization have been derived.*

Here, we shall examine the matter on the more immediate, first, of those two levels, and, later, the deeper historical implications.

All significant fascist movements since have been, first of all, essentially pro-oligarchical counterrevolutions against the institutions and intellectual forces of that modern sovereign form of nation-state which is based upon the principle of the general welfare, and, secondly, the opposing forces

13. Cf. Beaudry, op cit.

14. Ibid.

in 1994, and was one of the first bankers to finance Chávez and his movement. In 1995, he sent Chávez to Paris, and then to Spain.

From the moment Chávez announced his decree to hold a referendum on the creation of a Constituent Assembly, the debate began among the experts. Chávez surrounded himself with several such experts, including Ricardo Combellas, the current president of the Commission to Reform the State—a position which he has held since the Rafael Caldera government—who dedicated many hours to explaining to Chávez the legal justifications for the excesses of the Constituent Assembly.

On April 23, 1999, Combellas wrote an article in *El Universal*, entitled "Byzantine Discussion?" He defends Schmitt's idea of an absolutist constituent assembly, by taking as his starting point the precedent of the Colombian Constitution. According to Combellas: "By its very nature, the constituent power is the originating power, which is additional and supraconstitutional, and belongs to the people who hold title to sovereignty. Its limits are meta-constitutional (democracy, human rights), never constitutional, given its rank above the established powers, which cannot obstruct its activity. As Carl Schmitt emphasizes: 'It is not just one more power, coordinated with other different 'powers' (legislative, executive, and judicial). It is the power which embraces all the other 'powers' and 'division of powers.'"

Such totalitarian cynicism in academic robes has not gone unnoticed.

Lawyer and historian Jorge Olavarría, who had supported Chávez's electoral campaign, but had broken with him after the President took off his mask, wrote an historical essay in the April 25 edition of the newspaper *El Nacional*, in which he described the current moment under the title "The Darkest Hour." Under a paragraph subtitled "Tell Me Whom You Quote . . . And I Will Tell You How You Think," Olavarría writes:

"Last Friday, April 23, Dr. Combellas published an article in *El Universal*, in which he insists yet again on the totalitarian nature of the Constituent Assembly. I won't bother to refute the sophisms to which Combellas resorts, as he prepares the bed for the tyrant he now woos. I am simply going to call attention to the quote Combellas uses from German jurist Carl Schmitt, to reinforce and give authority to his ideas about what, according to him, the all powerful Constituent Assembly can do, and what Chávez announces he will do, in open defiance of the court's ruling.

"Who is Carl Schmitt, and what does he represent in contemporary history? Professor at the universities of Cologne and Berlin, Schmitt is the most important theoretician of the modern totalitarian state. A fierce critic of the Weimar Constitution, and of the 'bourgeois freedoms' of liberalism, his ideas about a strong and monocratic state were taken literally from Adolf Hitler, and we all know how the brutal dictatorship he installed in 1933 ended."

—David Ramonet