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The Two Contending Visions of World Government: The Origin and Broader Context of Obama's "Trade" Deals

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U.S. President Barack Obama's proposed 'Trade' deals are actually about whether the world is heading toward a dictatorial world government — a dictatorship by the hundred or so global super-rich who hold the controlling blocks of stock in the world's largest international corporations — or else toward a democratic world government, which will be a global federation of free and independent states, much like the United States was at its founding, but global in extent. These are two opposite visions of world government; and Obama is clearly on the side of fascism, an international mega-corporate dictatorship, as will be documented here in the links, and explained in the discussion.

Also as a preliminary to the discussion here is the understanding that if Obama wins Fast Track Trade Promotion Authority, then all of his 'trade' deals will be approved by Congress and then be able to be considered seriously by other governments, and that if he fails to receive this Authority, then none of them will.

"Fast Track," as will be explained in depth here, is, indeed, the "open Sesame" for Obama, on the entire matter. Without it, his deals don't stand even a chance of passage.

I previously wrote about why it's the case that "'Fast Track' Violates the U.S. Constitution." The details of the case are presented there; but, to summarize it here: "Fast Track Trade Promotion Authority," which was introduced by the imperial President Richard M. Nixon in the Trade Act of 1974, violates the U.S. Constitution's Treaty Clause — the clause that says "The President ... shall have power, by and with the advice and consent of the Senate, to make treaties, *provided two thirds of the Senators present concur.*" (In other words:*otherwise*, the President *simply doesn't have that power*, the President cannot "make treaties." Nixon wanted to make treaties without his needing to have two-thirds of the Senate vote "Yea" on them.) Fast Track abolishes that two-thirds requirement and replaces it by a requirement such as that for normal laws, of only a majority of the Senate approving, 50%(+1, which would be Vice President Joe Biden, so all that will actually be needed would be just that 50%). Obama's 'trade' deals don't stand a chance of receiving the approval of two-thirds of the U.S. Senate.

What follows here will continue from that case, by providing the history of the U.S. Constitution's Treaty Clause, and of the successful modern movement, during the Twentieth Century, for its legislative overthrow, something (the legislated overthrow of a provision that's in the Constitution) that in-itself is *prohibited* by the U.S. Constitution — an Amendment, or else a Constitutional convention, is instead required, in order to overthrow any provision of the U.S. Constitution) — but which the Trade Act of 1974 said can be done

by means of a mere “Legislative-Executive Agreement,” to carve out an exception to the Constitution’s Treaty Clause (“The President … shall have power, by and with the advice and consent of the Senate, to make treaties, *provided two thirds of the Senators present concur.*”), whenever the President and 50%+1 members of the Senate decide to do so.

Now, of course, each and every formalized international agreement, including agreements about “trade,” is a treaty and therefore it falls under this two-thirds rule. Furthermore, until 1974, every nation in the world, including the United States, accepted and did not challenge the view that every international agreement is a treaty, and that every treaty is an international agreement. In fact, even right up to the present day, every dictionary continues to define “treaty” as “an international agreement.” An international agreement is a treaty, and a treaty is an international agreement. Throughout the world, except in the United States starting long after the Constitution was written (i.e., starting in 1974), “treaty” = “international agreement.” It was always quite simple, until recently. However, after the Trade Act of 1974, starting in 1979, five such treaties have been set by the President and the Senate’s Majority Leader on “Fast Track Trade Promotion Authority” under the Trade Act of 1974, which provision of that law requires only 50%+1 Senators to vote “Yea” in order for the proposed treaty to be able to become U.S. law. The question is whether that’s Constitutional. (We’ll show: it’s not.)

America’s Founders

America’s Founders instituted this Constitutional treaty-requirement, for any treaty to win two-thirds of the Senators instead of the mere majority (50%+1) that’s required for passing normal laws (such as the Trade Act of 1974 itself is), because the Founders recognized that an international agreement cannot be undone by simply passing a new law that reverses it. An international agreement — that is to say a treaty — cannot be undone unless all nations that are parties to it are willing to change it in a way which will allow one of the signatories to depart from that group. Each signatory had signed it *partly because the others did*. There are at least two sides to any “agreement,” including to any international agreement or “treaty.” The member-nations are thus an intrinsic part of the *agreement* (or “treaty”) itself (unlike the case with any normal, merely national, law), and so the agreement itself is changed whenever one of them departs from it. This fact distinguishes any treaty from any regular law — which can be cancelled at will by the single nation that passes it, because that nation is the only party to it.

America’s Founders were wise, and were extraordinarily learned about history; and the U.S. Constitution (the first-ever constitution for a democracy) embodies this wisdom and learning; the Treaty Clause’s two-thirds requirement exemplifies that. It is a crucial part of their determination to prevent any President from having too much power — from becoming a dictator (something that becomes even worse if the dictator has rammed through not only mere laws, but also treaties, since those are far harder to undo). For example: it was intended to block any President from making a treaty with a foreign nation if that treaty would be so bad that he couldn’t get two-thirds of the U.S. Senate to support it. (That’s tough, but a treaty is far more difficult than any other law is to cancel; so, passing it is passing a law that’s virtually permanent and virtually impossible to modify.) And their wisdom is why our constitution remains the world’s longest-lasting one.

As Alexander Hamilton wrote on 9 January 1796, defending the new Constitution, and especially its Treaty Clause: “I aver, that it was understood by all to be the intent of the provision [the Treaty Clause] to give to that power the most ample latitude to render it

competent to all the stipulations, which the exigencies of National Affairs might require—competent to the making of Treaties of Alliance, Treaties of Commerce, Treaties of Peace and every other species of Convention usual among nations and competent in the course of its exercise to controul & bind the legislative power of Congress. And it was emphatically for this reason that it was so carefully guarded; the cooperation of two thirds of the Senate with the President being required to make a Treaty. I appeal for this with confidence."

He went further: "It will not be disputed that the words 'Treaties and alliances' are of equivalent import and of no greater force than the single word Treaties. An alliance is only a species of Treaty, a particular of a general. And the power of 'entering into Treaties,' which terms confer the authority under which the former Government acted, will not be pretended to be stronger than the power 'to make Treaties,' which are the terms constituting the authority under which the present Government acts." So: there can be no doubt that the term "treaty" refers to any and all types of international agreements. This was the Founders' clear and unequivocal intent. No court under this Constitution possesses any power to change that, because they can't change history.

Furthermore, George Washington's famous Farewell Address asserted that, "It is our true policy to steer clear of permanent alliance with any portion of the foreign world"; and the third President Thomas Jefferson said in his equally famous Inaugural Address, that there should be "Peace, commerce, and honest friendship with all nations — entangling alliances with none." Jefferson's comment there was also a succinct tip-of-the-hat to yet another major concern that the Founders had regarding treaties — that by discriminating in favor of the treaty-partners, they also discriminate *against* non-partner nations, and so endanger "peace, commerce, and honest friendship with all nations," which was the Founders' chief goal in their foreign policies. But, the Founders' chief concern was the mere recognition that treaties tend to be far more "permanent" and "entangling" than any purely national laws. This was the main reason why treaties need to be made much more difficult to*become* laws. Though this thinking was pervasive amongst the creators of America's democracy (or people's republic), America's aristocracy subsequently targeted this dilution of the President's treaty-making power as being an impediment toward their re-establishing the aristocracy that the American Revolution itself had overthrown and replaced by this people's republic. And, the big chance for the aristocracy to restore its position via an imperial President, and so to extend their empire beyond our shores, came almost two hundred years later.

America's Post WW II Counter-Revolution

In order to understand why President Richard Nixon was able in 1974 to obtain the support of both of the then-solidly Democratic two houses of Congress to pass into law the unConstitutional Fast-Track-initiating "Trade Act of 1974", notwithstanding the then-ongoing investigations by Democrats regarding Nixon's Watergate scandal, one must go back actually to the first meeting of the extremely secretive elite fascistic international Bilderberg group, in1954. Here from wikileaks is a 1955 status report from Bilderbergs, on their early-stage results; and the man who wrote that report and hypocritically praised in it "the quintessence of democratic life" was actually a 'former' Nazi, Prince Bernhard, who went all the way to his grave in 2004 as a champion of global rule by the American and European aristocracies. (The group was subsequently expanded by Bilderbergers David Rockefeller and the Polish nobleman Zbigniew Brzezinski to include Japan in their Trilateral Commission.) Within just three years, the 1957 membershipof the Bilderberg organization

became far more American, far less European, but David Rockefeller and his Wall Street friend George W. Ball were two of the leading Bilderberg members from the very start.

The Bilderberg group turned away from the former Democratic President Franklin Delano Roosevelt's international goal for the post-WW II world (conceived in conjunction with Rexford Guy Tugwell, FDR's chief policy-advisor), which international goal, building upon an already-existing grassroots movement, and entirely alien to the artificial concept of top-down aristocratic global control that the Bilderbergs promote, had been instead the gradual natural evolution, bottom-up, toward a democratic world government: a global confederation of free and independent states, not corporate at all but instead a United States of the World, in which the types of imperial international aggressions that the fascist powers had perpetrated and which had produced WW II would be outright banned, and this aggression-ban would be backed up by an international military force which would have the participation of each one of the world's states. In other words: FDR's co-conception, and his enduring goal, was of a *democratic federal world government*, not of a fascist or any other dictatorial and non-federal world government. It envisioned an international democracy, consisting of the world's nations as its federal units, even if some of those nations might still be dictatorships, in which case the democracy at the federal level (and the pressure from the democratic nations of the world) would then encourage any dictatorial nations to change or evolve in the direction of democracy. This was Franklin Delano Roosevelt's hope. It was a reasonable one. And it was rooted not only in an existing grassroots American movement but in a conception of how future history could evolve toward peace as naturally as possible, and with a minimum of command-and-control from the top — no aristocracy in control. This was a vision that was fully in keeping with the goals of America's Founders. But it sought to *extend* that vision to the international sphere, in the modern age. The concept of a United States of the World was based on that. And the U.N. was to be the first step towards it.

Rex Tugwell was very active while teaching at the University of Chicago right after WW II, promoting democratic world government as being key to the establishment of peace on a more secure institutional basis. Thus, in 1946, Albert Einstein wrote an essay, "Toward a World Government," which was published in his *Out of My Later Years*, (pp. 131-33), and it opened: "A conversation I had with three students of the University of Chicago has made a strong impression on me." He then expressed his conviction that "A person or a nation can be considered peace loving only if it is ready to cede its military force to the international authorities and to renounce every attempt or even the means, of achieving its interests abroad by the use of force." Einstein was specific: "This [world] government must be based on a clearcut constitution which is approved by the governments and the nations and which gives it the sole disposition of offensive weapons." In other words: it must represent ultimately the people who elect the leaders of the various nations of the world, not international corporations, which answer instead to the families that hold the controlling blocks of stock in them. Einstein was anti-fascist, never pro-fascist. He was 100% in the FDR mold. He was 100% a democrat, small-"d". That's what this statement of his reflected; and as he understood, there must ultimately be both a global democracy, and also a global monopoly by that democracy on the control of all nuclear weapons. Otherwise, there will emerge a global dictatorship, and perhaps a nuclear war, which would destroy all civilization. He understood.

This immediate post-WW-II vision of an ultimate world government in the FDR democratic mold lasted unchallenged until Republican President Dwight D. Eisenhower (who chose

Nixon as Vice President) came into office in 1953, and (now that FDR and his power-heir Truman were gone) America's large international corporations, and their tax-exempt foundations including think-tanks, started pressing for a world government in the Bilderberg mold, one that would be comprised instead mainly of international corporations which would help shape and would become subject to the same rules and laws and regulations in each and every 'democratic' country — that is, in each and every non-communist country. International corporations during the Cold War championed the goal of a *bi-polar, capitalist-versus-communist*, world, in which the international corporations would, themselves, ultimately *become* the world government on 'our' side (the 'free world's' side), dictating not only international environmental rules, and international product-safety rules, and international labor-rules, and international rules on banking and finance, but also international rules on immigration and on the rights of refugees.

But, then, the Soviet Union and its communism ended, and yet the fascist Bilderberg group's thrust for globalized international-corporate control continued on, even after the Cold War's end, as also did what became their military extension, NATO — the international corporations' global enforcement-arm. NATO continued on, even after the Soviet Union's Warsaw Pact disappeared in 1991. NATO became, then, instead of an anti-communist alliance, an anti-Russian alliance, an alliance to conquer Russia. The imperial focus continued; but it had underlain the ideological gloss even during the early Cold War years. The 1955 summary by Prince Bernhard of the 1954 Bilderberg meeting mentioned that Article 2 of the 1949 founding document of NATO, the Atlantic Treaty, had been discussed there. That portion of NATO's treaty said: "The Parties will … seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them." This was an early harbinger of the aristocracy's thrust for what finally became U.S. policy, the Trade Act of 1974 and its results in such international treaties as NAFTA and, now, as Obama hopes, his TPP, TTIP, and TISA, treaties. Bernhard's summary also devoted an entire section to "European Unity," including passages such as:

> A European speaker expressed concern about the need to achieve a common currency, and indicated that in his view this necessarily implied the creation of a central political authority. A participant, speaking as a German industrialist, said that, having fought for integration before, German industry was still determined to pursue the same purpose, but he expressed considerable doubt as to the functional approach to integration by moving from one economic sector to another. In his view, the common problems of differences in labour standards and currencies and the various elements entering into the common market must be brought nearer to parity as a condition of further progress.

A major thrust of the early Bilderberg meetings was to establish uniform economic, environmental, and labor, regulations, and a common currency, throughout Europe: this goal of transferring to an ultimate European Union a substantial portion of each Euronpean nation's sovereignty, started being realized in the 1957 Treaty of Rome, but some features of the Bilderberg plan were enacted only much later, such as the common currency, the euro, which began in 1999.

Another section of the 1955 Bilderberg summary was titled "Economic Problems," and it opened: "A United States rapporteur, defining convertibility as a state of affairs in which there is a minimum of restriction on international trade, believed that a good deal of progress had been made in that direction since the war. … The increase in trade and prosperity both in Europe and the United States, however, was due in no small part to the

steps which had been taken to reduce restrictions on trade." So: both the U.S. aristocracy, and the various European aristocracies, aimed to transfer at least some of their individual nations' sovereignty to supra-national treaties; but there was no discussion of how this was to be achieved — whether via democratic processes, or by dictatorial ones, or some mixture of the two.

Among the leading members of the Bilderberg group since its inception were David Rockefeller and George Ball. The latter was the first person on the Democratic side of American politics who championed as an ideal an anti-democratic, pro-aristocratic world government. Matt Stoller, on 20 February 2014, bannered, "NAFTA Origins, Part Two: The Architects of Free Trade Really Did Want a World Government of Corporations," and he reported, from his study of the*Congressional Record*, that:

> After the Kennedy round [international-trade talks] ended [in 1967], liberal internationalists, including people like Chase CEO David Rockefeller and former Undersecretary of State George Ball, began pressing for reductions in non-tariff barriers, which they perceived as the next set of trade impediments to pull down. Ball was an architect of 1960s U.S. trade policy — he helped write the Trade Act of 1962, which set the stage for what eventually became the World Trade Organization.
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> But Ball's idea behind getting rid of these barriers wasn't about free trade, it was about reorganizing the world so that corporations could manage resources for "the benefit of mankind". It was a weird utopian vision that you can hear today in the current United States Trade Representative Michael Froman's speeches. …
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> In the opening statement [by Ball to Congress in 1967], before a legion of impressive Senators and Congressmen, Ball attacks the very notion of sovereignty. He goes after the idea that "business decisions" could be "frustrated by a multiplicity of different restrictions by relatively small nation states that are based on parochial considerations," and lauds the multinational corporation as the most perfect structure devised for the benefit of mankind.

As for David Rockefeller, he wrote in the 1 February 1999 *Newsweek* an essay "Looking for New Leadership," in which he stated (p. 41) the widely quoted (though the rest of the article is ignored): "In recent years, there's been a trend toward democracy and market economies. That has lessened the role of government, which is something business people tend to be in favor of. But the other side of the coin is that somebody has to take governments' place, and business seems to me to be a logical entity to do it." (Of course, by "business" there, he's referring only to international corporations, but he doesn't say that; he's tactful enough not to make it explicit.) This has been his clearest statement endorsing the emergence of a future world government by international corporations, which will possess a sovereignty higher than that of any national government, which he says that he endorses because a lessening of the role of democratic government "is something business people tend to be in favor of." (Of course, those "business people" are only the hundred or so who actually control the major international corporations; they're not mom-and-pop-type "business people"; but he's tactful enough not to make that explicit, either. The whole endeavor is a con.)

This was the basis upon which Fast Track Trade Promotion Authority was actually accepted by congressional Democrats in 1974. George Ball was the key person, but he was chosen for

this role because he could be paraded as being a 'Democrat,' so that support for the position would be 'bi-partisan,' not *merely* "Republican." (Similarly, the Wall Street 'Democrat' Bill Clinton in 1999 derailed and subverted FDR's Glass-Steagall and other financial regulations.)

After the end of the Soviet Union and the Warsaw Pact, NATO became the military arm of a hoped-for future no-longer bipolar world — instead a monolithically uni-polar global empire, which set out to conquer the former communist nations (first by corrupting their transitions into capitalism, but then increasingly by military means including NATO itself.) The ideological gloss was now gone, but the purpose of global domination by the international aristocracy didn't go away. NATO became, far more clearly, simply the military arm of the global aristocracy, whose brain is located in Washington as to politics, and in Wall Street as to finance. America's aristocracy would thus rule Europe's and Japan's. The great investigative historian F. William Engdahl recently presented a superb summary of how "In the early 1990s, Dick Cheney's company, Halliburton, had surveyed the offshore oil potentials of Azerbaijan, Kazakhstan, and the entire Caspian Sea Basin.

They estimated the region to be 'another Saudi Arabia' worth several trillion dollars on today's market. The US and UK were determined to keep that oil bonanza from Russian control by all means. The first target of Washington was to stage a coup in Azerbaijan against elected president Abulfaz Elchibey to install a President more friendly to a US-controlled Baku–Tbilisi–Ceyhan (BTC) oil pipeline." And that was all part of this operation: "Not long after the CIA and Saudi Intelligence-financed Mujahideen had devastated Afghanistan at the end of the 1980's, forcing the exit of the Soviet Army in 1989, and the dissolution of the Soviet Union itself some months later, the CIA began to look at possible places in the collapsing Soviet Union where their trained 'Afghan Arabs' [headed by Osama bin Laden] could be redeployed to further destabilize Russian influence over the post-Soviet Eurasian space." In other words: after the Cold War against 'communism' had already ended by the collapse of the communist economies, the Bilderbergers and their agents continued the war as being merely a war of conquest and exploitation of the formerly communist nations and especially of resource-rich Russia — an anti-Russia war that has recently been intensified by 'Democratic' President Barack Obama.

The U.S. aristocracy, and, to a lesser extent, the European and Japanese aristocracies, within the Trilateral Commission which had been set up by the Bilderbergers (especially under Bilderberger David Rockefeller), all continue their international-corporate aim for unitary corporate global power, and for the crushing of democracy within all of the member-nations. President Obama's proposed international treaties, the TPP, TTIP, and TISA, would replace national democratic laws and regulations regarding the environment, consumer protection, workers' rights, and investor protection, by means of international-corporate control of those regulations, via panels of three 'arbitrators,' all of whom will be selected by or otherwise beholden to the international corporations that are being regulated; and, if any nation then tries to legislate stronger laws to protect the public than those panels approve under the given treaty, that nation will be fined by any corporation whose 'rights,' under these treaties (TPP, TTIP, and TISA), have been ruled by those panels to have been infringed by that violating nation. The basic idea is that the rights of the owners of the controlling blocks of stock in the international corporations take precedence over the rights of any mere nation, or of the public in any nation that participates in these vast American-dominated 'trade' deals. (The underlying ideology behind this is discussed in my 2015 book, *Feudalism, Fascism, Libertarianism and Economics*.)

This new system, called “Investor State Dispute Resolution,” or ISDS, is only just starting to be employed and applied, from NAFTA and the few other such international agreements that are already in force. The following is from a Congressional Research Service report (which is generally heavily biased in favor of ISDS), in which is described one of the biggest cases yet that has been resolved by such panels:

> A tribunal’s inability to change the laws or regulations of the United States directly does not mean that arbitration awards cannot be substantial. For example, in Occidental Petroleum Corp. v. Ecuador, the tribunal ordered Ecuador to pay Occidental $1,769,625,000—over 1 billion dollars—in damages.63 The tribunal rendered that award, which is one of the largest awards in favor of a claimant under ISDS arbitration, after finding that Ecuador violated an investment agreement by expropriating Occidental’s property in response to Occidental transferring some of its economic interests under an oil production contract in contravention of Ecuador law.64 Therefore, although a tribunal lacks authority to alter a U.S. statute directly, some commentators believe that the possibility for such large monetary damages potentially could influence lawmakers and regulators when they consider proposed laws or regulations that may run afoul of IIA obligations.65

The arbitrators said that the Ecuadorean laws, and even the Ecuadorean Constitution, were irrelevant, because Ecuador’s signing on to ISDS was their signing away Ecuador’s sovereignty over these matters. Occidental sued and won against Ecuador’s enforcing Ecuador’s laws. Occidental’s stockholders won; Ecuador’s public lost. If this isn’t a warning to all subsequent signators to a treaty that has ISDS in it, nothing is.

Another case pits the tobacco company Philip Morris against Uruguay. “Philip Morris is saying that the percentage of warning labels that are required on cigarette packs in Uruguay goes beyond what is reasonable to protect people from the harmful effects of smoking.” Perhaps Uruguay won’t have the money to contest the allegation, and will thus be forced to eliminate the requirement — and Uruguayans won’t have the money to take care of the additional cancer and heart-attack cases.

This is what a fascist instead of a democratic world government is like. In the final years of Barack Obama’s U.S. Presidency, it’s what he turns out to be pushing with more intensity than he has pushed anything before, even his “Obamacare.”

Andrew Gavin Marshall posted an article on 16 June 2011 which provided a remarkably well-documented history of the Bilderberg group and of their plan to supplant the rule by national democracies, and to replace it with an international government by the owners of the controlling blocks of stock in the world’s largest international corporations. He notes there that the large foundations and think tanks already represent the large international corporations, and that they operate as tax-exempt extensions of them. One person that he cites sums this up well:

> “Foundations like Carnegie, Rockefeller, and Ford have a corrosive influence on a democratic society; they represent relatively unregulated and unaccountable concentrations of power and wealth which buy talent, promote causes, and, in effect, establish an agenda of what merits society’s attention. They serve as “cooling-out” agencies, delaying and preventing more radical, structural change. They help maintain an economic and political order, international in scope, which benefits the ruling-class interests of

> philanthropists and philanthropoids – a system which… has worked against the interests of minorities, the working class, and Third World peoples."

Barack Obama's Role In This

As the great independent investigative journalist Wayne Madsen has reported, in depth, in his many articles, such as (and these are repostings of originals from Madsen's subscription-only website) "Obama's CIA Pedigree" and "Details revealed about Obama's former CIA employer" and "The Story of Obama: All in The Company," and in his 2012 book *The Manufacturing of a President: The CIA's Insertion of Barack H. Obama, Jr. into the White House,* Obama's parents and grandparents were in the pay alternately of the U.S.-aristocracy-controlled CIA and of the U.S.-aristocracy-controlled Ford Foundation; and the boss of Obama's mother at the Ford Foundation was none other than Peter Geithner, who was the father of Timothy Geithner, the Wall Street operative who ran the U.S. Treasury Department in Obama's first term and who bailed out the investors in the megabanks while he refused to bail out the uneducated and poor mortgagees they had suckered with excessive loans, and the pension funds and other outside investors in the fraudulent resulting 'AAA'-rated Mortgage Backed Securities (MBSs, which the Federal Reserve is still buying up and transferring onto the backs of future U.S. taxpayers).

So, Obama was deep into service to America's aristocracy, ever since he was in college; and his parents even raised him with money from the CIA and the Ford Foundation. Furthermore, Obama's first employment was with the CIA front firm, Business International Corporation, in 1983 and 1984, though he might have been recruited by the CIA even as early as around 1980. (Going back even farther than Madsen, some terrific independent investigators, such as Joseph Cannon and the libertarian Robert Wenzel, were already exploring Obama's CIA connections within mere months of his having won the U.S. Presidency in 2008. And, then, after Madsen, Andrew Krieg, in his 2013 blockbuster *Presidential Puppetry*, brought all of this together into a much broader, well documented, recent history of the U.S. as being an oligarchic instead of a democratic nation.)

So: Obama represents (not just in his policies, but even in his background) the U.S. aristocracy (or "oligarchs"), and he aspires to bring to ultimate fruition his predecessors' dream, the dream of Bill Clinton, who did the largest previous Fast-Track-approved treaty, NAFTA, and, before him, of Richard Nixon, who created Fast Track (and before everything, there was the Bilderberg group): the goal of a fascist world government designed in Washington and signed by the aristocracies of the world's countries that are subservient to the U.S. aristocracy — 'trade' agreements that are actually a signing-away of democratic national sovereignties to this U.S.-aristocracy-dominated global international-corporate sovereign, which is both the treaty and its implementation — a world-government in the fascist style.

Other countries don't have the U.S. Constitution's two-thirds requirement to contend with; and, so, they don't necessarily need to rape their constitutions in order to achieve this fascist conquest of their nation. Only the U.S. does; and this is the reason why, even the five international treaties that were passed via Fast Track are called, in every country that signed them, "treaty," except in the United States, where they are instead called (in accord with "Fast Track") *merely* an "international trade agreement."

On 20 April 2015, InfoWars headlined, "Is Jeb Bush Going to Bilderberg 2015?" and reported that:

> Infowars correctly predicted in 2007 that former Texas Gov. Rick Perry would run for president in 2012 after traveling to the Bilderberg conference in Istanbul, Turkey. Barack Obama also also reportedly visited the Bilderberg conference just prior to becoming the presidential frontrunner after he "infamously disappeared to a secret location with Hillary Clinton in June 2008 in Northern Virginia, at precisely the same time and location the Bilderberg Group were convening in Chantilly," noted Infowars Paul Joseph Watson.

Basically, FDR's post-WW-II agenda was highjacked by the fascists against whom FDR had led this country in order to defeat them; and, now, our Presidential candidates are needing to obtain the fascists' approvals in order for them to be able to receive the campaign-funding that's necessary in order to become 'a serious candidate.'

Consequently, any Democrat who says, like the Democratic operative Michael Wessel did headlining in Politico on May 19th, "I've Read Obama's Secret Trade Deal. Elizabeth Warren Is Right to Be Concerned," that, "secretary [and she's not 'secretary,' any more than she is 'First Lady'] Clinton ... should be commended ... for raising a note of caution" about Obama's proposed trade-deals (Wessel is implicitly recognizing there that she is trying to avoid having to say publicly that she supports Obama's 'trade' deals, just like shelong had avoided saying publicly that she had supported her husband's), is merely sucking her up for a job in her campaign and/or in the White House (if she becomes President). Clinton is 100% sold already, to the highest bidders, just like every overtly Republican Presidential candidate is.

Trusting her word on what her policies would be if she were to win, would be ridiculous, because she's not nearly as skilled a liar as Obama and her husband were, and she has a much lengthier career in public life than either of them did, and that career amply displays both her incompetency and her cravenousness. As a 'servant of the people,' she'd be a bad joke, not even a skilled con-artist, such as her husband and Obama were and are.

And, the only people who support any one of the Republican candidates are the 0.01% of them who are aristocrats, and the 99.99% of them who are their aristocrats' suckers. And the only people who support the obviously fake 'Democratic' presidential candidates, the ones who haven't already made clear to the public their intense opposition to the fake 'Democrat' Obama's 'trade' deals (since they have no such intense opposition to them) — candidates such as Hillary Clinton are — are the Democratic Party's mega-donor aristocrats, and their mass of suckers on the Democratic-Party side.

But that's the way you get the money to be 'a serious Presidential candidate' in today's America.

In other words: the origin of the unConstitutional "Fast Track" is the war against the public that the aristocracy (both the Republican and the Democratic wings of it) has been waging, and increasingly winning, since 1953.

The Main U.S. Constitutional Issue

In June 1954, Morris D. Forkosch headlined in *Chicago-Kent Law Review*, "Treaties and Executive Agreements," and summarized the status of this issue up into the start of the Eisenhower Administration. It was a different nation then. He noted:

> "Suppose, however, that a treaty conflicts with a provision of the United States Constitution or contradicts the terms of a federal statute. Which, then, governs? In the first of these situations, the United States Supreme Court has indicated, albeit the language is obiter, that the treaty would be ineffective.29" (His footnote included: "DeGeofroy v. Riggs, 133 U. S. 258 at 267, 10 S. Ct. 295, 33 L. Ed. 642 at 645 (1890), and Fort Leavenworth R. R. Co. v. Lowe, 114 U. S. 525 at 541, 5 S. Ct. 995, 29 L. Ed. 264 at 270 (1885).")

So: according to U.S. Supreme Court decisions up till at least 1954, any one of the five Fast-Tracked international trade agreements that has been passed since the Fast-Track law, the Trade Act of 1974, was passed, would have been blocked by the Supreme Court, were it not for the Trade Act of 1974 — a mere law that, supposedly, has changed the Constitution without amending it, but that did this simply by asserting that when the Founders said "treaty" they weren't referring to any and all forms of international agreement — which they clearly were referring to, in their era. Obviously, the power to interpret the Constitution rests solely with the U.S. Supreme Court. And the Supreme Court is supposed to interpret the words that are in the Constitution as closely as possible to the way the Founders who wrote it intended those terms to be understood to mean. That's just basic, to any constitutional democracy.

In February 2001, *Michigan Law Review* published John C. Yoo's January 2000 article, "Laws as Treaties: The Constitutionality of Congressional-Executive Agreements," in which Yoo, the lawyer who subsequently provided to George W. Bush the rationalization for Bush's authorization to use torture after 9/11, argued that the two-thirds Senate rule needs, for practical purposes, to be nullified for certain types of international agreements, including for the five that had already been Fast-Tracked. Rather than his dealing with the question of whether the Executive and the Legislative branches possess Constitutional authority to interpret the Constitution, he wrote there the argument that he would present to the Judicial branch, at the U.S. Supreme Court, if he were to be the attorney arguing there for the Constitutionality of Fast-Track. (Perhaps this paper was even one of the reasons why he was selected by Bush.) His entire argument was pragmatic as he saw it, such as, this: "Today, however, the Senate has about fifty percent more members than the first House of Representatives envisioned by the Constitution, suggesting that the Senate no longer has the small numbers that the Framers believed necessary for successful diplomacy." This sort of thing constituted his argument for why treaties that don't concern national security and so fall under the President's Commander-in-Chief authority, shouldn't be considered to be "treaties," but only "Congressional-Executive Agreements."

However, even Yoo noted, at the time, that the most-prominent scholarly argument in favor of the Constitutionality of Fast-Track, "Is NAFTA Constitutional?" by Bruce Ackerman and David Golove, in the February 1995 *Harvard Law Review*, was a "provocative and idiosyncratic theory of unwritten constitutional amendments," whereas Yoo didn't have the nerve to demean, but only to note, the article in that same publication by Laurence Tribe, which demolished the Ackerman-Golove article. In December 1998, Golove came forth in *New York University Law Review*, with a 152-page treatise, "Against Free-Form Formalism," trying to overcome Tribe's case. But, more recently, Michael Ramsey posted online his 13 August 2012 review of all of that, "Laurence Tribe on Textualism (and Congressional-Executive Agreements)," where he devotes most of his attention to the two original pro-and-con articles in the 1995 *HLR*, and says that Tribe's case was far more persuasive than Ackerman-Golove's; and, then, he notes parenthetically near the end: "(David Golove makes an attempt, in a reply article published at 73 N.Y.U. L.Rev. 1791

(1998), but I don't think he makes much headway against them [Tribe's 'points']).” Golove's 152-page treatise failed to impress anyone. Among the legal scholars, it's pretty much a settled matter.

Thus: the current academic status of the issue is: The Supreme Court would have little choice but to overturn the Fast-Track provision of the Trade Act of 1974, if the matter were to be accepted by the Court for adjudication, unless the high Court were willing to be despised not only by the public but especially by legal scholars. If the Court were to decline to consider the case, then it would be accepting the authority of the Executive branch in conjunction with some members of the Legislative branch, to interpret the meaning of “treaty” in the U.S. Constitution — and, in the entire history of the United States, the Supreme Court has never done that.

Well, in a sense, that's not entirely correct: the 2001 appeals-court case, *Made in the USA Foundation v. U.S.*, was the only case to deal with this issue, and it concluded, citing as its chief authority a non-dispositive Supreme Court decision that was written by Justice William H. Rehnquist, in the 1979 case *Goldwater v. Carter*, which said that a certain action that President Jimmy Carter had done under both his treaty authority and his Commander-in-Chief authority could not be Constitutionally challenged by Senator Barry Goldwater.

But that Supreme Court decision, which was the supposed authority for this, concerned not international trade, but instead the President's authority as Commander-in-Chief, and so it wasn't even a “trade” case at all; it wasn't relevant, and thus really shouldn't have been cited, because it dealt with different Constitutional provisions regarding what does and what does not reside within the President's authority — namely, as Commander-in-Chief, and as the negotiator on mutual-*defense* treaties. So, there wasn't even a question in this matter as to whether it concerned a “treaty.” On that shoddy basis, the appeals court said: “We nonetheless decline to reach the merits of this particular case, finding that with respect to international commercial agreements such as NAFTA, the question of just what constitutes a 'treaty' requiring Senate ratification presents a nonjusticiable political question.” It said this even despite denying that the meaning of the Constitutional term “treaty” should be determined by the Executive and the Legislative branches, instead of by the Judicial branch:

> It is true that the Supreme Court has rejected arguments of nonjusticiability with respect to other ambiguous constitutional provisions. In Munoz-Flores, the Court was confronted with the question of whether a criminal statute requiring courts to impose a monetary “special assessment” on persons convicted of federal misdemeanors was a “bill for raising revenue” according to the Origination Clause of the Constitution, Art. I, § 7, cl. 1, in spite of the lack of guidance on exactly what types of legislation amount to bills “for raising revenue.” The Court, in electing to decide the issue on the merits, rejected the contention that in the absence of clear guidance in the text of the Constitution, such a determination should be considered a political question.
>
> To be sure, the courts must develop standards for making[such] determinations, but the Government suggests no reason that developing such standards will be more difficult in this context than in any other. Surely a judicial system capable of determining when punishment is “cruel and unusual,” when bail is “[e]xcessive,” when searches are “unreasonable,” and when congressional action is “necessary and proper” for executing an enumerated power, is capable of making the more prosaic judgments demanded by adjudication of Origination Clause challenges.

So: even that appeals court was not saying that the Legislative and Executive branches, working in concert, should determine what a "treaty" is and what it isn't, but instead that court reaffirmed the exclusive authority of the Judicial branch to make such determinations. It simply refused to exercise the authority. Its argument on this was:

> We note that none of these cases [the cited ones on the Supreme Court's determinations regarding the meanings of specific terms and phrases in the Constitution], however, took place directly in the context of our nation's foreign policy, and in none of them was the constitutional authority of the President and Congress to manage our external political and economic relations implicated. In addition to the Constitution's textual commitment of such matters to the political branches, we believe, as discussed further below, that in the area of foreign relations, prudential considerations militate even more strongly in favor of judicial noninterference.

So, why didn't those jurists even make note of the fact that their chief citation, *Goldwater v. Carter*, concerned military instead of economic matters, and not the meaning of "treaty," at all? Stupidity, or else some ulterior motive — because no reason at all was cited by them.

Their decision closed by saying:

> We note that no member of the Senate itself has asserted that body's sole prerogative to ratify NAFTA (or, for that matter, other international commercial agreements) by a two-thirds supermajority. In light of the Senate's apparent acquiescence in the procedures used to approve NAFTA, we believe this further counsels against judicial intervention in the present case.

This assertion totally ignored that "the Senate's apparent acquiescence" had occurred, and been measured, only according to the 50%+1 Fast-Track standard, never according to the Constitution's two-thirds standard. According to the Constitution's standard, which was applied nowhere in the process along the road toward approval of any of the five Fast-Tracked treaty-bills into law, the Senate never actually 'acquiesced in' any of them. This court was simply accepting the Constitutional validity of that 'acquiescence,' so as to determine whether or not it was Constitutionally valid. Circular reasoning — prejudice.

However, in order to assist blockage of Fast Track for Obama's proposed 'trade' treaties, it would greatly help if one or more of the very vocal opponents in the U.S. Senate,*against* Fast-Tracking these treaties — Elizabeth Warren, Bernie Sanders, Sherrod Brown, and Harry Reid, for examples — would petition the Supreme Court to rule on the Constitutionality of the provision in the Trade Act of 1974 that introduced Fast Track, and thus on Fast Track's abolition of the Constitution's two-thirds rule. Perhaps the case might become titled something like, "Warren v. United States," where "Warren" stands for America's public, and "United States" stands for America's aristocracy.

The Bottom Line

What's at stake here is nothing less than whether the future of the United States, and perhaps even of the world, will be democracy, or else fascism. That's a lot.

Obama, in his trade-deals, aims to culminate the American aristocracy's victory. If he wins all his trade-deals, then the Obama Library and the other Obama-operations will become

enormous with the billions pouring in, even as he'll go down in history as perhaps the worst President, probably (due to those trade-agreements) worse even than George W. Bush, or Harding, or Buchanan, or Grant, and with a far lengthier catastrophic result trailing after his Presidency, because those trade-deals will be very long-term catastrophes, which might end up destroying the hopes for democracy, not just internationally, but also nationally here in the U.S. The approval and resulting largesse from America's aristocracy doesn't come cheap, these days.

The American aristocracy has spent billions for these deals since 1953, and now they demand their trillions on that investment. Obama aims to give them the orgasms of power and money that they've been investing in, during many decades. This has been a lengthy rape, and they'll be very grateful to Obama if he delivers this climax of it, to them — handing to them the world, as it were, on a golden platter, reeking from corruption, which is the sweetest smell they know, and which is by far the most profitable of all fragrances, in their nostrils, as they inhale it deep, and receive from it, this jolt, of sheer joy.

Alfred de Zayas is the U.N.'s Special Rapporteur on Promotion of a Democratic and Equitable World Order, which is the U.N.'s official who speaks for the global institution regarding current issues that are of concern to the achievement of the U.N.'s founding objectives. A report in Britain's *Guardian* on 4 May 2015, titled "UN Calls for Suspension of TTIP Talks," quoted him as saying that the reason why the U.S.-EU negotiations must be suspended is that, "We don't want a dystopian future in which corporations and not democratically elected governments call the shots." But the international aristocrats do want that. De Zayas, the institutionalized spokesperson for the vision of FDR and of RGT, spoke for the great progressive leaders who were committed to the defeat of fascism. However, Obama, the Clintons, all Republicans, and most of the leadership around the world, are now again within the fascist camp.

In the long view of history, this matter is, on the global level, a continuation of WW II between democracy versus fascism; but, on the purely American national level, it is a continuation of the American Revolutionary War between democracy and aristocracy. Either way, what had been thought to have been a decisive victory for democracy has turned out to have been not so decisive after all; and the aristocratic, fascistic, forces have regrouped, and, at least up till June 12th, appeared to be heading for victory. But, this time, if they win, it might be final, because it truly would be a global victory for the aristocracy, and a global defeat for the public everywhere. This is what de Zayas warned of as "a dystopian future in which corporations and not democratically elected governments call the shots."

This is a global war, which has been waged since at least 1954, and Obama is aiming to negotiate the surrender of FDR and the Allies who had won WW II. But they'd be surrendering to him. One might call it "WW II, round 2." But it's also "The American Counter-Revolution." By either name, it's the same war, and the earlier victories for democracy are on the line, to be determined now, by our generation — or, perhaps, only by the aristocrats in our generation (if those few people will be its winners). If they win it, then what could a round 3, or an American counter-counter-revolution, conceivably be like — or would it be simply inconceivable? Or, perhaps, just inconceivably violent? "All the world's a prison" might sound peaceful for the aristocracy, who would be luxuriously outside those prison-walls in their own gated compounds, and far from earshot of the explosions within; but, for the global public, what would there be left to lose in a global revolution? The aristocracy already own almost everything. (And here is another way of looking at this.) That's not enough for them, but maybe it will finally become too much for everybody else. This type of

"global warming" could thus become a global conflagration, even before the environmental one destroys everything.

This is not biblical-doomsday stuff, at all. In fact, any doomsday that could actually come, wouldn't be at all mythological. Myths are designed to misinform people. Science is designed to inform them. One won't find out what the real threats are, by reading myths. Myths are shaped by the aristocracy, to control the public. Myths helped cause today's problems; they're no solution to the problems. They're part of the problems. Myths are propaganda. They do their jobs, for the deceivers, who generate them.

Investigative historian Eric Zuesse is the author, most recently, of They're Not Even Close: The Democratic vs. Republican Economic Records, 1910-2010, and of CHRIST'S VENTRILOQUISTS: The Event that Created Christianity, and of Feudalism, Fascism, Libertarianism and Economics.

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