

who have taken the place of the ancient Franco-Normans at the court of King Edward VII "On voit la vieille no-

blesse en Angleterre etouffée sous une nouvelle crée à base d'argent" (Fouilles, Psychologie des Peuples Européens)

PART III

CHAPTER I

THE FUNDAMENTAL CONSTITUTION AND LAW

Constitutional law is the translation and recognition into intelligible phrase of the organic laws which govern a body. No artificial, or legislative enactment is valid if contrary to constitutional law. Most civilized states provide a means for challenging an unconstitutional enactment and reducing it to naught. But if this be not done, Nature very soon provides a means through her irresistible forces of destroying a state, or a civilization whose growth is abnormal, unconstitutional, radical in the sense of opposing natural law.

In the body politic there is but one permanent unit, and that is the family—the individuals die, but the family survives. The rulership of the father is the earliest directing force known to the children. Family government was the earliest form of rulership, and the laws of family organization are the fundamental laws of every community. The origin of the family is in selection—the best by the best, the possessors of goods by the lovers of goods, the common by the common, by means of which the three classes of the state are perpetuated. The principle of the family is heredity, without which it could not exist, and as the family government is the fount of national government, hereditary rulership has been recognized in every civilized land as the basis of legitimate authority.

Co-extensive with the hereditary rulership of some one family has been found to exist in European civilization a concurrence in the authority in a greater or less degree in the various states of the three classes, each according to its precedence: to the first class (noblesse) in all matters of rulership with the King; to the second class (the wealthy burghesses) in matters pertaining to taxation, commerce and finance; to the third class (the

trades) in what belongs to trades-unions, employments and industries. It has been established that the office of the first (King and noblesse) is the guardianship of state and constitution against foes from within as well as from without and the umpireship of the differences which arise from the disputes and misunderstandings of all other classes. For this reason the King and the council of the noblesse make the laws, regulate alliances, command the army and navy, the assembly of the burghesses and trades vote the finances, pray for redress of grievances and petition for removal or change of ordinances in regard to industries, commercial, agricultural and corporate. These are the functions, laid out by the development of the organic laws of the ancient state and these functions, specialized with the two houses of ethics and trade, were kept separate for the representation of the separate classes to which they belonged, until in many states the love of money produced a general corruption, and corruption, a revolution. From this time on the outlines of each have become blurred, their functions confused, and the resultant civilization not beneficial for the advancement or even for the perpetuation of the best of the human race. (See Laponge in "L'Aryen," Fouillee, in "Psychologies des Peuples Européens," and other anthropologists.)

In Glisson, "Histoire du Droit et des Institutions de la France, Vol. IV., p. 501," it is declared "The Constitution cannot be changed, even by consent of the King and Parliament." The Grand Coutumier of Normandy appears to exact at least a tacit agreement between the duke (sovereign) and the people (the estates.) The establishments of the duke have force of law on condition that they conform to present customs, and the present customs must be recognized by the duke. The latter is held to govern according to the constitution of the country." Every man born under the constitution owes it and it alone his allegiance. The King is the liv-