DOES THE ROAD WIND UPHILL ALL THE WAY . . . ?

Systems of man-made laws over the ages have inferentially conferred "rights" on the citizens to whom it has applied, at least in the negative and residual sense of entitling them to behave in any manner which it does not specifically prohibit. But the closest the lawyers of the ancient world came to the idea that some special rights were *universal* was in the Roman concept of *jus gentium*, those rules which they discovered to be common to all civilised societies, and which might therefore be catalogued specially as a kind of "international law." These laws have a special quality because they are approved by rational men and regarded as binding by all civilisations. The 'lowest common denominator' approach of *jus gentium* was picked up over two thousand years later in the Nuremberg Trials at the close of the second phase of the world war to justify the assertion of a jurisdiction over 'crimes against humanity,' wherever and by whomsoever committed.

In earlier times, however, when the rules of battle were more rudimentary and the greater crimes were considered punishable by the gods, the notion that *jus gentium* might reflect and even protect inalienable human rights was never coherently propounded. What did emerge through the church-dominated Middle Ages was the theological notion that there were 'laws of nature,' interpreted to mean that there are rules ordained by God to be observed by all His human creation on peril of divine punishment. This theory was highly attractive to the crowned heads of Europe and ambitious popes for the *first* law they propounded as 'natural' was unquestioning obedience to the prince or pope as God's regent upon his own little patch of earth. Thus, the 'Divine Right of Kings' was considered part of the natural order of things and from it flowed many legal consequences such as immunity from prosecution.

Essential to this feudal conception was *sovereignty*, which was interpreted to give power to the 'divinely approved ruler' to rule over his or her subjects, the exercise of which—however barbaric—could not be questioned either by those subjects or by other sovereigns. There could be treaties between two or more states, giving rise to a form of 'international law,' but they could only be invoked by the sovereigns who had signed them. The only 'rights' an individual could possess in such a world was if he happened to be visiting a foreign country. As a temporary 'alien' he was entitled to call on the protection of his own sovereign against infringements on his liberty threatened by the state in which he was temporarily sojourning.

To this very day, the claim of *sovereignty* has been one of the greatest stumbling blocks to calling a member nation to order within the UN. If a member nation does not like what the community of nations is requesting it to do, i.e., in connection with honouring the articles of the Declaration to which it has signed and pledged allegiance, then it invariably claims "*sovereign rights*."

THE MAGNA CARTA

The appearance of 'rights' as a set of popular propositions limiting the sovereign is usually traced to the Magna Carta (Great Charter) in 1215. The Magna Carta was an attempt to codify the relationships between the three great power blocks in the land: The King and his state apparatus; the Church led by the Pope; and the Barons with their castles and great estates. It had little to do with the liberty of individual citizens; it was in

the manner of a 'peace treaty' signed by a feudal king who was feuding with thuggish barons, who, after a period of civil war, was forced to accede to their demands.

It is interesting to note that such 'liberating treaties' or Declarations have invariably always appeared during periods of great strife, such as that of war, either during or after conflict. The extremity of the situation impresses those involved, either victor or vanquished, that *something* must be done to prevent such problems or similar conflicts arising in the future. One can note, therefore, the fourth ray (the ray of humanity) at work through the attempt to produce a future harmony out of the contemporary conflict of any period.

The Magna Carta had two important symbols of a constitutional settlement: first, it limited the power of the State (though in a very elementary way since the King *was* the State), and secondly it contained some felicitous phrases which gradually entered the common law and worked their rhetorical magic down the centuries. Historically, the constitutional significance of Magna Carta has perhaps depended much less on what the Charter *actually* said, than on what it was *considered* to have said. What it was considered to have said has been the subject of constant development and transformation over the succeeding centuries. This process led to the English Bill of Rights in 1688, the heavy reliance placed in the Magna Carta by the American colonies in their battles against the crown, and the Constitution of the United States with its eventual Bill of Rights. For instance, in James Madison's first draft of his proposed Bill of Rights presented to the US Congress one can trace the transformation of some of the articles protecting the rights of barons in the Magna Carta to that of protecting the rights of all citizens and not just the 'elect.'

Nevertheless, in the Magna Carta we find such forerunners (in what may be considered the "King John" version) as: ARTICLE 20. "A free man shall not be amerced for a trivial offence except in accordance with the degree of the offence, and for a grave offence he shall be amerced in accordance with its gravity, yet saving his way of living…" In AMENDMENT VIII of the Bill of Rights of the US Constitution we find: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." Thus, if a person is convicted of a crime, the government cannot impose unreasonable fines or inflict inhumane punishments, though what is "cruel and unusual" has no clear meaning and is still the subject of controversial debate in the US. In ARTICLE 8 of the French "Declaration of the Rights of Man" we find: "The law shall provide for such punishments only as are strictly and obviously necessary, and no one shall suffer punishment except it be legally inflicted in virtue of the law passed and promulgated before the commission of the offense." In the UN Declaration of Human Rights, ARTICLE 11. (2) we find, " . . . Nor shall a heavier penalty be imposed than the one that was applicable at the time of the penal offence was committed."

ARTICLE 38 of the Magna Carta states: "No bailiff shall in future put anyone to trial upon his own bare word, without reliable witnesses produced for this purpose." AMENDMENT VI to the US Bill of Rights guarantees the defendant the right to "confront" (cross-examine) witnesses who testify against him or her at trial, and the right to subpoena (compel) supporting witnesses to testify in court and to have a lawyer assist in their legal defence. ARTICLE 10 of the UN Declaration declares: "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charges against him."

ARTICLE 39 of the Magna Carta states: "No free man shall be seized or imprisoned, or stripped of his rights or possessions or outlawed or exiled or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so except by the lawful judgment of his equals or by the law of the land." Here, the *Habeas Corpus Act* of 1679 looks directly back to this ARTICLE, i.e., the right of all to have the lawfulness of detention tested promptly by the courts. ARTICLE 9 of the UN Declaration declares: "No one shall be subjected to arbitrary arrest, detention or exile."

ARTICLE 40 of the Magna Carta states: "To no man will we sell, to no man will we deny or delay justice or right." AMENDMENT VI of the US Bill of Rights guarantees that "the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district . . . " ARTICLES 6, 7, 8, and 10 of the UN Declaration declares similar rights. ARTICLE 6 (1) of the European Convention on Human Rights declares: "Everyone is entitled to a fair and public hearing within a reasonable time."

ARTICLE 42 of the Magna Carta states: "It shall be lawful in future for anyone, without prejudicing the allegiance due to us, to leave our kingdom and return safely and securely by land and water, . . . " ARTICLE 13 (2) of the UN Declaration declares: "Everyone has the right to leave any country, including his own, and to return to his country." . . . . and so forth.

THE ENGLISH BILL OF RIGHTS

The first appearance of 'rights' in the modern sense, declared as such and enforceable in the courts, was in the 1688 Bill of Rights that emerged in England, again after a vicious revolution. However, this Bill marked the end of the King's claims to absolute rule by 'divine right' and imposed upon him a measure of accountability to Parliament. The 'rights' which it declared were, for the most part, more for the parliamentarians: to veto royal decisions; to enjoy freedom of debate without prosecution before the King's judges; and to declare themselves "a full and free representative of this nation, assembled for the vindicating and asserting of their ancient rights and liberties." The Chief of these rights were: the right of subjects to live under the law as approved by Parliament without arbitrary royal interference; the right to due process in the selection of jurors; the right not to lose liberty through excessively high fixing of bail; and the right not to be inflicted with "cruel and unusual punishment."

These 'rights' still have resonance today, and have been carried over to subsequent declarations proclaiming the protection of freedoms, though the interpretation of the concepts of various Bills proclaiming 'rights' evolve to a meaning which reflects modern humanitarian usage rather than the contemporary understanding of those who first drafted them.

The English Bill of Rights was perhaps the first 'modern' step towards the human rights revolution and some of its philosophical foundations were to be found in the work of Thomas Hobbes and its subsequent explication by John Locke. Hobbes, whose major work was *Leviathan*, published in 1651 was peculiarly quoted in support of state tyranny, but it was he who perhaps first broke the nexus between God and State because he identified the source of political power in the *consent of the governed*. John Locke, however, was perhaps the first political philosopher to venture the principle that government was by popular consent, that the people's consent to government was continuous but capable of being withdrawn if that government broke the purpose of the

compact, which was to further their majority interests, therefore being contingent upon a commitment to protect liberty. It is also interesting to note that this all occurred at the time that the seventh ray began its cycle (1675), thus attempting to bring order out of chaos. As with many other aspects pertaining to the arts and sciences prior, the theories pertaining to newer social forms or systems existed in the mental sphere, but their crystallisation into expressed forms appeared to have required the influence of the seventh ray.

John Locke wrote: "Men, by nature all free, equal and independent, no-one can be put out of this estate and subjected to the political power of another without his own consent. The only way whereby anyone divests himself of his natural liberty and puts on the bonds of civil society is by agreeing with other men to join and unite into a community for their comfortable, safe and peaceable living one among another, in a secure enjoyment of their properties . . . "

Since the object and purpose of the compact by which men gave up certain freedoms to join a body politic was the public good, the State "can never have a right to destroy, enslave or designedly to impoverish the subjects." It followed that there could be circumstances when subjects were entitled to revolt, breaking the compact and renegotiating it:

" . . . and what is best for mankind: that the people should be always exposed to the boundless will of tyranny, or that the rulers should be sometimes liable to be opposed when they grow exorbitant in the use of their power and employ it for the destruction and not for the preservation of the properties of their people?"

As the eighteenth century progressed, Locke's philosophy was embraced and developed by leading European intellectuals, who found in England a constitution which seemed to guarantee political liberty through the supremacy (although it was far from that) of Parliament. By the middle of that century they had begun to identify "universal rights": to person and property, and hence not to be held in slavery; the liberty of the press; and the right not to be subjected to torture.

THE US CONSTITUTION AND BILL OF RIGHTS

But the philosophical views required propagandists, politicians and revolutionaries to give them any legal force. "Man is born free" observed Rousseau, "and everywhere he is in chains." The first to really break them were the American "Founding Fathers" (a peculiar appellation, being that most of them were only in their thirties and barely old enough for the minimum age they set forth eventually in the Constitution for the office of president) in 1776, making—in the potent prose of Thomas Jefferson (then thirty three years of age)—their claim to re-acquire their inalienable human rights from the government of King George III:

> "We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights, that amongst these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of Government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundations on such principle, and organising its powers in such form, as to them shall seem most likely to effect their safety and happiness."

This was, of course, an act of defiance and not an act of law. It was the preamble to a litany of complaints against the 'tyranny' of George III, reminiscent of those made in the 1688 Bill of Rights against the Stuart kings. The clarion cry that "all men are created equal" hardly squared with the slaves owned by many of the signatories. But it is Jefferson's preamble that has resonated through subsequent centuries, identifying the *denial* of human rights as the *justification* for the revolution, foreshadowed by John Locke. The fundamental rights to life, equality, liberty and the pursuit of happiness are not drawn from any empirical source or discovered through rational argument; they may be God-given, but the proof of their existence is that we all feel and think them; they attach "inalienability" to the human person like a shadow. They are not the end product of a philosophical inquiry, but the starting point for it, imposing a duty on government to order itself in such a manner that will maximize the opportunities for individual fulfillment.

It was the oppressive human rights record of the government, its "history of repeated injuries and usurpations," which absolved the colonials from their duty of allegiance to the British Crown. With this reasoning, the Declaration of Independence identified that moment "when in the course of human events" the boundless will of tyranny entitled the people to depose their ruler. This was straightforward Locke, dressed in gripping prose. It is this Declaration, especially its first two paragraphs, which has had profound consequences on subsequent history. It is the barest of statements, eliciting a pity for the oppressed which turns into righteous anger and becomes a clarion call to recover their dignity.

The original Constitution of 1787 did not include a bill of rights because the delegates to the Constitutional Convention did not think it necessary to set down a list of rights. Most of the framers believed that because the Constitution created a limited federal government, authorities would not try to establish a national religion, censor a newspaper, or prosecute someone at a secret trial. The Federalists argued that the people retained all powers not delegated by the proposed Constitution; the anti-Federalists did not trust this reasoning. Jefferson, then serving as a minister to France, sided with the advocates of a bill of rights. "Human rights" he argued, are something "no just government should refuse, or rest on inference." The debates over ratification extended beyond party lines. Many religious groups expressed alarm over the lack of explicit religious protections. Printers worried about possible curbs on the press. Old fears from pre-Revolutionary days regarding sweeping government searches, warrants, criminal-trial procedure, and other rights were stirred afresh during the debates. Several of the states refused to ratify the Constitution because of the lack of a bill of rights. James Madison kept the idea of a bill of rights alive in Congress, and on June 8,1789, the thirty-eight year old congressman presented his proposed amendments to the House. He argued eloquently before the Senate:

"The first of these amendments, relates to what may be called a bill of rights . . . I am aware, that a great number of the most respectable friends to the government and champions for republican liberty, have thought such a provision, not only unnecessary, but even improper, nay, I believe some have gone so far as to think it even dangerous . . . I acknowledge the ingenuity of those arguments which were drawn against the constitution, by a comparison with the policy of Great Britain, in establishing a declaration of rights; . . . [but] in the declaration of rights which that country has

established, the truth is, they have gone no farther, than to raise a barrier against the power of the crown; the power of the legislature is left altogether indefinite . . . . But although the case may be widely different, and it may not be thought necessary to provide limits for the legislative power in that country, yet a different opinion prevails in the United States. The people of many states, have thought it necessary to raise barriers against power in all forms and departments of government, and I am inclined to believe . . . the great object in view is to limit and qualify the powers of government . . . It has been said by way of objection to a bill of rights . . . that they are unnecessary articles of a republican government, upon the presumption that the people have those rights in their own hands, and that is the proper place for them to rest . . . It has been said that in the federal government they are unnecessary, because the powers are enumerated, . . . but they are not conclusive to the extent which has been supposed . . . "

And one can only marvel at Madison's earlier optimism: "In our government it is, perhaps, less necessary to guard against the abuse in the executive department than any other; because it is not the stronger branch of the system, but the weaker: It therefore must be leveled against the legislative, for it is the most powerful, and most likely to be abused, because it is under the least control . . . But I confess that I do conceive, that in a government modified like this of the United States, the great danger lies rather in the abuse of the community than in the legislative body."

After weeks of delay, the House (Senate) appointed a committee to prepare a bill of rights, and after much debate, the House passed seventeen proposed amendments. It is interesting that Madison's proposed *first* amendment was as follows:

"That all power is originally vested in, and consequently derived from the people.

"That government is instituted, and ought to be exercised for the benefit of the people; which consists in the enjoyment of life and liberty, with the right of acquiring and using property, and generally of pursuing and obtaining happiness and safety.

"That the people have an indubitable, unalienable, and indefeasible right to reform or change their government, whenever it be found adverse or inadequate to the purposes of its institution."

The Senate combined some amendments and eliminated others, reducing the number to twelve. The Senate defeated one amendment that Madison prized above all the others. It would have prohibited the states from interfering with their citizens' freedom of speech, religion, and conscience. But the Senate did not want to bind the states, and regarded the bill of rights as limiting only the federal government. The House and Senate deadlocked over the different versions of the bill of rights (sound familiar?), and a joint committee convened to work out a final set of amendments. From this joint conference, twelve amendments emerged which the Congress passed on September 25, 1789. Most states did not ratify the first two articles of the Bill of Rights. These two were largely bureaucratic. The original third article of the Bill of Rights, when eventually ratified in 1791, thus became the First Amendment. Thus, over the centuries the constant haggling between states' rights and the federal bill of rights has ensued. Protection from slavery and forced servitude was not added to the US Constitution until 1865, following a civil war fought over the asserted rights of the Southern slave-owning states to seceded from the Union. It was not until the end of the 1960's that the Supreme Court finally decided to apply nearly all of the Bill of Rights to the state level.

Nevertheless, its "inalienable rights" were identified by the Constitution of 1789 (guarantees of *habeas corpus* and fair trial) and the amendments that followed two years later. The First Amendment provided that Congress (i.e., the State) "shall make no law" prohibiting the free exercise of religion, or abridging the freedom of speech, or freedom of the press, or the right of peaceful assembly. The Fourth Amendment secured the people in their homes and persons "against unreasonable searches and seizures" and the Fifth and Sixth enshrined "due process," i.e., rights against self-incrimination and double jeopardy and expropriation of property, and the rights to speedy and public and impartial trial, with advance disclosure of prosecution evidence, the right to cross-examine hostile witnesses and to call defense witnesses, and the right to counsel. Thus, by the end of the eighteenth century America had in place a functioning domestic court system in which basic human rights could be enforced as such, by individual citizens—barring the slaves, of course; that was the theory. Several of these rights were brought over in the minds of colonialists from England to America and came from several centuries of English legal tradition, recorded in documents such as the *Magna Carta* (1215), the *Petition of Right* (1628), and the *English Bill of Rights* (1688) from which the American Bill of Rights took its name. The assumption of basic legal rights of citizens also came out of the English *common law*, a body of English court-made law that evolved from the 12th century. But the American Bill of Rights went beyond the English precedents by ordering restraints on the powers of government. It declares that people have rights with which no government may interfere; it provides the basis for actually securing these rights; and the First Amendment helps protect the idea of a democratic (people-rule) government by barring criminal prosecutions against those who criticize the government—raising big questions in the current climate of America and the Administration's response to criticism of its affairs or policies.

THE FRENCH DECLARATION

At an intellectual level, these events in America and its achievement owed much, and itself gave impetus, to the dissatisfactions in France that were to culminate in that "hour of universal ferment." The French Revolution began on 14 July 1789. Enthusiasm for the American colonists in their war against France's historic foe gave an inspirational quality to their victory and made Lafayette, (who—when only nineteen years old—had helped to achieve it), a national hero, his popularity rivaled only by the American ambassador, the charismatic Benjamin Franklin, who was succeeded in that post by Thomas Jefferson. It was Jefferson who again, helped Lafayette (now the 'ripe old age' of thirty-two) with the draft of another historic Declaration: "The Declaration of the Rights of Man and of the Citizen." This unique Declaration was approved by the National Assembly of France, August 26, 1789, the same year that Madison was endeavouring to convince the American Congress of the need for a bill of rights as a part of their Constitution.

There are important distinctions between the American and French movements and their Declarations, Constitutions and framing of 'human rights.' Although various forms of 'Declarations of Rights' existed in the varied states, the inclusion of a bill of rights (protecting the rights of the individual) in the federal Constitution of the United States was an afterthought arising from public pressure, the Constitution itself detailing the procedures of government. In France, however, the "Declaration of the Rights of Man and of the Citizen" *preceded* that of the French Constitution of 1791, the former

providing the foundation for the latter. It set forth—as the *primary* factor, the starting point—a detailed description of "natural, inalienable and sacred rights" which any citizen could advance against an oppressive government. These were *ipso-facto* birthrights, which the State was constituted to protect up to the point at which their exercise might harm others, a point which had to be defined by law rather than through arbitrary exercises of governmental power. The preamble of the Declaration begins:

> "The representatives of the French people, organised as a National Assembly, believing that the ignorance, neglect, or contempt of the rights of man are the sole cause of public calamities and of the corruption of governments, have determined to set forth in a solemn declaration the natural, inalienable, and sacred rights of man, in order that this declaration, being constantly before all the members of the Social Body, shall remind them continually of their rights and duties in order that the acts of the legislative power, as well as those of the executive power, may be compared at any moment with the objects and purposes of all political institutions and may thus be more respected, and, lastly, in order that the grievances of the citizens, based hereafter upon simple and incontestable principles, shall tend to the maintenance of the constitution and redound to the happiness of all. Therefore, the National Assembly recognises and proclaims, in the presence and under the auspices of the Supreme Being, the following rights of man and of the citizen:"

As there are certain rights set forth in this Declaration that appear historically for the first time, and as many of the Articles have served as foundational models for subsequent drafts of human rights guarantees, then perhaps it is of use to mention the seventeen Articles here. It is set forth as a set of principles to which all aspects of social order and society are subordinate, as a stated standard for systemic measurement. The Declaration of the Rights of Man is designed in a sequential manner, each article growing out of the former one and thus serving as a basis for substantiating reason and logic. Under the banner of *Liberty, Equality, Fraternity*, the first article begins (*italics* are mine, simply to emphasize certain statements.):

1. Men are born and remain free and equal in rights. Social distinctions may be founded only upon the general good.

   (This first Article was again picked up much later and was similarly drafted into the UN Declaration of Human Rights as the first Article: "All human beings are born free and equal in dignity and rights. . . . ")

2. The aim of all political association is the preservation of the natural and imprescriptible rights of man. These rights are liberty, property, security, and resistance to oppression.

   (This second Article was again picked up in part in the second Article of the UN Declaration: "Everyone has the right to life, liberty, and security of person.")

3. The principle of all sovereignty resides essentially in the nation. No body nor individual may exercise any authority which does not proceed directly from the nation.

(Then follows two 'controversial' rights, "controversial" only in so far as they could lead to abuse if not checked:)

4. Liberty consists in the freedom to do everything which injures no one else; hence the exercise of the natural rights of each man has no limits except those which assure to

the other members of the society the enjoyment of the same rights. *These limits can only be determined by law*.

5. Law can only prohibit such actions as are hurtful to society. Nothing may be prevented which is not forbidden by law, and no one may be forced to do anything not provided for by law.
6. *Law is the expression of the general will*. Every citizen has a right to participate personally, or through his representative, in its foundation. It must be the same for all, whether it protects or punishes. All citizens, being equal in the eyes of the law, are equally eligible to all dignities and to all public positions and occupations, according to their abilities, and without distinction except that of their virtues and talents.
7. No person shall be accused, arrested, or imprisoned except in the cases and according to the forms prescribed by law. Any one soliciting, transmitting, executing, or causing to be executed, any arbitrary order, shall be punished. But any citizen summoned or arrested in virtue of the law shall submit without delay, as resistance constitutes an offense.
8. The law shall provide for such punishments only as are strictly and obviously necessary, and no one shall suffer punishment except it be legally inflicted in virtue of a law passed and promulgated before the commission of the offense.
9. *As all persons are held innocent until they shall have been declared guilty*, if arrest shall be deemed indispensable, all harshness not essential to the securing of the prisoner's person shall be severely repressed by law.
10. No person shall be disquieted on account of his opinions, including his religious views, provided their manifestation does not disturb the public order established by law.
11. The free communication of ideas and opinions is one of the *most precious* of the rights of man. Every citizen may, accordingly, speak, write, and print with freedom, but shall be responsible for such abuses of this freedom as shall be defined by law.
12. The security of the rights of man and of the citizen requires public military forces. These forces are, therefore, established for the good of all and not for the personal advantage of those to whom they shall be intrusted.
13. A common contribution is essential for the maintenance of the public forces and for the cost of administration. This should be equitably distributed among all the citizens *in proportion to their means*.
14. All the citizens have a right to decide, either personally or by their representatives, as to the necessity of the public contribution; to grant this freely; *to know to what uses it is put*; and to fix the proportion, the mode of assessment and of collection and the duration of the taxes.
15. Society has the right to require of every public agent an account of his administration.
16. A society in which the observance of the law is not assured, nor the separation of powers defined, has no constitution at all.
17. Since property is an inviolable and sacred right, no one shall be deprived thereof except where public necessity, legally determined, shall clearly demand it, and then only on condition that the owner shall have been previously and equitably indemnified.

This Declaration was followed in 1791 by the French Constitution, providing for poor relief and free public education—the first provisions of what today are called "economic and social rights."

The American declarations were shaped by the colonial experience of indignity at the hands of British soldiers and sedition laws. Dissident Frenchmen had suffered imprisonment and confiscation of property, without trial (or any other legal process), through the system of *letters de cachet*—warrants for arrest, search and seizure signed at the whim of the Bourbon kings. Hence the French Declaration emphasizes the presumption of innocence and the need for legal process before arrests and detention. It elevates the possession of private property to a "sacred and inviolable right" to be expropriated only upon proof of public necessity, and then with just compensation. Freedom of speech, "one of the most precious rights of man," was given special protection, "No one is to be disquieted because of his opinions"—testifying to the influence of Voltaire and reaction to the regular use of *letters de cachet* against critics of the King and his government.

Thus began the notion that individuals possess a few basic powers that no political order can remove. Emerging almost immediately with the commencement of the seventh ray—the ray that will largely be the dominant ray of the Aquarian Age—the momentous impact of these revolutions endowed these upheavals with a political and social meaning far beyond the republics that were their immediate objective: by establishing the liberty of the individual as a precondition of and restriction on the power of the State. This was not unique to America and France: in other societies limitations had been imposed by tradition or cultural convention, or (most notably in Britain) by compact and common law. But what was truly groundbreaking was the constitutional enumerations of rights which the citizen could enforce against the government by taking it to court. This is the seventh ray in action.

Unfortunately, the "Reign of Terror" that followed did little to preserve these "Rights of Man" on behalf of the many heads of the aristocrats, ordered severed by the Committee for Public Safety. There was no 'due process' in the Revolutionary Tribunals of the public prosecutor, Antonine Fouguier-Tinville. Suspects were denied advance notice of the case against them, the right to defense counsel and the right to call witnesses; the biased 'jury' normally convicted whenever Fouquier-Tinville asked whether they had heard enough evidence. Thus, the newly signed "Citizen's Rights" were denied to certain classes of citizens, and the most fundamental liberties guaranteed them by a law, which lacking at that time independent judicial enforcement, was hardly worth the parchment upon which it was written.

That was a problem for France, precisely because it left the 'rights' in the Declaration to be enforced by politicians in the National Assembly and their representatives on the Committee for Public Safety. In America, by contrast, the Constitution and its Bill of Rights were enforceable by an independent judiciary, empowered to strike down government orders and even congressional legislation which violated the rights they guaranteed. The spiritually accurate establishment of three distinct branches of government—Executive-Legislative-Judicial—(to act as checks upon each other), provided human rights in the US with a set of teeth, by endorsing courts rather than legislatures as their enforcement machinery:

> "The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury . . . [the] government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested legal right."

This development in legal theory was achieved in 1803 by Chief Justice Marshall.

These French and American documents became *the* principal models for many constitutions drafted over the next two centuries containing human rights guarantees: the struggle has always been for *independent courts* to enforce them, at national, and now at international levels.

Concurrent with these events in both countries, and up to his neck in every revolutionary movement of this incandescent era was Thomas Paine, the first writer to fuse outraged polemic and constitutional philosophy to produce a distinctive literature of human rights. This former English customs official ignited the American Revolution with his incendiary pamphlet "Common Sense." Paine helped Jefferson to draft the Declaration of Independence, fought alongside Washington, and then returned to London to write (at the Angel Tavern, Islington) one of the most influential books of all time: *The Rights of Man*. This is a classic liberal text—Paine's idea was minimal government, limited to protecting individual liberty, equality and enterprise. But he was able to hold simultaneous but complementary views pertaining to being in favour of free market individualism whilst detailing plans for social security, family benefits, and public education—not out of charity, but as a right derived from membership of society.

The 'prophet was without honour in his own country' and his written works scorned the arguments that "monarchies were a legitimate inheritance from our forefathers": "The vanity and presumption of governing beyond the grave, is the most ridiculous and insolent of all tyrannies." Thus, Paine fled to France before being arrested and convicted in England (*in absentia* by a rigged jury), where he was elected to the National Assembly and to the committee which drafted the French Constitution. He subsequently wrote *The Age of Reason*—a book for which many courageous printers and booksellers would be jailed for blasphemy in *nineteenth*-century Britain. It took two centuries before the abolition of hereditary peers finally gave acknowledgement of Paine's point that, "The idea of hereditary legislators is as absurd as an hereditary mathematician or hereditary poet laureate."

THE NINETEENTH CENTURY

The Terror that enveloped France a few years after the Declaration provided a practical refutation of its claim that 'rights' were natural, let alone inalienable and sacred. Jeremy Bentham led the attack on 'natural rights' as vague and abstract, attempting to argue logically that "all the rights, including the right to liberty were to be limited by law, thereby begging the question of what content the law should have to be compatible with liberty." Moreover, his arguments continued, 'natural rights' were of uncertain provenance: if from God, their content (apart from Biblical injunctions) was unknowable; if from 'nature' they were unpredictable. Concurrent with all of these developments in the attempt to reason and codify was the influence of the impulse set in motion by the incoming fifth ray in 1775. The force of Bentham's arguments was partly responsible for 'natural rights' falling out of fashion in the nineteenth century and the

first half of the twentieth century. When they returned, they would be as '*human* rights' rather than 'natural rights,' sourced in the nature of humans rather than abstractions.

The next formidable critic of the 'rights of man' was Karl Marx. In 1844 he wrote an essay, "On the Jewish Question," which questioned whether the French Declaration could provide a way forward for Jews (like himself) who were suffering from discrimination in Germany. He dismissed the "so-called 'rights of man' [as] nothing but the rights of egotistic man, of man separated from other men and from the community." He considered that the Declaration focussed, not on man as citizen, but on man as bourgeois—an individual withdrawn from the community, motivated only by whim and self-interest. He argued, for example, that the 'right to property' was "the right to enjoy possessions and dispose of the same arbitrarily, without regard to other men, independently from society, in other words: the right of selfishness." He considered that the 'political emancipation' produced by the Revolution was the *reduction* of man to an egocentric and independent individual, and that true emancipation should more definitely *enlarge* him as a citizen, 'a *moral* person'—a theme he was to take up a few years later in *The Communist Manifesto.*

The force of this early critique led Marxist thinkers in the next century to characterize 'human rights' as a device to universalize capitalistic values, notably freedom of enterprise *without* social responsibility. Thus we see the painful process of ideas descending to the level of human minds and become distorted thereby in their descent, and the efforts of foremost thinkers to achieve balance and then counterbalance to the distortions. Marx was actually supportive of the Declaration's identification of *citizen's* rights: citing Rousseau with approval, he perceived these communal rights as new resources which could assist *social transformation to a 'moral existence.'* The true significance of his ideology is misunderstood because of the initial mistakes of those who engineered the revolution in the next century. The license of unruly men in the early days gave onlooking humanity a wrong slant on what was happening. But those days are over. The distorted adoptions of his propositions in the twentieth century by ruthless totalitarian governments were to leave the idea of a 'moral existence' on paper.

The nineteenth century did see three humanitarian impulses that were, in due course, to assist the development of international law. Most notable was the legislative attack on the slave trade in England in 1807 and in America after the Civil War. It was finally acknowledged in the Berlin Treaty on Africa in 1885, that "trading in slaves is forbidden in conformity with *international* law." Unfortunately, this breakthrough only applied to inter-state trading and not to local practice. This was only finally achieved during the slavery convention in 1926, and not until 1970 did the last state—Oman—announce formal abolition. Attempts made by Jefferson and Robespierre to abolish slavery by their respective declarations had signally failed, but now there was progress, slow and painful though it always appears to be. Although international law rule did not begin to crystallize until 1885, for most of that century the British navy took upon itself a novel enforcement role, liberating victims of slavers around the African coast. Its actions at intercepting slave ships, freeing victims, and even educating them in schools on the Seychelles and other islands must rate as one of the first examples of a humanitarian enforcement mission.

Secondly, there came the notion of 'a right of humanitarian intervention' in the internal affairs of a state if its rule over some of its citizens was perceived as barbaric.

Pressure was put on the Ottoman sultans in the 1880s to promulgate measures to protect Christian minorities from discrimination; when these failed, Gladstone obtained parliamentary approval to allocate ships, men and money to protect Christians from slaughter by Turks in Bulgaria. In 1898, the US declared war on Spain because its oppressive rule in Cuba "shocked the moral sense of the people of the United States." It was government behaviour "shocking to the conscience of mankind" that might justify intervention, but only as a matter of conscience and not of legal obligation. International lawyers adamantly refused to admit that the so-called 'rights of mankind' existed. As late as 1912, a leading textbook opined that "should a State venture to treat its own subjects or part thereof with such cruelty as would stagger humanity, public opinion might demand intervention, but this could only happen out of Christian charity and could not be defended on grounds of international law."

Non-the-less, in Theodore Roosevelt's 1904 State of the Union address, the right, and indeed the duty, to intervene in the affairs of sovereign states that were committing what he almost called "crimes against humanity" was persuasively articulated:

> " . . . there are occasional crimes committed on so vast a scale and of such peculiar horror as to make us doubt whether it is not our manifest duty to endeavour at least to show our disapproval of the deed and our sympathy with those who have suffered by it . . . in extreme cases action may be justifiable and proper. What form the action shall take must depend upon the circumstances of the case; that is, upon the degree of the atrocity and upon our power to remedy it. The cases in which we could interfere by force of arms as we interfered to put a stop to intolerable conditions in Cuba are necessarily very few . . . "

The third nineteenth-century advance was not taken for the sake of indignant pity, but rather to reduce the cost of killing soldiers in wars. The expense of new weaponry was the reason why the major powers attended a conference in St. Petersburg in 1868 and later ones in The Hague in 1899 and 1907, agreeing to limits on the development of poison gases and explosives and 'dum-dum' bullets. That these rules of war came to be dressed up in the language of humanity was due to the influence of the *International Committee of the Red Cross*, founded in 1863 by Henri Dunant, a wealthy Swiss who had been appalled at the bloody array of bodies left on mid-European battlefields after the armies moved on. His object, and indeed the object of the 1907 Hague Convention (which forty-four nations signed) was not to restrict the right of sovereign states to go to war, but to make these wars more "humane" for injured soldiers and prisoners. The futility of this exercise was demonstrated in the trenches of the First World War, where millions of dead bodies would mock the notion that modern war could be made humane by laws with tinkered with methods of killing.

THE TWENTIETH CENTURY

After four years of war and unprecedented ferocity and carnage in which 8.5 million lives were lost, it might have been thought that any 'new world order' would aspire to some protection of human rights. But the concept was never mentioned at the Versailles Peace Conference in 1919, nor in the Covenant of the League of Nations.

The Peace Treaty of Versailles was signed at the end of World War I between Germany and the Allies. It was negotiated during the Paris Peace Conference held in Versailles beginning January 18, 1919. Represented were the United States, Great

Britain, France, and Italy. The German Republic, which had replaced the Imperial German government at the end of the war, was excluded from the discussions. This treaty largely consisted of massive punitive reparations to be made by Germany to the Allied powers for damage incurred during the war. It was also required to recognise the unconditional sovereignty of neighbouring states and portions of those states that it had seized, and lost slightly more than 13 percent of its European domain and its entire colonial empire. Of course, it is impossible for us now to appreciate or imagine the collective and embittered wrath of the world meeting together at that time after the slaughter, but these punitive measures upon Germany were to lead to disastrous consequences only a couple of decades later. There was some talk at Versailles of prosecuting war crimes, but this was vigorously opposed by the U.S. on the basis that 'the laws of humanity' were uncertain and violations were punishable only by God.

Included in the first section of the Treaty was the Covenant of the League of Nations—the world's first attempt at an international peacekeeping body—which was given the responsibility for executing the terms of the various treaties negotiated after WW I (which could be petitioned by individuals or associations) and were monitored through the compulsory jurisdiction of the Permanent Court of International Justice, activated by any state member. The Treaty was signed on June 28, 1919, in the Hall of Mirrors at the Palace of Versailles near Paris. The U.S. did not ratify the agreement but signed a separate Treaty of Berlin with Germany on July 2, 1921.

It is ironic that the principal architect of the plan that formed the basis for the Covenant of the League of Nations, President Woodrow Wilson, could not get the support of his Congress to ratify it. The United States never became a member of the League of Nations. The U.S. Senate haggled over Article X, which contained the requirement that all member states help to preserve the territorial independence of all other member states, even to the point of joint action against aggression. Wilson argued valiantly, endeavouring also to appeal to the isolationists attitudes in the Congress:

> "There is the council, which consists of one representative from each of the principal allied and associated powers—that is to say, the United States, Great Britain, France, Italy and Japan . . . the council is the source of every active policy of the League, and no active policy of the League can be adopted without a unanimous vote of the council. . . . Does it not evidently follow that the League of Nations can adopt no policy whatsoever without the consent of the United States? The affirmative vote of the representative of the United States is necessary in every case. . . . But you will say: "What is the second sentence of Article Ten? That is what gives very disturbing thoughts" . . . The second sentence is that the council of the League shall advise what steps, if any, are necessary to carry out the guaranty of the first sentence, . . . The council advises, and it cannot advise without the vote of the United States. Why gentlemen should fear that the Congress of the United States would be advised to do something that it did not want to do I frankly cannot imagine, because they cannot even be advised to do anything unless their own representatives has participated in the advice. It may be that that will impair somewhat the vigor of the League, but, nevertheless, the fact is so, that we are not obliged to take any advice except our own, which to any man who wants to go his own course is a very satisfactory state of affairs. Every man regards his own advice as best, and I dare say every man mixes his own advice with some thought of his own interest. Whether we use it wisely or

> unwisely, we can use the vote of the United States to make impossible drawing the United States into any enterprise that she does not care to be drawn into. . . . The Covenant in another portion guarantees to the members the independent control of their domestic questions. There is not a leg for these gentlemen to stand on when they say that the interests of the United States are not safeguarded in the very points where we are most sensitive . . . "

Thus the fears of *sovereignty* entered the early debates; the U.S. did not want to be drawn into conflicts on account of others; it also did not want any other nation prying into its own domestic affairs or giving them "advice." To this day, it is fond of handing out advice to just about every other nation in the world, often using the 'bully-pulpit' in doing so; but it still cannot accept it from any other nation graciously—if at all.

On January 8, 1918, President Wilson had given an address to a joint session in the U.S. Congress in which he outlined fourteen proposals designed to establish the basis for a just and lasting peace following the victory of the Allies in World War I. These came to be known as the "Fourteen Points." In summary they were as follows: (1) abolition of secret diplomacy by open covenants, openly arrived at; (2) freedom of the seas in peace and war, except as the seas may be closed in whole or part by international action for enforcement of international covenants; (3) removal of international trade barriers wherever possible and establishment of an equality of trade conditions among the nations consenting to the peace; (4) reduction of armaments consistent with public safety; (the 5th to the 13th points applied to various countries, their borders, restorations, autonomies, etc., then came the last, the fourteenth, that had within it the most potent seed of hope for the future: (14) creation of a general association of nations under specific covenants to give mutual guarantees of political independence and territorial integrity.

In other words, President Wilson advocated that international cooperation could only really come about through an association of nations—a League of Nations—who would simply sit down and talk to each other in an effort to sort out their differences instead of just going off to war. He passionately believed that if people were talking to each other then they are less likely to go to war on each other. He earnestly presented logical arguments:

> "Unless you get the united, concerted purpose and power of the great Governments of the world behind this settlement, it will fall down like a house of cards. There is only one power to put behind the liberation of mankind, and that is the power of mankind. It is the power of the united moral forces of the world, and in the Covenant of the League of Nations the moral forces of the world are mobilized. . . . And what do they unite for? They enter into a solemn promise to one another that they will never use their power against one another for aggression; that they never will impair the territorial integrity of a neighbor; that they never will interfere with the political independence of a neighbor; that they will abide by the principle that great populations are entitled to determine their own destiny and that they will not interfere with that destiny; and that no matter what differences arise amongst them they will never resort to war without first having done one or other of two things: either submitted the matter of controversy to arbitration, in which case they agree to abide by the result without question, or submitted it to the consideration of the council of the League of Nations, laying before that council all the documents, all the facts, agreeing that the council can publish the documents and the facts to the whole world, agreeing that

there shall be six months allowed for the mature consideration of those facts by the council, and agreeing that at the expiration of the six months, even if they are not then ready to accept the advice of the council with regard to the settlement of the dispute, they will still not go to war for another three months. In other words, they consent, no matter what happens, to submit every matter of difference between them to the judgment of mankind, and just so certainly as they do that, my fellow citizens, war will be in the far background, war will be pushed out of that foreground of terror in which it has kept the world for generation after generation, and men will know that there will be a calm time of deliberate counsel. The most dangerous thing for a bad cause is to expose it to the opinion of the world. The most certain way that you can prove that a man is mistaken is by letting all his neighbors know what he thinks, by letting all his neighbors discuss what he thinks, and if he is in the wrong you will notice that he will stay at home, he will not walk on the street. He will be afraid of the eyes of his neighbors. He will be afraid of their judgment of his character. He will know that his cause is lost unless he can sustain it by the arguments of right and of justice. The same law that applies to individuals applies to nations."

The idealism of this courageous sixth ray aspirant is self-evident. The effort of the League of Nations has been described by the Master D.K. as an "abortive effort"—well intentioned but relatively useless, as later happenings proved. Thus we can observe the long travail of an overshadowing or underlying thought "pattern" of the idea or concept of world peace and security seeking expression and almost coming to birth, but being retarded through lack of human understanding and finding its barrier to birth characterised by a single word: *selfishness*—individual and national selfishness. Wilson's dream of humanizing "every process of our common life" was shattered by the arrival of the war, but the programs he so earnestly advocated inspired the next generation of political leaders and were reflected in the New Deal of President F.D. Roosevelt. Wilson's belief in international cooperation through an association of nations led ultimately to the creation of the United Nations after the close of the second phase of the war. For his efforts in this direction and in his time, he was awarded the 1919 Nobel Prize for Peace. More than any president before him, Wilson tried to increase the participation of the United States in the world affairs and world community, was indeed partially successful, but was also somewhat defeated by the isolationists in the Congress. A small mind in a great country is a matter for regret, especially in the light of the crucial role the U.S. can—and occasionally does—choose to play in keeping that peace with is a precondition for human rights enjoyment.

The League existed from 1920 to 1946. The first meeting was held in Geneva, on November 15, 1920, with 42 nations represented. The last meeting was held on April 8, 1946, at which time the League dissolved itself, and its services and real estate (notably the Palais des Nations in Geneva) were transferred to the United Nations. The League's chief success lay in providing the first pattern of permanent international organisation, a pattern on which much of the United Nations was modeled. Its failures were due as much to the indifference of the great powers—who preferred to reserve important matters for their own decision—as to weaknesses of organisation.

During the League's twenty-six years, a total of 63 nations belonged at one time or another; 28 were members for the entire period. The machinery of the League consisted of an Assembly, a Council, and a Secretariat. Before the outbreak of the second phase of

the war (1939-1945), the Assembly convened regularly at Geneva in September; it was composed of three representatives for every member state, each state having one vote. The Council met at least three times each year to consider political disputes and reduction of armaments; it was composed of six permanent members and several non-permanent members elected by the assembly. The decisions of the Council had to be unanimous, thereby giving *veto* power to any *permanent* member state of the Council. Hence the deadlocking and crippling devices. Basically, the same organisational structure was transferred to the United Nations upon its establishment. The Secretariat was the administrative branch of the League and consisted of a Secretary General and a staff of 500 people. Several other bodies were allied with the League, such as the Permanent Court of International Justice, called the World Court, and the International Labour Organisation (ILO) which continued to function and eventually became affiliated with the U.N. The League was based on a new concept: collective security against individual or *roguish*-national aggression. For all of its difficulties and failures, it was a bold step and nothing quite like it had ever existed before. It was an experiment.

Although its existence did little to protect individual human rights, and although the need for this factor had not really been fully realised in the drafting of its Covenant, the Permanent Court of International Justice showed an early awareness of the need to protect minority cultures. In 1933, shortly after Hitler's accession to power, the League received an individual petition from Franz Bernheim (its first from a victim of Nazism), whose sacking on the grounds that he was Jewish contravened a minorities treaty for Upper Silesia. Bernheim and several other Jews were awarded compensation for discrimination by a League commission—prompting Germany to withdraw from the League. In 1939, the League's Minorities Section was disbanded, although at least the experiment had served to disprove the American claim at Versailles that 'laws of humanity' were too vague and subjective to be justiciable.

Nevertheless, even as Jews in Germany were forced out of jobs and professions and then into labour camps, even as kulaks, then old Bolsheviks and later *millions* of innocent citizens were exterminated in the Soviet gulag, still the notion of protecting human rights was not raised either at the League of Nations or in academic journals or the popular press. It appeared to have dawned on no political leader, even after the carnage of the first phase of the world war, that international institutions might tell states how to treat their nationals—the League of Nations and the Permanent Court of International Justice were untroubled by 'human rights' until Hitler rendered them irrelevant.

AND NOW FOR SOMETHING COMPLETELY DIFFERENT: AN ESOTERIC INTERLUDE

The correspondence between the occurrence of these outer happenings and the appearance of slightly more esoteric influence of such a movement as Masonry is most interesting to note. Masonry itself is a repository for preserving the esoteric teaching, the Ancient Mysteries, through a system of symbols and symbolic ceremonial dramas, dramatizing the spiritual evolution of man, his relationships to Deity, to other men, and to the kingdoms of nature, and his moral and spiritual unfoldment, in which each candidate symbolically re-enacts the processes of the inner unfoldment of the psychological and spiritual being via the processes of 'initiation,' though codified in allegory and symbol. It is a system of symbolic archetypal patterns, designs and blueprints illustrated through geometry, number and form, and the modes of Deity are indicated in these archetypal patterns. So once again, we are reminded of the underlying thought patterns from which

the world structure (or syntax) emerges, and in Masonry the fundamental and changeless ideals appropriate to this time have been preserved within the codified form and structure of the edifice of Masonry itself—as archetypal symbols. Through the continual participation in the Masonic work and the repetition of re-enacting the ceremonial dramas, then these patterns are reactivated in the three-worlds and repeated to the minds of the participants, fertilizing their minds as powerful seed-thoughts and gradually causing them to be receptive to those ideas and truths that lay behind the outer symbols. The essential themes of relationship (to Deity and to each other—brotherhood), the search for light, and immortality, are repeated over and over again, and cannot fail to impress sensitive minds through the magical work of Masonic Ceremonial Ritual. Masonry therefore preserves the pattern of the archetypal Plan in symbolic form and within the bosom of humanity, and its adherents participate through the experience of the ritual work. It makes them sensitive to the underlying patterns behind the symbolic work and impresses their minds with certain spiritual and moral virtues to be acquired through the discipline of oneself and the relationships to be established and maintained towards one's fellow human beings. It also illustrates the archetypal patterns of the ideal of social order to be established within society itself, as well as the symbolic pattern for *just* modes of government and a well-regulated social order or society based upon the principles of *right human relations*, which is absolutely essential if we are to make any progress at all.

With the revitalization of modern Masonry just prior to the period of the eighteenth-century then these types of thought patterns were constantly being generated in the mental atmosphere of that time; especially in the minds of the "revolutionaries" in both countries.

It is well known that most of the signatories to both the French and American Declarations in the eighteenth-century were largely Masons, were largely conceived and drawn up by Masons, and these documents testify to the influence of Masonic virtues and principles being inscribed into them and their respective constitutions. They summarised the conceptions of *free*-men, and were drawn up to protect the rights of other men and citizens, *free*-born, with inalienable basic rights and dignities entitled to them under the banner of a recognised and common heritage rooted in brotherhood. It is also probably true that the simultaneous contradictory practice of maintaining slaves by many of the signatories did not sit too well upon the conscience of the framers of the American Declaration, Constitution and Bill of Rights, in the light of both the noble principles they were inscribing into their 'hallowed' parchments, and their obligations as Masons. Well could it be said perhaps, that this glaring contradiction caused them to compromise what they would *like* to have inscribed, as for instance, when compared to the more definitely stated and bolder *rights of man* declared by the French, who abolished slavery in their constitution. Nevertheless, even whilst holding simultaneous contradictory views and practices, progress was made.

During the nineteenth-century, certain changes were instituted within the Hierarchy pertaining to gender admission to an ashram. Prior to that period the soul had to be in incarnation in a male body during the incarnation in which the entity was first admitted into an ashram. The soul could then subsequently incarnate in either gender as an ashramic member and worker. But, during that earlier period, a change was instituted that permitted entrance—in the life in which the soul in incarnation was accepted into an ashram for the first time—in either gender.

This change (whether they were conscious of it or not) subsequently became impressed upon the receptive minds of certain Masons meeting in the Parisian suburb of Pecq, in their Lodge called *Loge Les Libres Penseurs* (the Lodge of Free Thinkers). They proposed the 'unthinkable,' that *women* should be admitted to Masonry. So, a century after the revolution in France and against much opposition, this bold little Lodge acted upon their proposition and admitted Mme. Maries Deraismes, a well-known authoress, a woman of great learning and culture, and a leading suffragette. Their actions lead to much strife within the French, male-dominated Masonry, and this little Lodge had its charter revoked and became dormant. Not to be defeated, ten years later, at the invitation of a French Senator who had been present at the admission of Mme. Deraismes, a group of Masons decided to form a new branch of Masonry that would admit men and women on an equal basis. In 1893 they constituted their new branch of Masonry and called it *Le Droit Humain*—literally, the 'rights [of] humans': Human Rights. With the inclusion of women, the French had succeeded in taking another step from their "rights of man" to that of *Human Rights*. A case could probably be made for the fact that this was the first organisation to appear calling itself by that name. *Le Droit Humain* (Co-Masonry) quickly spread over Europe, England, all parts of the (then) British Empire, including Australia, New Zealand, India and South Africa, and eventually to the USA in 1903. The seed pattern therefore for the idea of *human rights* was thus constantly being generated in the mental atmosphere throughout the world through the repetition of the Masonic ritual work now being enacted by both men *and* women. The distinction between this form of Masonry and that prior was also more in its mode of government. The governing body was through a Supreme Council located in Paris; the member federations were sovereign entities in their own respective countries or nations, but each had a representative of the Supreme Council as its chief officer (though a local Mason of whatever nationality in which the federation is located) and all of the member federations belonged to the same order located and centralized in Paris. Therefore, the idea of international unity was being generated and practiced through a relatively esoteric order.

The conventional male-craft form of Masonry is rather more fragmented on the outer plane; for instance, English Masonry is distinct from the French or American Masonry; they do not form an international body and are not part of the same organisation, at least on the outer plane; they are quite distinct and very *sovereign*. In America, the governing bodies are accorded to each State, i.e., the Grand Lodge of New York, or the Grand Lodge of Texas. Thus, although 'brotherhood' is expressed between them to some degree, there are still aspects that perpetuate the patterns of separation.

It is of course realised that the existence of *Le Droit Humain* did not prevent the first part of the world war (1914-1918), but it cannot have failed to fertilize the mental atmosphere none-the-less, generating the mental field with a concept of international relations and cooperation merely through the existence of such a form. Thus, esoterically speaking: an etheric network for an international body, based on brotherhood, was being established throughout the globe, and the charging and re-charging of lines of light were passing between the 'points" (the Lodges) on the physical plane; the archetypal patterns of the Plan were constantly being activated and re-activated by the repeated performance of the magical ceremonial rituals of Masonry; the occult work of preparing a new form for a new world order was in motion through the esoteric work of Masonry, whether the

participants in *Le Droit Humain* were consciously aware of it or not. Could a new exoteric form for international relations grow into the etheric form that was tenuously being constructed? The League of Nations did appear and endeavour to grow into such a form; but it was "aborted"; the soul of international relations aborted until a stronger form could be built. A direct and massive onslaught by the Dark Lodge was unleashed upon Masonry at the beginning of the twentieth-century. Much damage was done. The aim of the Dark Lodge was to cause Masonry to appear trivialized, conspiratorial and impotent; but nevertheless, the work of Masonry in both forms continued, though it was now to be an uphill battle.

The League of Nations, emphasizing international relations and cooperation, did emerge nearly thirty years after the beginning of *Le Droit Humain*, and whether or not its existence owed anything to the mental, psychic, and etheric network generated by this newer form of Masonry we are not in any position to say. But the facts bear out the chronology of the emergence of these entities in time and space, and they are not to be dismissed lightly. Masonry, in one form or another, has always had a powerful generative influence upon the evolution of culture and civilisation. It lies more in the background of things and its influence is not obvious. The pattern for the emergence of *something* was being generated, but it was not going to be easy.

Already in the early 1920's, *Le Droit Humain* was viewed by the inner Lodge to be in danger of going astray. Its intended objective was simply that it would be a *light* to the more pervasive movement of Masonry in general, in all of its branches. Many of the Theosophical Society members quickly joined *Le Droit Humain* in various parts of the globe, but unfortunately also began to appropriate it as if it were a 'wing' of their own T.S. organisation, much to the chagrin of Mrs. Besant who begged them to keep these two organisations distinct and permit their sovereignty to stand. This also annoyed the non-T.S. members of *Le Droit Humain* and friction entered in. It is true that the T.S. members could cast light upon the deeper *meanings* of Masonry in the light of their esoteric studies, but they also injected their peculiar characteristic of a Victorian Empire approach to occultism which unfortunately tended to express the tone of a 'superior' attitude into *Le Droit Humain*, and thus it was in danger of the glamour of 'supplanting' other forms of Masonry. This was more so in the English-speaking countries and not so in Europe. Some of the non-T.S. members of *Le Droit Humain* on the other hand tended to lay too much emphasis upon the fact of it being a "mixed" branch of Masonry, i.e., for both men and women. Both of these factors, of course, only served to annoy the more strictly male branch of Masonry, leading them to completely ignore and even deny the existence of *Le Droit Humain* altogether and grant it absolutely no acknowledgement of 'recognition.' There are many branches of Masonry and they all serve different needs, according to inclination. It is the worldwide Masonic movement that is of more significance and not some little branch of it. What is required is more of an understanding and an acceptance of unity in diversity.

A.A.B. was a member of *Le Droit Humain*, and had been so since 1919, coinciding with the beginning of her work as an amanuensis for Master D.K. and His request that she join Co-Masonry. By 1935, and taking advantage of the opportunities presented through a new cycle and new initiatives being undertaken in their work together during that year, the Master D.K. wanted also to attempt a fresh impulse and revitalisation of the Masonic work. Recognising the futility of attempting this through *Le Droit Humain*, due

to the dominance (by then) of the T.S. within it (at least in the US) and their characteristic hostility towards A.A.B., they decided to establish a new Masonic Order, calling it Grand Lodge, Ancient Universal Mysteries. It was incorporated in April 1935. A.A.B. was adamant that it be kept distinct from the Arcane School, even though many of the students from that school joined it. The objective was an attempt at a spiritual revitalization of Masonry; hence, one of the main provisions for membership was prior training in esoteric study and meditation. Absolutely no emphasis was laid upon the fact of it also being a "mixed" branch of Masonry (men and women), treating this matter purely as natural and normal. D.K. began to dictate Masonic Instructions to this new branch of Masonry in October of the same year. His objective was to see what kind of response there would be from members of the Craft to His Instructions, and thus gauge just how much could be presented and developed at that stage. At the time, these Instructions were made available to Master Masons only. Some of these Instructions were eventually edited and published in the book, *The Spirit of Masonry* under Foster Bailey's name. After seven year's existence and growth, and in 1942—coinciding with America's entry into the war—A.A.B. and D.K. temporarily suspended this project; safeguarding all of their papers and instructions to be passed on to a younger group later in the century who were destined to pick it up and continue. This was accomplished, and a more definite progress than was possible before is now being made.

The only reason for mentioning the above is to help inculcate a sense of the continuity of labours. The world structure emerges from and is built upon certain inner thought patterns; things do not come out of a vacuum but what we observe is the repeated efforts of *something* trying to emerge and passed on from group to group—always appropriated by the conceptual limitations of the time—but behind the outer emergences are to be found the patterned ideas upon which to build.

We are not suggesting for one moment that the appearance of AUM in 1935 had anything to do with the eventually emergence of the U.N., drawing up a *Universal* Declaration, for its early existence was too short lived. We are far more inclined to recognise the subjective framework of thought being provided worldwide through the existence of D.K.'s writings and the marvellous work performed by the students of the Arcane School, the leading esoteric school in the world at that time. Together with the agony and devastation wreaked upon the world through the war, the pressure everywhere and the obvious recognition through every department of life and every mode of expression that something had now to be set in place to act as a safeguard against such further devastations—if humanity was to survive at all—the collective wisdom of the world, in response to the esoteric Decision of the Christ to reappear, established the United Nations, erected upon—not this time just to limiting acts of aggression by one nation against another—a fundamental *Universal* Declaration of Human Rights to which all other considerations would be subordinate.

Let us continue with a review of the exoteric developments.

CONTINUATION OF THE EXOTERIC DRAMA

The exoteric revival of the human rights *idea* appeared to have begun at the instigation and inspiration of the British author H.G. Wells, in the months immediately following the declaration of the second phase of the world war. It can be traced to the letters he wrote to *The Times* in October 1939, advocating the adoption by 'parliamentary peoples' of a

"Declaration of Rights." The League of Nations had been too conservative, half-hearted and diplomatic throughout the 'tortuous Twenties and frightened Thirties': now, the only sane alternative was to declare "the fundamental law for mankind throughout the world." It is a remarkable tribute to Wells and a few of his friends (including Barbara Wootton, J.B. Priestly and A.A. Milne, creator of Winnie the Pooh) that they were able to distil into nine short and readable principles a declaration that came to attract support throughout the world. In their modest and quaint English way, they eschewed the messianic preambles of the French and American declarations in favour of the simple observation that "since man comes into this world . . . he is in justice entitled":

(1) Without distinction of race or colour to nourishment, housing, covering, medical care and attention sufficient to realise his full possibilities of physical and mental development and to keep him in a state of health from his birth to his death.

(2) Sufficient education to make him a useful and interested citizen, easy access to information upon all matters of common knowledge through his life, in the course of which he would enjoy the utmost freedom of discussion.

(3) That he and his personal property lawfully acquired are entitled to police and legal protection from private violence, deprivation, compulsion and intimidation . . .

And so it went on in its quaint manner, promising *inter alia*: "There shall be no secret dossiers in any administrative department; a man's private house or apartment or reasonable limited garden enclosure is his castle; no man shall be subjected to torture, beating or any other bodily punishment, or to imprisonment with such an excess of silence, noise, light or darkness as to cause mental suffering or in an infected, verminous or otherwise unsanitary quarters."

Here, for the first time since the eighteenth-century revolutions, was an attempt—by well-meaning middle-class socialists—to restate human rights in a homely way, as a talisman against the coming cataclysm. In its first months it attracted extraordinary support in England: the *Manchester Guardian* and the *Daily Herald* took up the issue, and tens of thousands flocked to hear H.G. Wells speak under the banner: "The New World Order—the Fundamental Principles." What gave his campaign further momentum was the swift publication of a Penguin Special, *H.G. Wells on the Rights of Man*, which sold many thousands of copies in the UK and was translated into thirty languages and syndicated in newspapers throughout the world. For the first few months of 1940, this was the idea whose time had come—in an act of utter optimism the War Ministry even had copies of Wells's booklet translated into German and dropped on SS divisions, although they continued to overrun France. However, it had more impact on President Franklin D. Roosevelt, a friend of Wells, who was much taken by his new book. On January 1, 1942, a few weeks after American entry into the war, H.G. Wells secured his objective: the Allied powers declared that "complete victory over their enemies is essential . . . *to preserve human rights* and justice in their own lands *as well as in other lands*." Human rights was henceforth a war aim, emphasized in the rhetoric of politicians while lawyers in the back rooms of the State Department and the common rooms of Oxbridge tried their hands at drafting something that was now definitely on the post-war agenda: an international bill of rights.

They did so, inevitably in a language that lacked the passion and simplicity of H.G. Wells. His achievement was to make human rights relevant to a world from which they

had vanished with the secret policeman's knock on the door, and to include in his list the social and economic rights which Western governments had refused to acknowledge during the Great Depression. His Penguin Special was a far-sighted demand for what he was the first to call a "New World Order," in which fundamental human rights, enforced by law, would protect individuals against governments of whatever political complexion. Wells was the first to argue from "those outrages upon human dignity" in the concentration camps—outrages that others only felt after seeing the pictures of the corpse-strewn Belsen, six years later.

But these examples were used to illustrate a broader thesis, namely that Western tradition required—as a response to totalitarianism—a reassertion of individual liberty, and for that liberty to be protected by an international order that relied on *law* rather than diplomacy. Well's grasp of international law was negligible, and he offered no answer to the problem of how his declaration, which was to be incorporated in the domestic law of every state, might be enforced in states without independent legal systems. He was, however, positive that it would take more than diplomacy to bring them into line, and that pleas of *sovereignty* must *not* be allowed to prevail: "There was an extraordinary mass of foolish talk after 1918 about not interfering in the internal affairs of this, that or the other member of the League of Nations. It is time we recognised fully that the making of any lethal weapon larger than what may be required for the control of big animals, is a matter of universal concern . . . "

THE UNITED NATIONS CHARTER

Universal concern would call forth a universal legal order, but when war aims began to crystallize as defeat loomed for the Axis powers, this was too radical for the Allied governments to contemplate. It was to a strengthened League of Nations model that they turned, first at the four-power conference at Dumbarton Oaks in late 1944, which subsequently led to the United Nations Conference on International Organization, convened from 25 April to 26 June 1945 in San Francisco. The Wesak Full Moon that year was 27 April. Of this point, the Master D.K. notes [. . . from the success of the conference in Mexico City] "It was realised that there was an ascertainable measure of hemispheric unity upon which statesmen could count and thus a foundation could be created for the far more difficult international conference to be held in San Francisco. Not for nothing, brother of mine, is this conference being held during the five days of the Wesak Full Moon. It will be a time of supreme difficulty in which the Forces of Light will face what I call 'the forces of selfishness and separativeness'. . . . Subjectively speaking, the conference will be under the direct influence of the Hierarchy. The consequent stimulation of both the selfish and the unselfish aspects will evoke a tremendous emotional and mental potency. It is, therefore, essential that all aspirants and disciples throw the weight of their spiritual development and the light of their souls on the side of the forces which are attempting to plan for the good of humanity, and who regard the welfare of the whole as of far greater importance than any national situation or demand . . . A supreme effort will be made by [the Buddha and the Christ] this year during the five days of the Full Moon (April 25-30) and a major test of the effectiveness of Their activity will be given at the San Francisco Conference."

The Charter of the United Nations was signed by forty-four nations in San Francisco on 26 June 1945. The Gemini Full Moon that year was on 27th of May; the Cancer Full

Moon was on 25th June. Humanity was indeed collectively intending to build a new "lighted house."

Prior to the Conference, the Master D.K. warned of "Those *partisan and nationally minded persons* who will attempt to exploit the world situation for their own immediate ends and for the benefiting of their particular nation or group . . . they do not care for humanity as a whole and have no liking or interest in anything or anyone but their political party and the reactionary interests of some national group . . . they frequently have a wide grasp of affairs and are keen politicians, but all they know is to be used and so implemented that it attains their narrow ends, no matter at what cost to the rest of the world . . . These are the people who are the most to be feared at the coming conference at San Francisco. The isolationists in all nations, particularly in the United States and the French national idealism . . . will need watching as these attitudes can be exploited by the evil and selfish interests which (behind the scenes) are seeking to prevent the world again attaining that equilibrium which will permit tranquility." (Sounds very similar to the current period . . .)

What happened?

The original 'Great Power' plan was to leave the promotion of 'respect for human rights and fundamental freedoms' as merely an incidental aspiration of the new organisation: that this was subsequently elevated into one of the Charter's primary *purposes* was due to last-minute pressure exerted on the U.S. delegation by a group of American N.G.O.'s, notably the N.A.A.C.P. and the American Jewish Congress. It was the U.S. which then took the lead in giving human rights its prominent position in the U.N. Charter, both in its preamble and in its Articles. The Preamble of the Charter of the United Nations declares (*italics* are mine):

"We the peoples of the United Nations determined

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental *human rights*, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom . . . "

In *Chapter I*, under ARTICLE I, the chief "Purposes and Principles" of the U.N. are stated:

"The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of peace;
2. To develop friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction to race, sex, language, or religion; and
4. To be a center for harmonizing the actions of nations in the attainment of these common ends."

Under *Chapter III*, ARTICLE 7 (1), the Charter established an Economic and Social Council with the power to set up a Human Rights Commission under ARTICLE 7 (2). Under *Chapter IX*, "International Economic and Social Cooperation," ARTICLE 55 states:

"With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

(c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion."

To achieve this, members pledge themselves in ARTICLE 56 to "take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in ARTICLE 55."

But members must never forget ARTICLE 2 under Chapter I:

"The Organisation and its Members, in pursuit of the Purposes stated in ARTICLE I, shall act in accordance with the following Principles:

1. The Organisation is based on the principle of the sovereign equality of all its Members.
2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter.
3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.
4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

and then in ARTICLE 2 (7) which sets up the rule which H.G. Wells identified as the road block for human rights, and at whose barrier their progress was halted for much of the remaining century:

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

By reference to this crippling rule, the U.N. and its instrumentalities declined to act against any state which objected to having its internal repression investigated or condemned. It was a restriction over which diplomats could wring their hands, whilst having no desire at all to intervene to stop barbarities perpetuated by their allies in the

U.N. or to create precedents which might later justify intervention in the affairs of their own governments.

The evolutionary process for international human rights law, commenced so confidently, was frozen almost to a standstill by the Cold War. The power blocs did not deny the idea of universal human rights—with shameless hypocrisy, they contentedly signed convention after convention on the subject—just so long as no meaningful enforcement action could ever be taken. 'Human rights' became a phrase incorporated into insults traded between the Great Powers, as they secretly vied for the support of dictatorships that comprehensively violated them. The four decades between 1948 and the collapse of the ruthless totalitarian Eastern bloc tyrants may be characterised—and stigmatized—as the lip-service era for human rights, when diplomats strove to ensure that they could never be meaningfully asserted against a nation state.

All that happened to human rights *law* over those four decades was a series of academic exercises, honing and refining and putting in place international conventions—most notably the twin Covenants on *Civil and Political Rights* and on *Economic and Social Rights*—which were really marvels of modern diplomacy: none of the states which signed them intended for them to work.

It was not until 1993, after the Cold War was over and as the spectre of 'ethnic cleansing' returned to Europe, that there was sufficient superpower resolve to apply the *proviso* to UN ARTICLE 2 (7), namely that it could be overridden by *Chapter VII*. This is the chapter of the Charter that permits the Security Council to order armed intervention against any state once it has determined that such a response is necessary to restore international peace and security. Since ARTICLE 55 expressly makes the observance of human rights a condition necessary for peaceful relations, the appalling crimes against humanity that have occurred since 1945 could have been forcibly combated by the U.N. under its *Chapter VII* power. But of course, the complex nervous tension of the Cold War kept everyone at arm's length.

Nevertheless, the U.N. Charter was the first treaty to make human rights a matter for global concern. By identifying violations as a danger to world peace and security it provided a mechanism for international intervention, as a last resort, in the affairs of nation states. What it did not do was to impose any *legal* duty on member states to comply with human rights standards. This could have been accomplished, as several small countries urged, by incorporating a *bill of rights* into the Charter: the move was opposed by all the major powers, conscious of the motes in their own eyes. France and the UK had no desire at that time to grant any form of democracy to their colonies; all the Southern states in the US had 'Jim Crow' laws discriminating against blacks; there were millions still consigned without trial to Soviet gulags. For this reason the Charter pledges on human rights were circumscribed: the duty was to *promote* human rights, not to guarantee them as a matter of law for all citizens. This vagueness was quite deliberate: no great Power was prepared in 1945 to be bound by international law in respect of the treatment of its own subjects. The only positive rule of law to which they committed themselves was to refrain from threatening or using force against the territory or independence of any other state (ARTICLE 2 (4)), subject to their "inherent right of individual or collective self-defense if an armed attack occurs against a member" (ARTICLE 51).

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

In closing the San Francisco conference, President Truman had promised that under the newly minted U.N. Charter "we have good reason to expect the framing of an international bill of rights which will be as much a part of international life as our own Bill of Rights is a part of our own Constitution."

The momentous task of drafting this constitution for mankind was allotted to the newly formed Commission on Human Rights, set up by the Economic and Social Council pursuant to ARTICLE 68 of the Charter. It was chaired by Mrs. Eleanor Roosevelt and served by a secretariat headed by a Canadian law professor, John Humphrey, who over the next two years was instrumental in putting before the delegates drafts he culled from many sources—notably the American Law Institute, the constitutions of Latin American countries (which contained social and economic rights); drafts by Sir Hersch Lauterpacht, H.G. Wells and the Sankey Committee, and the eighteenth-century declarations. The Commission's most severe division turned on whether the bill should be legally enforceable (either as an annex to the U.N. Charter or as a multilateral human rights convention) or merely take the form of a *declaration*—of principles without powers of implementation, other than by the slow process of acceptance as customary international law.

The Soviet Union and its puppets were implacable foes of enforceability, while Britain and Australia led the demand for a binding document. Australia's delegates were the first to propose an international court of human rights, pointing out the obvious: "a mere declaration of principles would not offer assurance against the revival of oppression." The Americans blew characteristically hot and cold. Mrs. Roosevelt initially inclined to the American Bar Association call for "a new Bill of Rights that will be a part of law enforceable against governments which deny human rights," but she shifted towards the Soviet's position as U.S. relations with them deteriorated. Neither of those sparring superpowers wanted rules, or even a referee, when the gloves had to come off. The idealistic nations gave in, and this had, with hindsight, two negative advantages: (1) the declaration was agreed, with superpower involvement by the end of 1948; (2) and it came with no enforcement machinery to be discredited, as discredited it would undoubtedly have been during the years of the Cold War.

We are given to understand from D.K. that the "initial error" of the United Nations was the admission of a totalitarian Power, the Soviet Union. "For seven long and terrible years the Forces of Light had been fighting totalitarianism. In the early days of the post war period, nations compromised with the principle and admitted Russia to the United Nations. Had they proceeded to unite all the other nations of the world on the sure ground of economic reform, of needed national reorganisation and of regional groups, Russia would have been forced to conform, for her very existence would have been at stake. An initial error can lead to much trouble, and it is this type of trouble the United Nations today faces."

This totalitarian power inflicted upon its citizens a violation of just about every human rights article set forth in the Declaration to which it pledged to observe by setting its hand and seal. Documented, therefore, right at the beginning of the "New World Order," declared in this Universal Declaration and for which the world desired to emerge, a major wedge to progress was hammered in.

What did emerge was not a legal guarantee but a 'declaration' made by the General Assembly, putting beyond doubt the nature and meaning of the pledge to respect human rights contained in ARTICLE 55 of the Charter. The *Universal Declaration of Human Rights* was adopted by forty-eight members of the General Assembly on 10 December 1948—in Sagittarius, aiming the arrow of the mind towards the goal.

After the briefest of 'natural law' nods towards 'inherent dignity' and 'inalienable rights,' and a substitution of 'human family' for 'man,' it recites as its rationale that contempt for human rights results in "barbarous acts which have outraged the conscience of mankind" and so human rights "should be protected by the rule of law" in order to avoid the need to revolt against tyranny. For members of the drafting committee, and speakers in the General Assembly debate, the abominable atrocities committed in the second phase of the world war had supplied human rights with the most utilitarian of justifications: the alternative to them is war.

What still amazes today is the contemporaneity of the document, over half a century later. Mrs. Roosevelt and her drafting committee produced an imperishable statement that has inspired more than 200 international treaties, conventions and declarations, and the bills of rights found in almost every national constitution adopted since the war. The Universal Declaration has stood the test of time. Many of the Articles begin with the words, "Everyone has the right . . . ", thereby declaring *as a starting point* the basic rights to which all human beings are entitled and to which all aspects of society should be subordinated in order to produce, in the vibrant statement of ARTICLE 28: "a social and international order in which the rights and freedoms set forth in this declaration can be fully realised."

This was a right without precedent in the eighteenth-century declarations. It called for some international enforcement system, harking back to the provisions of the Charter which permitted Security Council intervention under Chapter VII in the event of human rights violations on a scale which threatened world peace. The French delegate, René Cassin (who played an important part in drafting the Declaration), was aware that the Charter made it possible to penetrate the sovereignty of the State: "This was specifically put into the Charter in the hope of avoiding a repetition of what happened in 1933, when Germany began to massacre her own nationals and when other nations refused to consider this a matter of international concern."

The Declaration was proclaimed by the General Assembly as "a common standard of achievement for all peoples and all nations," to be promoted by education and, more optimistically, by "progressive measures, national and international, to secure their universal and effective recognition and observance." A noble ideal, placed as a goal for human aspiration, only this phraseology conceals the awkward fact that this declaration lacks legal force, whilst articulating the hope that it might some day come to possess such force through "progressive measures" by states and through its adoption by international law.

In distinction from its eighteenth-century counterparts, the preamble begins with the moral argument that recognises "the inherent dignity of all members of the human family" and goes on by rational argument, to affirm faith in "the dignity and worth of the human person" which needs protection (a) because securing the Four Freedoms is the highest international aspiration, and (b) because the empirical evidence that violating

human rights conduces to war and barbarism. The preamble advances—through eight powerful propositions—the logical and moral argument that human rights are universal, and then proceeds to state their content: as an exercise in persuasion rather than law. Mrs. Roosevelt prophesied that the Universal Declaration "might well become the international Magna Carta of mankind." But she warned the General Assembly that it would not initially have that status: "It is not a treaty; it is not an international agreement. It is not and does not purport to be a statement of law or legal obligation."

What *was* intended to have precisely the status of international law was the accompanying Convention on the Prevention and Punishment of Genocide, which was presented for signature the following day, entering into force in 1951. This agreement required states to punish, either domestically or "by such international criminal tribunal as may have jurisdiction," acts which were intended to destroy, in whole or in part, a national ethnic or racial group, committed by anyone "whether they are constitutionally responsible rulers, public officials or private individuals."

These two documents—the inspirational Universal Declaration, and the Convention placing an international law obligation on every state to act against genocide—provided the U.N. with one of its finest historical moments. The Geneva Conventions presented in March 1949, requiring civilized treatment for civilians and prisoners and sick and wounded victims of war, completed the post-war human rights triptych.

However, the last quarter of the twentieth century witnessed a struggle between the human rights movement and its enemies (especially the diplomats) over whether the great promises made in the Universal Declaration should be recognised as having the force of international law.

'Law,' in common exoteric parlance, means a rule which (unlike a rule of ethics) is actually capable of enforcement through institutions created for that purpose. But 'law' in the phrase 'international law' does not automatically have this quality: it has no police force or bailiffs, and its courts lack the capacity to punish for contempt or for disobedience to their orders. The international law of human rights is grounded on treaties like the twin Covenants, by which states solemnly undertake to treat their own nationals according to certain civilized standards. If they break the undertaking, very little can be done by other states: this would interfere with *sovereignty*, which is the most essential quality of a 'state' in international law. In sum, international law 'reflects first and foremost the basic state-oriented character of world politics, because it is a system created and controlled by sovereign states, for their convenience. It still talks, illogically, of violation of 'state rights,' when it is *human* rights that are being violated. Some of its classic doctrines—sovereign and diplomatic immunity, non-intervention in internal affairs, non-compulsory submission to the ICJ—continue to damage the human rights cause. At the beginning of the twenty-first century, international law remains subordinate and subservient to state power, which tends to favour economic, political or military interests whenever they conflict with those of justice.

If a rule is contained in a treaty, the strength of the presumption that it is a part of customary international law will vary with the number of states which are party to that treaty. There are 185 states within the UN system, and all subscribe to the Charter, the 'constitution' of world government. The Universal Declaration of Human Rights is not a treaty, but the Civil Covenant has 144 parties signatories—making its rules *prima facie*

candidates for the 'universal' status of international law. Treaties which are accepted by less than half the nations of the world cannot for that very reason be considered as serious candidates for the status. The test, incidentally, is not whether a state has signed a treaty, but whether it has agreed to be bound by it through the process known as ratification.

The existence of an obligation in a human rights convention is not definitive: since many states in practice ignore the duties they pledge themselves to respect, an international law rule must show a high level of compliance—as evidenced by government statements, diplomatic correspondence, support for UN resolutions and, most importantly of all, actual behaviour. Given the stark difference between what governments says and what governments do, this is a particularly slippery balance. As so often in the chimerical world of international law, this problem is overcome with the help of Latin phrases. 'Custom' in customary international law is made up of state practice (what governments have done and intend to keep on doing) on the one hand, and on the other what is termed the *opinio juris*, i.e., what governments feel they are obliged to do (even if, in practice, they do the opposite). This is the way international lawyers solve the paradox of having a rule against something abusive or an infringement of civil liberties in a world where many states actually permit it: these states lie and hide it and pretend that it does not exist *because they know that it is wrong*, so it is contrary to the received wisdom, the *opinio juris*. If their moral or psychological sense of obligation is strong enough to amount to an imperative, then it forms part of the *jus cogens*, i.e., one of the rules defined by ARTICLE 53 of the *Vienna Convention* on the *Law of Treaties* as "accepted and recognised by the international community of States as a whole from which no derogation is permitted." In other words—other Latin words—it gives rise to an *ergo omnes* duty, owed to the whole international community.

An *opinio juris* which becomes accepted as part of the *jus cogens* has a dynamic quality which invalidates any conflicting treaty: it becomes in international law-speak "a peremptory norm from which no derogation is permitted." This is all very well, but the point about most human rights rules is not that governments believe them to be legally binding; it is that governments honestly believe they are not *legally* binding, but that breaches are so prone to outrage world opinion that they should be hidden or, if exposed, defended on legal technicalities.

State practice has been the most potent—and has become the most problematic—source of international law. The shibboleth of state consent haunts every single state in international law-creation. The problem is that states rarely consent, genuinely and voluntarily, to external limits on their power over their own people. So the paradox of international law, from a human rights perspective, is that it remains under the thumb of the very entities it seeks to control: state conduct determines its creation, and states effectively monopolize appointments of their representatives to its adjudicative bodies.

Of course, the 'common citizens' do not talk about *jus cogens* and *erga omnes*; they believe in the simple language of the Universal Declaration of Human Rights, and they are not bound by ARTICLE 2(7) of the UN Charter to avert their eyes from repression in foreign countries. The sight affects them, in a literal sense. It makes them sad and angry; it makes them shield the eyes of their children and it makes them feel diminished to be a member of a race that can act so barbarously. These citizens, of global society rather than nation state, cannot understand why human rights rules should not rule because they are simply just and right, irrespective of state practice.

The International Court of Justice (IJC), at its gothic building in The Hague, is not yet permitted to become a Supreme Court for Humankind: it can only decide a case between states, and then only when a defendant state agrees to accept its jurisdiction. So-called 'superpowers' have often treated it with contempt. Nevertheless, the incantations of *jus cogens* and *opinio juris* may yet turn out in time to be abracadabras which open, if only a crack, the doors of state sovereignty. For example, although resolutions of the General Assembly (which now strongly favour human rights) are not binding or even acknowledged as sources of customary international law, recent IJC decisions have admitted them as evidence of *opinio juris*. By such devices, progressive claims may be advanced more forcefully. The importance of customary international law is that it filters through into national law: most municipal systems have procedural and interpretative rules which permit notice to be taken in their courts of international law when it is not in direct conflict with local law. Some common law systems, including the British and American, accept customary international law as part of that common law, although treaties must be incorporated by specific legislation before they can have any direct legal effect.

THE WORLD PERIOD SINCE . . .

It is clear, both in the light of subsequent world experience and in the prophetic alarm being sounded in D.K.'s later letters to be found towards the end of *The Externalisation of the Hierarchy* and *Rays and Initiations*, that the promising developments emerging during the aftermath of the war were quickly becoming short-circuited and getting off to a bad start. There is no doubt that the Hierarchy initially had great optimistic expectations of what could be possible for human progress if the moment was seized by the nations with fixed determination. The *promise* of a New World Order was ushered in by the *Four Freedoms*, the *Atlantic Charter*, and the *Universal Declaration of Human Rights*. The great difficulty has been to implement that promise.

In a Wesak letter of April 1946, the Master D.K. said, "Today, it would appear from all the indications and from the dominant world trends that the still unconquered greed of certain of the more powerful nations is undeniably rampant and that we are, therefore, facing another period of frustration and of major world difficulty." That period of frustration and difficulty is now well known to us all. Basically, forty of those years were lived with the nations living in an armed armistice, in which distrust was rampant and fostered, and in which science was prostituted to the art of destruction. It quickly destroyed any hope in the bold statements of the new declarations and charters, calling for worldwide reductions of armaments. In fact, just the reverse happened.

Since the founding of the U.N. we have been living through a period of frustration pertaining to the idea or concept of developing a unified peaceful world—a world in which the nations promised each other that there would be a cessation of war and that people everywhere could live at peace with each other and in security; a world in which people could work, relatively unopposed, towards right human relations. D.K. said that this "super-world and this unified humanity is a true ideal but is not yet a feasible project." Thus it has been.

We could pile up list upon list of transgressions and hindrances committed by every nation without exception to the greater fulfillment of the "social and international order in which the rights and freedoms set forth in this Declaration can be fully realised." But

essentially it would serve no purpose to the intention of this paper. It is important to have a clear vision of the future world order, in broad and general outline but not in detail. It is also equally important to have an intelligent recognition of the hindrances and impediments that block its appearance. The vision of the new world is a practical vision—long desired, much discussed, and clearly outlined by virtue of the fact of the existent charters and declarations drawn up by humanity itself. The hindrances appear to be many, and could be listed as such; but basically, they can all be summed up in one word: SELFISHNESS—national, racial, political, religious and individual selfishness. The old triplicity of fear, greed and jealousy are the three phases of selfishness that characterise these hindrances.

We are told that the practical aspect of the mode of elimination of the hindrances can also be simply stated: The vision will appear as fact on earth when individuals willingly submerge their personal interests in the good of the group; when the group or groups merge their interests in the national good; when nations give up their selfish purposes and aims for international good; and when this international right relation is based upon the total good of humanity itself. Thus it is that the individual can play his part in the larger whole; his help is needed and the sense of individual futility is negated.

A vision of the freedoms of the New World Order has been presented through the *Four Freedoms*, and the two fundamental charters for extending them: the *Atlantic Charter*, and the *U.N. Declaration of Human Rights*. Have these freedoms of the New Age become soundly envisioned whereby they form part of the life and mind of every disciple and aspirant? If so, then the next step is to study the factors which are hindering its materialisation.

Past national mistakes must be faced; blindness, nationalistic ambitions, adherence to ancient territorial demands and assumed rights, inherited possessiveness, the refusal to relinquish past gains, disturbances in the religious and social areas of consciousness, uncertainty as to the realities of the subjective and spiritual life, and the insincerities that are based on glamour and fear—all these factors are woven into the life pattern of every nation without exception and are exploited by the evil forces and evaded by the well-meaning but weak people of the world. There must be an appreciation of the factors that have made and conditioned the current ‘chaotic democracy.’

The United Nations is a great field of experimentation. It is still the hope of the world and can remain so. There are many who place little faith in it and others who dismiss it. But it is not the U.N. as an expression of an idea that is at fault, but the selfishness of many of the nations who compose it.

It would appear, in the light of subsequent history, that many of the states voting in favour of the Universal Declaration in 1948 did not anticipate for a moment that their vote meant they were assuming any obligation to enforce the rights declared. In 1948, D.K. referred to the problems facing the world especially through the U.N., “I have here given you the possibilities with which the work is challenged and confronted, and again I must refuse to foretell what will happen. It is not permitted. I have felt it necessary to summarise the situation for you because it is in this world that you will have to work for the next twenty years . . . the two decades ahead of all of you are those in which you must bring to fruition the seeds which I have planted.”

Those two decades brought us to 1968. What did happen?: the arms race began in 1949 when the Soviet Union first tested its bomb: the Great Powers vied to develop weapons of mass destruction in complete defiance of all Hague Conventions on this subject. There was the Korean War, the Soviet Gulag, China, Hungary, the McCarthy era in the U.S.A., the Berlin Wall, the Suez Crisis, Israel and Egypt, Guatemala, South Africa, U.S. Civil Rights, Vietnam, the Cuban missile crisis, and the assassination of any good head that stood up for progress.

So what had happened in the meantime to the systems for protecting human rights so confidently put in place by the U.N. Charter, which had created an Economic and Social Council with the duty, under Article 68, to establish a commission "for the promotion of human rights"? This HRC met for a few weeks each year, riven by bloc-voting and by the refusal of member states to allow themselves or other members to be criticized. It resolved at its inception in 1947 that it had "no power to take any action in regard to any complaints concerning human rights"—a resolution which pretty much summed up its impact of the first twenty-years. All that was achieved in this period was paperwork—endless reams of paper—the result being to define and extend human rights on paper but never seriously to discomfit a single torturer. The HRC during this time remained tight-lipped about breaches of the Universal Declaration or the Genocide and Geneva Conventions, by any government that was a member of the U.N.

In spite of everything, and perhaps *because* of everything, there was much idealism vitalising the world's youth in 1968; the U.N. convened a conference in Tehran specifically to review the first twenty years of the Universal Declaration. The Proclamation of Tehran in May 1968 won unanimous support. Its second principle stated:

> "The Universal Declaration of Human Rights states a common understanding of peoples of the world concerning the inalienable and inviolable rights of all members of the human family and constitutes an obligation for the members of the international community."

Then three months after the Tehran Proclamation, Soviet tanks rolled through Czechoslovakia to nip the Prague Spring in the bud. The U.N. Human Rights Commission did and said nothing. The General Assembly was also useless—being an idle forum for diplomats.

In 1970 the U.N. unanimously declared a "Friendly Declaration" which became a tyrant's charter:

> "No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently armed interventions and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements, are in violation of international law."

The behaviour of the superpowers in this era was motivated entirely by national and ideological interests, but some sneaking respect for the idea of international justice required aggression to be dressed up in the language of legality. When the U.S. wanted to serve its strategic or economic interests by invading a country, it took care to solicit "an invitation" first. The 'Brezhnev Doctrine' (hastily formulated in 1968 to excuse the

invasion of Czechoslovakia) permitted under 'international socialist law': "fraternal military assistance to any country whose socialist system was under threat."

Esoterically, a Shamballa Impact occurred in 1975. In 1975 the modern human rights movement began to gather a more serious strength, and this was more formally recognised through the Helsinki Accords of 1975 and the entry into force—with thirty-five ratifying states—of the U.N.'s twin Covenants in 1976 and the adoption of human rights as a foreign policy objective by the Carter Administration in 1977. This was an achievement made possible by a development in a parallel universe to that occupied by politicians and diplomats and U.N. bureaucrats, namely *the world*, where people were coming to believe in the principles to which these functionaries had for too long given lip-service. This had been mainly achieved by the *moral force* of the principles themselves, promulgated by the hundreds of NGOs like Amnesty International and Human Rights Watch.

D.K.'s earlier remarks were beginning to bear witness; "the salvation of the world and the production of the needed security will be brought about in the long run by the mass of men everywhere in all lands . . . "

But what can be done for that body about which D.K. says: "speaking symbolically—when the *United Nations* has emerged into factual and actual power, the welfare of the world will then be assured. What is that welfare but love in action? What is international cooperation but love on a world scale?"

The instrumentality of the United Nations is crippled by the organisations's instinctive deference to its own members and by its bureaucratic commitment to 'neutrality' in any fact-finding or adjudication. The crucial defect of the HRC is that its members are representatives of *governments* rather than appointed as independent experts. They are diplomats, timer-servers of states (including military juntas and feudal dictatorships) who regard their part-time job—most representatives are fully employed in departments of their national government—as political rather than judicial.

The HRC cannot take on the superpower violators and equally it cannot tackle the small states that ally themselves for protection to regional or political blocs or powerful nations, such as Israel attaching itself to the USA. UN members could have agreed to set up an independent appointments body to nominate members of the Commissions, but this did not suit the self-interests of governments who were determined from the outset that this commission should be kept under diplomatic control. The best way forward would be to bring in NGOs (who do most of the real human rights fact-finding) into the appointments process, thereby providing some guarantee that members are true experts in human rights, rather than experts in defending governments accused of violating them.

The Human Rights Committee and the Committee on the Elimination of Racial Discrimination (CERD) were doomed to impotence from their inception, because they had to work within the United Nations system. They are, self-evidently 'committees' as distinct from courts (which have adversary proceedings ending with judgments in some manner binding on parties). Their operations are circumscribed by diplomatic politesse: they do not receive 'applications' or 'petitions' or 'complaints,' they merely get *written communications*. These are not 'analysed' or 'investigated,' they *receive consideration*. The government concerned has the allegation *brought to its attention* and must, within a leisurely six months, submit a statement which *clarifies* the matter. The committees do

not hold any hearings, in public or indeed at all: they *examine communications* in a closed meeting and in due course, instead of delivering a judgment or decision, they *forward their views* to the government and to the communicant. These excruciating euphemisms need not have prevented the HRC from developing into a powerful, quasi-curial body, delivering well-reasoned and intellectually respectable decisions. But throughout its history it has become submerged within the UN culture; starved of funds, its 'views' tend to be brief, poorly argued opinions on the facts, excessively deferential to states and quick to take refuge in technicalities as a way to avoid adverse decisions.

The HRC, CERD and several other obscurely acronymed UN organs have another familiar function: to 'monitor progress' by receiving reports at regular intervals—every five years or so—from state parties. This at least provides a public occasion at which state representatives—often minor diplomatic functionaries rather than government ministers—are politely questioned about their reports which claim, usually falsely, that 'great progress' is being made in protecting or extending the covenanted rights. There is no grilling, or any form of cross-examination: questions are very often parried by the delegate's promise to find out the answer in order to reply later in writing.

The HRC strives to avoid any criticism in its reports of the states whose records it has considered: ARTICLE 40 of the Covenant permits it only to make "such general comments as it may consider appropriate," which it generally takes to mean uncritical and unspecific comments couched in weasel words, i.e., the most appalling violations are noted 'with regret' or 'disappointment' or an 'expression of deep concern.'

The deficiencies in the UN committee system are due to the endemic failure of that organisation to allow for criticism of its own members. The question might be asked, therefore, whether or not the UN system can or cannot—by its very nature—offer satisfactory methods of enforcing human rights, because it cannot compel violating states to join its protocols.

On the fiftieth anniversary of the Universal Declaration of Human Rights, twelve million people from all over the world signed a petition presented to the UN's General Secretary, demanding that its promises be made good in the millennium.

SOME ENFORCEMENT: The only real progress pertaining to law and human rights violations was regional and confined to Western Europe, where a human rights court at Strasbourg gradually made guarantees of 'fundamental freedoms.' The human rights baton was picked up by the Council of Europe, a body that coordinated the dozen democracies in that region who were determined to resist the spread of totalitarian communism. In 1950 it promulgated the European Convention on Human Rights, which combined the civil liberties articles in the Universal Declaration with fair trial principles drawn from English common law. Its preamble describes the Convention as one of "the first steps for the collective enforcement of certain rights stated in the Universal Declaration,' although it turned, for many years, to be the only step.

It established a commission which could refer cases for final decision to a court, sitting in Strasbourg: state signatories to the Convention had a duty, in the event of any adverse judgment, to change their law to bring it into conformity with the Convention.

This was certainly revolutionary enough: it was the first time in history that states were prepared to give an external court a treaty power to *require* changes in their domestic legislation.

But there was a provision even more revolutionary: Under ARTICLE 25 of the European Convention, "any person, non-governmental organisation or group" could petition the Commission alleging a violation of their rights, and if the Commission agreed with them then it could bring their case before the European Court. States which accepted this 'right of individual petition' would in effect be giving their citizens the opportunity to bring *them*—or their own law or court decisions—before the bar of international justice.

The European Convention was something of a marvel at that time, 1953, when it entered as a legal bulwark against the resurgence of civil rights abuses. However, it took several decades before the European Court made its presence felt, largely because governments delayed in accepting Article 25 and refused to complain about each other. After the mid1970s, however, the court at Strasburg grew in business and in reputation, so much so that it was besieged after 1989 by newly liberated eastern European states clamouring to be admitted as members. It now lays down quite sophisticated human rights standards for forty-one nations—from Iceland to Turkey, from Latvia to Malta—through well-reasoned decisions which have made governments change domestic laws in all these countries. Governments can formally 'derogate' from the Convention rather than accept an adverse decision; however, compliance is normal and the quality of the human rights law emerging from the Court in Strasburg is relatively high. State parties comply (albeit sometimes not quickly enough) with its rulings, even though they generally require legislation or some restructuring of the domestic legal system. It has now become a constitutional court for the whole continent. That does not, of course, mean that its decisions have always been correct or its approach beyond reproach. But the European Court of Human Rights has become the model human rights court; proof positive that international law can work to enforce fundamental freedoms across a swathe of countries with differences in culture and traditions.

THE STRUGGLE: The movement for global justice has been a struggle against sovereignty—the doctrine of non-intervention in the internal affairs of nation states asserted by all governments that have refused to subject the treatment they mete out on their citizens to any independent external scrutiny. That it will remain a struggle well into the millennium is clear from the behaviour of the United States, in voting against the creation of an International Criminal Court, out of an arrogant concern that it may one day take jurisdiction to try an American alleged to be a war criminal.

If there was ever a signal that the US government is out of step with the rest of the world, then it is to be found in this factor. For nearly fifty years, the tensions of the Cold War froze efforts to build on the Nuremberg precedent. A squeegee man on the streets of New York City stood a better chance of being punished than did a genocidal killer or a big-time war criminal.

Yet Washington is profoundly ambivalent about this new justice system, despite the system's great promise. On the one hand, the US government has been the principal supporter of the new methods. On the other, it has done everything it could to prevent country-specific precedents from being built upon to create a legal system that might extend globally and thus impact US military commanders or internal and foreign affairs.

In July 1998, the governments of the world gathered in Rome to adopt a treaty for the establishment of such a court: the International Criminal Court (ICC). The court was endorsed by 120 nations, including virtually all of the world's democracies. But

Washington was in an uncomfortable minority of seven that opposed the court, along with such committed 'defenders' of human rights as China, Libya and Iraq.

Since the ICC would create a permanent forum to try cases involving charges of genocide, crimes against humanity, war crimes and crimes of aggression, then a reasonable mind would think that if the U.S. has no intention of committing any of these crimes then it would have nothing to be concerned about.

However, Washington claimed that its opposition was due not to disagreement with the goals of the ICC but to fear that the court could be misused to launch unjustified, politically motivated prosecutions of Americans. But the court's statute contains numerous safeguards against unwarranted prosecutions, including several inserted by the US delegation. Most important is the principle of "complementarity," which deprives the court of jurisdiction just so long as a national government conscientiously investigates and, if appropriate, prosecutes any of its citizens accused of these serious crimes.

Once Washington's excuses and justifications are peeled away, what remains is its naked unwillingness to subject its citizens to the emerging international system of justice, regardless of how reprehensible their deeds may be. For some on the right wing of the American political spectrum—the Jesse Helm school and indeed, even the current Administration—arrogant nationalism lies behind this rejection of international justice: they simply refuse to countenance any international or foreign tribunal judging US conduct.

Either way, most other governments naturally do not accept a conception of international 'justice' that applies to them but not to the United States. The nationalistic rejection of international justice is dismissed as the worst of American parochialism and provincialism. Although the ICC would clearly be a stronger institution with US support, it is not an indispensable member of the new court. Sixty governments must ratify the ICC treaty for the court to be established. Already, over ninety governments have signed the treaty, and ratifications are proceeding apace. Among those likely to ratify the treaty are many countries with substantial economic and military resources to give the court the backing it will need, including the entire European Union. But the US government, with its considerable international clout, could still make life difficult for this fledgling institution.

As these ideas gain a global following—and they inevitably will—the United States risks more than diplomatic embarrassment and isolation by failing to embrace them. It risks being on the wrong side of an historic evolution of the defense of our most basic and *universal* rights.

President Clinton eventually signed the ICC treaty in December 2000, but it was never sent to the Senate for ratification. The current United States government will now notify the United Nations that is has "no intention" of ratifying a treaty establishing the International Criminal Court and no longer considers itself to be bound by provisions of the pact. The U.S. is also engaged in renouncing and retracting its signature from the 1968 Vienna Council on the *Law of Treaties* in which nations agreed *not* to undermine Treaties.

Does the spiritual future of humanity still lie in that cherished land of liberty? It is perhaps this sensed destiny on the part of much of the world as they sadly (or madly) cast their eyes to the land guarded by 'Lady Liberty' with a subconscious but felt view, that

the US is failing to meet its destiny, that it does not really have the *courage* to do so, and that perhaps 'the world' still has yet to wait for the US to grow out of its adolescence, internal bickering, and defensive, over-sensitive reactions to world views of itself before it can more truly fulfill its world responsibility. It is isolating itself from the world and will in turn, eventually be ignored and isolated by it.

Liberty is a thing of the human soul and is found throughout the entire human race. Civilisation is a *universal human right* and not the prerogative of one nation. Humanity is now everywhere spiritually minded and the new race and the coming civilisation and the new age culture will be found throughout the world—the *universal inheritance* of the human race.

But everywhere, humanity is the victim of propaganda—a propaganda that can only be seen in its true light when people *think* in terms of human liberty; when they *together* take the needed steps to ensure human happiness and learn in so doing to face world conditions *as they are*, not hiding their heads in a dream world of their own making.

"The true nature of cosmic evil finds its *major* expression in wrong thinking, false values and the supreme evil of materialistic selfishness and the sense of isolated separativeness. These (to speak again in symbols) are the weights which keep the door of evil open and which precipitated upon the world the horrors of war, with all its attendant disasters." *(Rays and Initiations, p. 755, Appendix)*

Thus we are faced with the primary factors upon which we must "seal the door," and as it is we [humanity] who have opened it wider over the past two thousand years, then it is us who also have to close and seal it. What are these primary factors:

a. wrong thinking,
b. false values,
c. materialistic selfishness,
d. sense of isolated separativeness.

These may be said to be the four arms of the cross upon which the soul of humanity is crucified today, and if we look at the root of many of the problems facing us *right now* then we will find one or other of these "weights" as its cause. These weights keep the door open to *cosmic* evil, not the innate tendency to selfishness committed by everyone every day, for that lies in the very substance of the material out of which forms are made and provides us with a needed opportunity to handle and control and thus gain mastery. Humanity's cumulative selfish, evil deeds over millions of years created a *pathway* to the "door where evil dwells"; but because we have not sufficiently and collectively chosen to exert ourselves in this redemptive activity, because we have permitted ourselves to be controlled by that which is material, because of the prostitution of religion to material ends and narrow theological and mental tenets, because of the repudiation of the Hierarchy by the bulk of humanity, and because of the relatively recent and greatly increased mental development: then the Hierarchy itself has been forced—much against its will—to withdraw some measure of its protecting power (though, fortunately not all). The way to the "door where evil dwells" was unimpeded (for already a pathway had been constructed over millions of years) and humanity opened wide the door.

Perhaps we can begin to gain an insight into why it is now called the 'battle of the minds' and why it is therefore so important to train ourselves in the laws of thought and to cultivate the reasoning powers of spiritual logic and right thought. The spiritual

Hierarchy have dominion down to the third subplane of the mental plane, the planes of the Egoic Body; the Dark Lodge rule from the lower subplanes of the mental plane down into the three worlds. The 'midway' point [of spiritual tension] is the bridge—not only to be crossed from the lower to the higher—but more importantly along which the higher descends into the lower and establishes a spiritual imposition upon the lunar 'agitators.' It is for us to prepare the form for the descent of the spirit aspect; thus, in this paper there has been an attempt to give us a sense of the long travail of the descending energies pertaining to one of our fundamental purposes—to establish *brotherhood* upon the earth—and the kind of blockages that they encounter along the way: all taking the form of the conceptual limitations of the particular circumstances and time. The spiritual *idea* is brotherhood (now taking mental form at this time and necessarily being established on the plane of mind); the *ideal* is held before us as *right human relations*. The *idol* is an ideology about this ideal that becomes an end in itself, instead of a means to an end—that is *illusion*. Hence, the current "propaganda war." Ideas are dinned into the ear of the public day after day through the media without cessation: theories as to democratic ideals, nationalism, 'patriotism,' religion, methods of rule by this or that group of thinkers—and almost all through propaganda of some kind, so relentlessly so that the public are left with no time for consideration or for clear thinking. The powers on both sides now have for their objective: *your mind*. If you do not use it you will lose it; one or other side will take it—more likely the 'darks.'

By what redemptive force can these four arms be *morally* opposed?:

a. *freedom* of speech and expression,
b. *freedom* of every person to worship God in his own way,
c. *freedom* from want,
d. *freedom* from fear,

. . . the *Four Freedoms* presented to the world by F.D.R. "The *Atlantic Charter* and the *Four Freedoms* . . . embody all that it is possible for average materially-minded man to grasp of the present *will of Shamballa* as it conditions the plans of the Hierarchy . . . "

There is much talk in the world today of 'evil,' along with all the warring factions pointing self-righteous fingers and denouncing each other as the "evil-one" or the "evil-doers." But, consider D.K.'s words in the Appendix of *Rays and Initiations*: " . . . the problem of evil is too difficult a one for the average man to grasp. The problem of the Hierarchy (if I may put it both accurately and yet symbolically) is to liberate the good, free the beautiful, release the true and 'immure in prison under seal' that which is not good, that which breeds ugliness and hate, and that which *distorts the truth* and lies about the future."

These points are of much importance to us now, for consider another instructive warning of D.K.'s in a letter of March 1945, which sounds as if it could have been written today: "For long, these evil forces have used psychology in order to reach the ends they had in view and have used it with amazing success; they are still using it and can be depended upon to employ its methods to the uttermost. They use the press and the radio [and today the television. K.B.] in order to distort human thinking; they present half truths, impute false motives; rake up past grievances, foretell (with foreboding) imminent difficulties; they foster ancient prejudices and hatreds, and emphasis religious and national differences. In spite of much shouting, demanding and proposed organisation,

there is no truly free press anywhere; particularly is it absent in the United States where parties and publishers dictate newspaper policies. . . . The main reason that there is no really free press is based on two factors: first, the fact that humanity is not yet free from its pre-determined reasonings, its basic ignorances of factual history, or of nations and their psychology; humanity is still controlled by racial and national biases and by prejudices. Secondly, the fact that all this is nurtured and kept alive by the forces of evil, working upon the inner side of human affairs and dealing mainly with the psychological angle because it is so exceedingly potent. . . . they will seek to offset the work of the Hierarchy, to hamper the activities of the New Group of World Servers and to cloud the issues involved to such a degree that the men of goodwill everywhere will be bewildered and will fail to see the clear outlines of the factual situation or distinguish between what is true and what is false. Forget not: the forces of evil are exceedingly clever . . . "

We are not suggesting for one moment that much progress has not been made over this past period since the close of the Second World War, because it most certainly has. But such would appear today that little has really changed as it pertains to these underlying four factors that try to keep humanity nailed to the four arms of the cross of *cosmic* evil. The same 'salad ingredients' exist; they are disguised by the 'blessing of the dressing,' i.e., the 'salad dressing' of propaganda.

That said, *realpolitiking* these days must take human rights into account, even if only because CNN viewers cast votes. In 1980 CNN began satellite transmission across state borders. It is impossible to underestimate the importance of this global communications network. Daily pictures of civil rights atrocities beamed simultaneously into the living rooms of the world rapidly moved people to anger and a feeling of solidarity with the victims. The mass struggle for human rights began to succeed in the 1980s, not because its rules were enforced, but because they existed and were better known. This was a consequence of the communications revolution, which showed to citizens in the West, and increasingly in the East, pictures which moved them to pity, and then to anger about the inability of politicians to stop state-sponsored killings, and thus, people everywhere began to *demand* that these rules protecting human rights *should* be enforced. Since 1981, a new keynote entered into the esoteric thrust to the consciousness of the race, resulting in a mass response and a global movement of people everywhere taking the responsibility upon themselves for the emergence of a universal civilization—as set down in the UN Declaration. Now today, there are dozens of twenty-four hour networks dedicated to nothing but global news, making it possible for many people from all walks of life to take part in the global debate, and although one could find fault with many points and annoying things about these networks, the net result is good indeed.

There are now dozens of overlapping human rights treaties, signed and ratified by most countries. The Universal Declaration can be said to be now more truly 'universal' in the sense that almost every country is a member of its declaratory body: the UN. Its offshoots, the twin Covenants, have been ratified by over 140 countries in the world. Treaties such as the twin Covenants do not become part of the municipal law when the state *signs* them—this is an act which has no real legal significance. What matters is the subsequent act of *ratification*, the formal act by its executive governments by which the state agrees to be *bound*. But the very fact that most constitutions of civilized states now incorporate bills of rights which recognise many of the civil liberties in the Universal Declaration provides a powerful argument that these liberties have 'ripened' into

international law. But international law, unlike municipal law, cannot be said to 'rule': it lays down a standard which independent states may in practice ignore, and often do, without suffering anything more than diplomatic embarrassment.

I have presented much in the way of the evolving nature of law—as it is understood in common parlance—in this paper because we are told that the foundation for the new world order and civilisation is vested in *education, law* and *government*. Therefore, what has been presented herein is simply 'brain fuel,' i.e., it is designed to help us think and to give some anchor in the physical brain upon which to build. Many of us are aware in plenty of the platitudes of the spiritual teachings pertaining to that which is intended to be materialised; but we often lack the 'brain fuel' of what actually exists—as it pertains to "the way the world turns"—and thus often do not have sufficient power to make the connecting threads of light from cause to effect. Thus, we are often given to reciting platitudes but stand bewildered as to confronting the problems that prevent their materialisation. It is hoped that because just about all who will read this paper embody more or less the 'spirit' of brotherhood that we can also come to understand more definitely the problem of its 'descent' as it contacts the density of the realm of mind: concrete mind.

In the case of each of these three points of establishing the foundation, the main problem is to found in the wise use of ideas. In the department of religion and education the power of the written word, of the printed page, is felt. We are told that the Aquarian type will take the new ideals and the emerging ideas and—in group activity—materialise them. It is with this concept that the education of the future will work. The Aquarian person will bring into manifestation great ideals, because the channel of contact between soul and brain, via the mind, will be steadily established through right understanding, and the mind will be used increasingly in its dual activity: as the *penetrator* into the world of ideas, and as the *illuminator* of life upon the physical plane. This will ultimately produce a synthesis of human endeavour and an expression of the truer *values* and of the spiritual realities such as the world has never yet seen. The *keynote* of the new education is essentially the right interpretation of life—past and present—and its relation to the future of humanity. The goal of education is *enlightenment*.

Law is essentially the circumscribed expression of the extent of the liberty of the life aspect within the form. Esoterically law is the *effect* of a greater Life upon the lesser lives within its circumference. Within this circumference there is a limited free-will, but not an ultimate one. The Adept *is* what He is because He cooperates with the law, i.e., the laws of the solar system and of the various planes of manifestation. The disciple learns to cooperate with the law and imposes rules upon himself in order to train himself to do this. The first law he runs head on into is the *Law of Forms:* the *law of karma.* The 'world' slowly learns to adjust itself to this primary law. It is inescapable. The objective of 'common and international law,' as perhaps we have seen through this paper, is the attempt to circumscribe universally recognised wrong activity that has led mankind again and again through the agony of devastating wreckage and suffering, whereby the life within the form may gradually become ever more liberated and enjoy "the pursuit of happiness," which is presented in the Buddha's Noble Eightfold Path as "right rapture, (or true happiness)."

In the department of politics (which is the lower expression of the first ray method, along with modern diplomacy) it is the power of speech which makes itself felt. The

masses are swayed by their orators, and never more so than now through the use of the modern forms of media or telecommunications. The higher mode of teaching truth upon the first ray is given as that of "the science of statesmanship, of government." Right here again, then is another point for discussion and definition. What is the difference between "statesmanship and government" and "politics and modern diplomacy"?: the higher and lower aspects of the first ray method for teaching truth. We are told in *DINA II* that "the political regimes of the world need orienting to each other; it has never been the divine plan that all nations and races should conform to some standard political ideology or be reduced to a uniform general form of government. Nations differ; they have different cultures and traditions; they can function adequately under varying and distinctive governments; nevertheless, they can at the same time *attain unity of purpose*, based upon a genuine desire for the true welfare and progress of all men everywhere." The new world order is being founded upon the recognition that all men are equal in origin and goal, but that all are at differing stages of evolutionary development. The *ideal* is that personal integrity, intelligence, vision and experience, plus a marked goodwill, *should* indicate leadership. That has yet to emerge, and at large, humanity has yet to make definite *educated* decisions about whom they vote for. The new world order will *not* impose a uniform type of government, a synthetic religion and a system of standardization upon the nations. These are the fear taboos that have consistently governed US responses to any genuine progress towards *unity of purpose;* they cannot seem to make a true distinction between the *sovereign rights* of each nation—which will and are already recognised by much of the world, as they pertain to the peculiar genius, individual trends and racial qualities that must be permitted full expression—and the interpretation of 'sovereign' as separative and isolated. So it is right here and in this topic, among other factors, that all participants in this meditation work are invited to think and to discuss it with each other. This has been one of the major stumbling blocks to a greater world unity; not only on the part of the US (though they are among the most belligerent) but also by many other nations. What constitutes true *sovereignty* and how should it exist according to the Hierarchical designs for a greater world unity? The Hierarchy will never interfere with the fight or struggle within any nation to win freedom for itself or with matters of its own self-determination. But, now that we have a "Universal Declaration of Human Rights" where is the line to be drawn between a genuine struggle for freedom and independence from tyranny, and human rights abuses and atrocities? What should the world do in the case of the latter? The *keynote* of the new science of politics and of government will be *right human relations.* How are we doing?

The *keynote* of the new religion must and should be right approach to Deity, transcendent in nature and immanent in man.

In one field only should there be the attempt to produce a unity of approach, and that is in the field of education—in its true sense and not as a form of propaganda. In order for the foundation stones of the new world structure to be true and duly laid, *that* of education must prepare the child.

One truly frustrating factor to the preparatory period for the new world order to emerge, was that there was intended to be a steady and regulated disarmament. D.K. earlier said, "This will not be optional." That is a very decisive statement, and was also set forth in both the *Four Freedoms* and the *Atlantic Charter*. It simply has not

happened, and the current trend, particularly in the US, is getting even worse, undoing decades of nervous and excruciating work and fostering upon the world a recapitulation of the earlier tensions. The spending of money on killing machines is a definite evil. It eventually leads to economic collapse. In setting forth the spiritual premises for a new world order after the war, D.K. itemised: "In the preparatory period for the new world order there will be a steady and regulated disarmament. It will not be optional. No nation will be permitted to produce and organise any equipment for destructive purposes or to infringe the security of any other nation. One of the first tasks of any future peace conference will be to regulate this matter and gradually see to the disarming of the nations."

FORCES BEHIND THE EVOLUTIONARY PROGRESS OF THE RACE: MEDITATION FUEL

And now, a rest for the weary brains that have continued with this paper thus far (and for which I thank your patience), and the attempt to lift the consciousness into a greater light that has definite significance pertaining to our meditation work together. Everything in this paper is subordinated to helping us understand more clearly the theme of our meditation work, "The Principle of Directed Purpose." That theme should engage us together for some time to come. The following quotes from D.K.'s letters are therefore here inserted to help us gain insight into possible questions that we might have, and to indicate lines of thought direction to be applied during the meditation work.

I have attempted an historical review of the past eight hundred years of modern history, only as it pertains to this attempted descending pattern or design of an intended world structure in order to give us a sense of the duration over which this single potency is attempting precipitation. It is probably full of holes (and I am sure that you can fill them in) and it gives the commonly viewed exoteric sequence because it is presumed that you all know what it is that is spiritually trying to *get through* or *emerge.* It thus deals with our [humanity's] reactions to this emerging idea. One could simply say, the objective is brotherhood; the obstacle is selfishness: and that just about sums it up. But it can then all too easily evaporate into another platitude, announced from the armchair perspective. If you are a disciple, you *do* something. This paper is an attempt to help us identify the fact that we are—one and all—in the thick of it and that we all have a responsibility for helping to find solutions to current problems. If one is a disciple, yes it is true, one monitors and continues to work at the inner discipline, preparing for that individual but spiritual 'next step ahead'; but, if truly a 'disciple' then one also is engaged in the Hierarchy's work upon the earth, which, at this time, is in helping to prepare the form [of humanity] for the descent of the spirit aspect. The work of the antahkarana and all the marvels of the teaching that we love constitute the *inner* training, and, for instance, in such a group as AUM that comprises the inner work of the Lodge; but the inner training must find outer expression, otherwise it is useless. Service is essentially of two kinds: there is that spontaneous and loving expression of the soul in daily living; and there is also the work of planned service, in group formation and having definite objectives for the welfare of others. How that takes form must emerge according to inclination, and one associates oneself with those of similar skills, interests and objectives with whom one feels most compatible.

The following notes from D.K. are therefore given to help stoke up the fuel of the mind and soul, so that the fires of sacrifice and selflessness may inspire us to participate in the *resurrection* of humanity from off the cross . . .

From a letter of August 1941:

"The meeting upon the ocean of the two world disciples and leaders marked a crisis in world affairs. The Eight Points [of the Atlantic Charter, see accompanying paper] formulated by them constitute the basis of the coming world order. They were necessarily large in outline and without details as to application. It will be for a liberated humanity [from the war] to work out these details, to make the necessary adjustments, and to so re-arrange human life that the higher spiritual values may prevail, a simpler mode of life may be instituted, and greater freedom be established, and a wider responsibility be shouldered by every man. This will take time . . . "

" . . . One thing you must constantly bear in mind. When the war is over, when this time of acute trial and tribulation has come to an end, a great spiritual awakening (of a quality and a nature quite unpredictable now) will arrive. . . . desire is, as yet, the strongest force in the world; *organised* unified desire has been the basic reason for the appalling Axis successes . . .

"The only factor which can successfully oppose desire is Will, using the word in its spiritual connotation and as an expression of the first great divine aspect. There has been but little of that organised, spiritual will shown by the United Nations (this was a name first given to the Allies by F.D.R. during the war—K.B.); the Allies are animated naturally be desire for victory, desire for the arrival of the end of this all-engulfing world cataclysm, but desire for peace and the return of stability, the desire to end war once and for all and to break its constantly recurring cycle, and a steadily mounting desire to bring to a finish the terrible toll of suffering, of cruelty, of death, of starvation and of fear which is gripping humanity by the throat in the attempt to strangle out its life.

"But all this determination is in most cases simply the expression of a fixed and united desire. It is not the organised use of the will. *The secret of the will lies in the recognition of the divine nature of man.* It has in fact to be evoked by the soul, as it dominates the human mind and controls the personality. The *secret of the will* is also closely tied in with the recognition of the unconquerable nature of goodness and the inevitability of the ultimate triumph of good. This is not determination; it is not whipping up and stimulating desire so that it can be transmuted into will; it is not an implacable, unshakable, immovable focusing of all energies in *the need* to triumph (the enemies of the Forces of Light are adept at that). . . .

"There is, however, a plus, a something else, . . . this will come through the effort to understand and express the quality of spiritual Will; it will be the manifestation of that energy which makes the first divine aspect of Will or Power what it is; it is that which is the distinctive feature of the Shamballa force; it is that peculiar and distinctive quality of divinity which is so different that even Christ Himself was unable to express it with facility and understanding . . .

"This Will force is nevertheless available for right usage, but the power to express it lies in its understanding and in its *group use*. It is a unifying, synthetic force, but can be used as a regimenting, standardizing force. May I repeat those two *key* words to the use of this Shamballa energy: *Group Use* and *Understanding.*

"The Shamballa energy is therefore that which is related to the livingness (through consciousness and form) of humanity; . . . it concerns the establishing of right human relations and is that condition of being which eventually negates the power of death. It is

therefore incentive and not impulse; it is realised purpose and not the expression of desire. Desire works from and through the material form *upwards;* Will works downwards into form, bending form consciously to divine purpose. The one is invocative and the other evocative. Desire, when massed and focussed can invoke will; will, when evoked, ends desire and becomes an immanent, propulsive, driving force, stabilising, clarifying, and finally destroying . . .

"There are two great handicaps to the free expression of the Will force in its true nature.

1. One is the sensitivity of the lower nature to its impact, and its consequent prostitution to selfish ends, . . . and its use for material objectives.
2. The second is the blocking, hindering, muddled but massed opposition of the well-meaning people of the world who talk vaguely and beautifully about love but refuse to consider the techniques of the Will of God *in operation*.

"There is only one way in which this *focussed evil will* which is responsive to the Shamballa force can be overcome, and that is by the opposition of an equally focussed spiritual Will, displayed by responsive men and women of goodwill who can train themselves to be sensitive to this type of new incoming energy and can learn how to invoke and evoke it."

And then, from the Wesak of May 1942, the turning point in the crisis, and still applicable today:

"There is an increasing emphasis being given in the West by esotericists to the Full Moon of May, which is the Festival of the Buddha and is held at the time when He makes His annual contact with humanity. This emphasis, which will continue to increase for years to come, has not been brought about in order to impose recognition of the Buddha upon the Occident. There have been two main reasons why, since 1900, this effort has been made:

1. One was the desire on the part of the Hierarchy to bring to the attention of the public the fact of the *two* Avatars, the Buddha and the Christ, both upon the second Ray of Love-Wisdom, Who were the first of our humanity to come forth as human-divine Avatars and to embody in Themselves certain cosmic Principles and give them form. The Buddha embodied the Principle of Light, and because of this illumination, humanity was enabled to recognise Christ, Who embodied the still greater Principle of Love. The point to be borne in mind is that light is substance, and the Buddha demonstrated the consummation of the substance-matter as the medium of Light, hence His title of the "Illumined One." Christ embodied the underlying energy of Consciousness. The one demonstrated the height of the attainment of the third divine aspect; the other that of the second aspect, and these two together present one perfect Whole.
2. The second reason was *to initiate*, as I have earlier said, *the theme of the new world religion.* This theme will eventually underlie all religious observances, colour all approaches to the divine center of spiritual life, give the clue to all healing processes, and—using light scientifically—govern all techniques for bringing about conscious unity and relationship between a man and his soul, and between humanity and the Hierarchy.

The first objective has been definitely reached. . . . This recognition will grow until the time in the not too distant future when His [Buddha's] term of service will be over and He will return no more, because the coming Avatar will take His place in the minds and thoughts of the peoples of the world. His task of reminding aspirants continuously of the possibility of illumination, and His work of keeping a channel open for the light to irradiate men's minds by piercing annually through light substance to the Earth is nearly completed; the time has nearly come when "in that light we shall see light."

"I would ask you to ponder on these two functions which the Buddha has performed. There is a *third*, which, in collaboration with the Christ, He has made possible; this is the establishment of a more easily achieved relation between the Hierarchy and Shamballa, thus facilitating the impress of the Will of God upon the minds of men, through the medium of the Hierarchy. This impress we interpret as yet in terms of the divine Plan. This is expressing itself at present in the keen recognition by men everywhere of the need to establish right human relations, culminating in the objectives for which the United Nations are fighting. These have been voiced for humanity by two great world disciples in terms of *The Four Freedoms* and *The Atlantic Pact.*

"These *Four Freedoms* relate basically to the *four* aspects of the lower self, the quaternary. Enough light has been permitted to penetrate by the efforts of the Buddha, to lead to a world-wide recognition of the desirability of these formulas; and there is enough love already in the world, released by the Christ to make possible the working out of the formulas.

"Rest back on that assurance and—in full practice upon the physical plane—demonstrate its truth. I said "to make possible," for the working out lies in the hands of the New Group of World Servers and the men and women of goodwill. Will they prove adequate for the task? Will they brace themselves for the needed strenuous effort?

"What now is the task which the Buddha has set Himself . . . ? As far as your comprehension is concerned, it is to evoke in humanity *the spirit of demand*, whilst holding open for them the channel whereby that demand can reach straight through to Shamballa . . . to focus their "massed intent."

Then we received notification in His April 1946 Wesak Letter of a major keynote change in the Wesak: "The war may be over in the physical sense, but great issues are still involved and undetermined and can lead either to peace or to a renewal of those conditions in which wars are generated, and which—once generated—cannot be avoided. . . . It is with these factors in mind that we approach the next two great Festivals: the Wesak Festival and Christ's Unique Occasion. . . . 1946 marks the beginning of a cycle in which humanity is more closely involved in the Festivals than ever before . . . the Wesak Festival has long been kept in many countries and—as time goes on and the instruction of the masses proceeds—the meeting held at the time of the May Full Moon will assume great importance, but *its keynote will be changed*. What the new keynote will be has not yet been announced and will not be for thirty-five years."

That brought us to 1981. In the eighties, thanks to the telecommunications revolution following after the Shamballa Impact of 1975, the *mass* of humanity began to assert itself and *demand* that governments abide by the treaties and declarations to which they had pledged.

Continuing back in 1946: "Such great progress has taken place in the spiritual development of humanity that the Buddha need no longer continue with His task unless He so desires, and then only for a period of years, known to Him and the Lord of the World. He could cease His annual contact with the Hierarchy at this time if He so chose, owing to the direct contact now established between the Hierarchy and Shamballa. This, however, He does not immediately choose to do. For a few decades longer He will cooperate with the Christ in widening the channel of contact between Shamballa, the Hierarchy and Humanity. After that, He will "proceed to His Own place" in the solar Hierarchy and will no longer visit the Himalayas annually, as has been His custom for so many centuries. The Eastern Festival of Wesak (Vaisaka) (this is different to the Full Moon in the solar month of Taurus that we have been trained to observe—K.B.) and the Christian day of remembrance, Good Friday, will fade out of the consciousness of humanity in due time; they are both festivals related to aspects of the first Ray of Power or Will, but neither of them serves any useful service today."

So here we have a distinction to make: the keynote of the esoteric Wesak (Full Moon in Taurus) has now changed because it relates humanity more directly to Shamballa, requiring not the divine Intermediary (in the same sense as previously at least). The key words in approaching the Wesak-Shamballa approach are to be found in its *Group Use* and *Understanding*; and the invocative *"spirit of demand"* perhaps characterises the technique to be employed. A new emphasis will begin to emerge in connection with the Festival of the Lord Maitreya, the *Coming One*, at the Full Moon in Gemini, and hence that is why we convened our *Maitreya Sangha Conferences* at that time.

The effort to utilise the power of sound and of thought is being undertaken through the use of powerful mantrams such as the Great Invocation. The art of invocation as a science should still receive attention: it employs the *dynamic will* and the *focussed mind*, and is intended to evoke response from the Forces which will condition the new world. A *focussed will* or *intention*, a *convinced mind*, a *dedicated desire* and a *planned activity* are essential to success.

And now, on to even deeper things . . . : "There is a definite distinction between Purpose and Will; it is subtle indeed, but quite definite to the advanced initiate, and therefore the dualistic nature of our planetary manifestation and our solar Expression appear even in this. The Members of the Council at *Shamballa* recognise this distinction and therefore divide Themselves into two groups which are called in the ancient parlance: *Registrants of Purpose* and *Custodians of the Will*. Will is active. Purpose is passive, waiting for the results of the activity of the will. These two groups are reflected in hierarchical circles by the *Nirmanakayas* or the Planetary Contemplatives, and the *Custodians of the Plan*.

"The function of the Registrants of the Purpose is to keep the channel open between our Earth, the planet Venus and the Central Spiritual Sun.

"The function of the Custodians of the Will is to relate the Council, the Hierarchy and Humanity, thus creating a basic triangle of force between the three major centers of the planetary Life. This is the higher expression (symbolic, if you like) of the six-pointed star, formed of two interlaced triangles.

"A replica of this fundamental triangle and of this symbol of energy, with its inflow and distribution, is to be found in the relation of the three higher centers in the human

being—head, heart and throat—to the three lower centers—solar plexus, sacral center and the center at the base of the spine.

"The Science of Invocation and Evocation is also seen to be symbolically proceeding along evolutionary lines. Worship, the attitude of the mystic, must give place to Invocation in the man who knows he is divine. This symbolic revelation is to be seen in the lifting up of the three lower energies and their evocative response to the three higher, thus producing an eventually unity at the point of tension. . . . these will be grasped and mastered by each one as he proceeds along the Path of Discipleship and submits to the needed training for initiation. They will also be mastered, later in this century and in the next, by the rapidly developing humanity, thus demonstrating that the *initiation of the moment* becomes the past achievement of the masses eventually.

"This enhanced liberation will later appear as a definite result of the war. The *Atlantic Charter* and the *Four Freedoms*, formulated in the tension produced by the world agony and strain, are the reflections of this, and embody all that it is possible for average materially-minded man to grasp of the present *will of Shamballa* as it conditions the plans of the Hierarchy and is impulsed by the Registrants of the Purpose. . . .

" . . . The Science of Invocation and Evocation is primarily a great and scientific activity of which modern humanity knows practically nothing, but which is related to thought power and to thoughtform building . . . the true significance of this emerging science is that, in the early or first stages, *it embodies the seed concept of the new world religion*."

I am done!

It is not possible for us to undertake the reformation of the UN or the resurrection of the entire planet! There is, however, much that we can do along the line of interpretation of ideals, of unifying and strengthening each other, and other individuals and groups. And we can generate the power of the meditation work.

Make a close study of this paper and use it to generate discussion between you in your groups.

Make a close individual and group study of the *Four Freedoms*, the *Eight Points of the Atlantic Charter*, (and the eight points of the Buddha's Noble Middle Path), and the *Universal Declaration of Human Rights*. These three are supplied in an additional paper. The objective is that the members of this group can soundly envision the freedoms of the New Age, and can therefore think clearly, teach these ideals correctly, and aid in this main world objective. It is not necessary to know all the details I have outlined in this paper. The main objective, as mentioned before, is simply to cause us all to think. The main principles are embodied in these three important documents. One could also consider them from the point of view of the *Four Freedoms* pertaining to the mind or will aspect of the personality of humanity; the *Atlantic Charter* relating to the desire element of humanity (signed on the seas the "Atlantis Sea" at that); and the *Universal Declaration* pertaining to the *working out* of the injunction by the will, working through the desire

nature, within civilisation throughout the globe and on the physical plane. It is a "bill of rights" for a global civilisation.

When we 'breathe out' these freedoms as light onto the various planes in the meditation, the *first* brings in the era of universality and synthesis, with its dualities of recognised relationships and responsiveness.

The *second* inaugurates the era of light and the free control of the astral plane; this freedom will be brought about when "right observation" takes the place of the disturbed vision of the present, and glamour will be dissipated through the "right direction" of the light of the soul throughout the plane of illusion.

And the *third* carries the initial impulse through "into the light of day," to bring the physical world into a condition whereby "the healing of the nations through the arising sun of righteousness" will become possible.

Make an attempt to have the Universal Declaration caused, "to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of country or territories," just as its preamble says . . . and especially if you have children at school-age, insist that this be done in their schools and universities.

The strength and usefulness of our work together will depend upon the inner union and love with which we work together, offsetting all personality reactions. We should help each other on all levels where help is needed. Let us work silently as the Hierarchy works—impersonally and behind the scenes. Let us draw upon all available spiritual resources, dedicating all we have of our mental, emotional and material reserves to the work of helping others, and let us help them know, past all questioning—because "so far as our daily life within the world, and our service to the race will proclaim it,"—that the Hierarchy approaches and is near . . . Let us go forward with every optimism for the future and with vision, for "where there is no vision, the people perish," and with the new keynotes of Strength, Beauty and Joy!

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By the way, I cannot claim responsibility for all of the thoughts and words expressed in this paper. I have simply drawn from many (numerous) sources and organised the sequence hopefully into a stream of thought with connecting threads and commentaries that are perhaps useful for us in order to enhance the meditation work. I simply studied all of the treaties, documents, charters, papers and archives mentioned in this paper, as well as papers and books on law written by enlightened lawyers. We often read of these various documents, and maybe even evoke them by name, but there also exists a pervasive ignorance pertaining to much of what is actually in them, and so I just tried to help fill in a few possible gaps. That is all that I have done, my friends, no other claim have I. I share with you the results.