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Cause of USA Meltdown and Collapse of Civil Rights

by Denis Rancourt / September 7th, 2017

SUMMARY: Societies of social animals, including humans, are dominance hierarchies. Civil rights are codified in law to protect mechanisms of essential counter measures against excessive exploitation of the hierarchy by elite classes, which destabilizes the entire society. Systemic pathology arises when elite classes can change the regulatory codes themselves, including civil rights protections, with impunity. Laws that quash civil rights are pathological in that they impede the system-repair mechanisms that are: free expression, free association, class opposition, and negotiated structural adjustments (otherwise known as democracy). Present anti-speech laws are extreme examples of pathological laws, the application of which is a measure of the degree of totalitarianism in the society. The history of the USA of recent decades is an eminent illustration of the concepts.

The USA meltdown has been decades in the making and is the collateral result of an elite predation that has degraded structural elements needed for a healthy and resilient nation.

The aftermath is “too much regulation at the bottom, not enough at the top”: a pathological legislative and institutional structure in which elite interests have too much freedom to challenge and exploit democratic nation states, whereas middle, working and professional class actors, including small and medium-size private business, are economically, ideologically and politically constrained and suppressed to an excessive degree.

It has been a class war in which the predatory classes have barricaded themselves while inflicting humiliating defeat and loss of power, purpose and identity on the lower-stratum classes, which are incited to fight among themselves within the confines of new rules and the guarded illusion that these rules are an actuation of natural order.

In this way, personal and community motivation and inventiveness are sapped. The very motor of a vibrant modern society is jammed and the entire system becomes a system of debt-ransom extraction and management of globalized exploitation for the benefit of a secluded elite.

In this emergent system of excessive class exploitation, civil rights that protect critics and organizers become a threat against the exploiters rather than needed protections of personal and community emancipation that sustains economic production and innovation.

Allow me to explain, starting from fundamental considerations.

Arguably, the most fundamental statement that a social scientist can make is that humans interact by both violent and non-violent means, both individually and as groups, to establish and maintain societal dominance hierarchies. Call it by any name (tribalism, capitalism, socialism, totalitarianism...) humans always establish, maintain and grow dominance hierarchies, using whatever technology of the day.

The political end-point concept of “anarchy” is the theoretical absence of dominance hierarchy, which has never been ideally achieved and which is evidently unstable against growth of and replacement by dominance hierarchy. The reality of social animals is dominance hierarchy, which spontaneously adapts itself to environmental conditions and to the population size, while integrating accumulated knowledge and technological advances.

Within a dominance hierarchy (within a society), the essential counter against destabilizing excesses of dominance is push-back from individuals and groups — engendered by the individual desire for life, freedom and local influence — which acts in every stratum of the hierarchy.

In historically recent human societies, essential push-back is formalized with written laws that protect the individual against dominance encroachments that would be so severe that they would threaten hierarchical stability by increasing the potential for rebellion. These laws were at times deemed to be God-given and are now referred to as “civil rights”. They include both: (1) protections of the individual and of the nuclear and extended family against arbitrary attacks by the state or by rogue elements, and (2) protections for the individual and groups to seek redress and express grievances.

All laws are evolving codes to organise, stabilize and enforce an ever changing (often growing and complexifying) dominance hierarchy. “Good” laws find a “balance” between the graded benefits of hierarchy and the stratified oppressions against individuals and groups, a balance which stabilizes the whole system against deterioration (“injustice”), complete overhaul (“revolution”), or extinction (“downfall”).

Predictably, the codes themselves are often “hacked” by upper-strata groups that are overly ambitious in seeking additional relative advantages. The hacking upper-strata groups will recklessly change the laws for their own advantage in ways that materially threaten overall stability. This produces “pathological” laws that destabilize the overall hierarchy by driving society towards an intolerable degree of totalitarianism.

A now recognized on-going example is the decades-long elite attack, by taxation and global-finance reforms, against the USA middle class, which has prematurely destabilized the USA-centered global empire and its domestic internal society. The blowback from and defences against the USA’s practice of aggressive global dominance has also contributed, where the latter practice is similarly enabled by hacked foreign-policy and global governance laws.

When law-makers themselves can be bought by selfish elites self-segregated from the broad or domestic society, it is a recipe for disaster. In the USA and Canada law-enactment errors are multiplying, and there are no substantial Senatorial safeguards. Law-makers are formed or trained into compliance by career-enabling elites, rather than informed, principled and concerned about public service. Political parties are systematically controlled and constrained by the highest hierarchical echelons, which control the economy and the media.

When the backbone structure of the dominance hierarchy is thus degraded, as with the present crisis of the middle class, there is an impulse for both societal groups and lawmakers to become frantic and for the barricaded elite to exploit and ride out the storm rather than participate in repair. Every new manifestation of rebellion is interpreted as a fire to be extinguished rather than as necessary pushback needing to be allowed to play out. Decades of built-up fuel in the underbrush and extended drought are conditions for a devastating inferno but our “representatives”

are successfully goaded into superficially addressing every new spark and violently suppressing every outbreak rather than dealing with the fundamentals.

Over decades, a complete restructuring of the relation between the state and the economy has been engineered, which, in its oppressive excesses, has led to the present crisis. The assault was accompanied by massive propaganda campaigns regarding the security benefits of government control and the welfare benefits of corporate rule. For example, predatory corporate take-over “investment” in public-service infrastructure is now presented as a good thing that should be actively sought using public funds.

The restructuring included: rolling back taxation of the wealthy while maintaining taxation of the middle and working classes, reducing or eliminating corporate taxation, increasing capital mobility, allowing investment flight, allowing infiltration of government-oversight and regulatory agencies (especially in the finance sector), gutting corporate regulatory agencies while transferring to self-regulatory models, unprecedented ideological control of professional workers in the public service (teachers, police, scientists, public servants, judges...), unrestrained lobby and think-tank influence, and unprecedented limitations (regulatory burdens) imposed on small and medium-size private businesses.

Top-level elite desires and machinations have become embedded into the very institutional structure of the economy and of the “deep state” more than ever previously. This is the result of decadal erosion of democracy and continuous increase of integration of government itself into the hierarchical power structure. The global-scale project is enabled by owned military, surveillance, communication, transportation and resource-extraction technologies; and surveillance and projection-of-power capabilities are unprecedented in history.

The resulting decadal overhaul of Western nations — in the march towards USA-centered globalism and the neutralization of Western middle and professional classes — has built-in deleterious structural features, as follows.

Mega corporations and financiers and their deep-state partners have not only militarily and covertly occupied the exploitable globe, they have also installed predation against the Western middle classes and Western public infrastructures. They have gutted mass education and maintained only elite schools for their managers and engineers. And they have gutted the Western middle and professional class mind and ethos and replaced these with canned concepts devoid of emancipating political thrust. More importantly, the educational and societal-maintenance institutions themselves have been transformed by removing professional independence and responsibility and replacing them with ideological obedience and observance of dictated think-tank-produced mantras.

The consequential suicidal pathology of the system’s operational code is twofold.

First, the new freedom and power of the USA-centered mega entities are used to eviscerate the very nation state whose structure evolved to optimally stabilize the nation-based dominance hierarchy. Even the world structures of international relations are hijacked and eviscerated to a higher degree.

Second, the middle and professional classes palpably lose many of the benefits accrued from accepting hierarchical domination, including loss of influence, and consequently suffer a crisis of identity, meaning and outlook... driven by real economic threat (loss or degradation of job and home).

Macro-economic data reveal the decadal transformation since 1980 but do not explain its source or describe its cultural, psychological and class impact. The data are generally cast as the result of an accident that can be fixed by more of the same from one of the two front parties.¹

In the real circumstances of the worsening middle-class crisis, it is natural that grievances are aired and solutions are sought to recover lost status. But at the same time, advocacy and the potential for an organized response are threats to the top-layer elites and embedded deep-state managers who have intentionally driven the system towards greater hierarchical control and increased upper-stratum gain.

That is why the system reacts by removing civil rights and sabotaging any technology or application venture that would enable communication and free association.

Whereas expression and grass-roots political response would repair the edifice, the needed remedy is aggressively quashed by those at the top who judge that the crisis is not one that can truly threaten them, is one that will dissipate with time or can be fixed synthetically, and that the distributed spontaneous solution is unacceptably risky in its potential to expose them.

There results the paradox that the system delays self-repair, builds up the pressure for repair, and creates worsening societal conditions rather than allow the proven natural remedy: free expression, free association, class opposition (based on the actual grievances rather than surrogates), and negotiated structural adjustments.

The pathology of the system in rejecting self-repair can be understood as follows.

Dominance hierarchies are both stable and evolutionarily advantageous only if effective balancing forces against creeping or runaway totalitarianism are admitted. A dominance hierarchy is doomed when its highest codes allow an elite class to have disproportionate power, including the power to modify the highest codes without restraint. In particular, in a society in which the state — controlled by an elite class — effectively has a technological monopoly on lethal force, the balancing mechanism of free expression, free association, and real influence — otherwise known as “democracy” — must be allowed.

It follows that any code that prevents free expression and free association is itself pathological. If all expression and all association are allowed, then the optimal conditions for self-repair are realized and a stable and resilient hierarchical structure will result. Since it is grounded in free expression and free association, then it will be optimally just. Justice is a thus self-organized and maintained hierarchy, not elite-given “equity” within a totalitarian matrix.

For free expression and free association to be meaningful many necessary conditions are implied: access to information, actual institutional transparency, access to the travel and communication infrastructures, absence of imposed barriers to association, absence of controls over personal choices, real opportunity for decent economic conditions that allow significant democratic participation, and the very novel concept of uniform application of just laws... Any rule that in-effect bars a necessary condition is also itself pathological.

I end this essay with a consideration of the special features that make anti-expression laws pathological, in the above sense of preventing self-repair of the societal dominance hierarchy.

The anti-speech laws, whether cast as “hate speech” criminal code provisions, or civil defamation law, or civility “codes of conduct” on campuses, have been manipulatively introduced by the elite because the elite are those most threatened by free speech and free association.

Speech is the means by which individuals use non-violent persuasion to acquire influence in society. It is the means that enables politics. In the USA, where citizens have a beneficial right even to bear arms for any required

overthrow of the government^{2,3}, freedom of expression was meant to be absolute, in that the USA constitution does not have a “balancing” clause as is common in other Western jurisdictions.⁴

Laws that enforce punishment for individual speech allegedly “causing” negative personal reactions in society at large are antithetical to democracy, and are immeasurably harmful to human emancipation and personal development. The above-mentioned examples are such anti-speech laws, notably including defamation law.⁵ They enforce punishments against individual speech that is alleged to “cause” an emotional or persuasive effect in others, which is deemed an unacceptable effect that must be targeted for elimination by state intervention against the presumed “cause”.

The said “emotional or persuasive effect” alleged to arise from the spoken words, in different laws, includes:

- being induced to feel “hate” (anger, hostility, animosity) against a group in society
- being induced to have a negative overall opinion about a specific person
- being induced to adopt an ideology or political stance deemed impermissible (“hateful”)
- being induced to commit suicide
- being induced to participate in actuating a genocide
- being induced to commit crimes of physical aggression or property damage

The underlying principle of these laws is that the person speaking words carries a punishable liability for what those words might induce in unspecified others, irrespective whether any actual physical crime occurs and irrespective of whether the words determinatively “cause” an actual physical crime. To be clear, under these laws, a judge arbitrarily (without needing evidence beyond the impugned words themselves and their method of delivery) decides whether the words induce deemed undesirable thoughts, opinions and attitudes in unspecified persons at large. Nothing else is required to establish liability or guilt, and by design it is impossible to disprove the charge, nor is an attempt to disprove admitted in court.

No matter how it may be masked with legalese or scholarly rationalization, this is precisely the nature of the anti-speech codes that are: “hate speech” criminal code provisions, anti-blasphemy laws, anti-historical-revisionism laws, anti-obscenity laws, the common law of civil defamation, and campus codes of conduct. One could add any “norms of expressive conduct” law.

For example, in defamation law, the impugned words are presumed to “cause” a low opinion of the plaintiff in the minds of unspecified others at large. In legalese: “general damage to reputation is presumed”. No causation proof is required of the claimant. Intent to harm is irrelevant (malice is presumed). No actual damage (loss of job, etc.) need be established. The words themselves as perceived by the judge are sufficient evidence. The judge must only opine, not on the intended meaning of the words, but on the meaning of the words in the mind of an imaginary listener. Such is civil defamation law, and there is no legal limit on the quantum of damages or the duration of gag orders that may be ordered under penalty of jail.⁵

These anti-speech laws, of course, are distinguished from laws that address harassment and intimidation of a specific target person (actual victim) or that address chain-of-command orders to commit crimes. They are also distinguished from the tort (law) of injurious falsehood, which “consists of the malicious publication of a falsehood concerning the plaintiff that leads other persons to act in a manner that causes actual loss, damage, or expense to the plaintiff,” irrespective of any effect on “reputation”.⁶

Thus, the anti-expression laws are eminently pathological from a systemic perspective. They directly impede repair of the dominance hierarchy, without providing any systemic benefit. They achieve this by suppressing the individual impulse to influence by communication, which is the elemental foundation of democracy.

As such, a study of the development of and pervasive use of anti-speech laws informs us both of the intensity of harmful elite efforts to protect illegitimate advantages and of the degree of totalitarianism in society. The present USA (civil) war on “hate expression” and its condoning by large swaths of society is a measure of a high degree of totalitarianism and a concomitant high degree of manipulation of public sentiment. It is an indicator of fundamental internal instability of the kind that accompanies the collapse of an empire.

1. [“Our Broken Economy, in One Simple Chart”](#), by David Leonhardt, *The New York Times*, 2017-08-07. [🔗]
2. [“Negroes with Guns”](#), by Robert F. Williams, 1962 (Martino Publishing, CT, 2013). [🔗]
3. [“How Nonviolence Protects the State”](#), by Peter Gelderloos, 2007 (South End Press). [🔗]
4. [“Towards a Rational Legal Philosophy of Individual Rights”](#), by Denis Rancourt, *Dissident Voice*, 2016-11-15. [🔗]
5. [“Canadian defamation law is noncompliant with international law”](#), by Denis Rancourt, *Ontario Civil Liberties Association*, 2016-02-01. (And published in *Dissident Voice: Part-1, Part-2*). [🔗] [🔗]
6. [“Injurious Falsehood”](#), *meconchie law corporation* (legal encyclopedia), accessed on 2017-09-06. [🔗]



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