It's Well Past Time to Talk Turkey: The Rule of Twenty-Four and the Rule of One Hundred

David D. Butler
It’s Well Past Time to Talk Turkey:
The Rule of Twenty-Four & the Rule of One Hundred

Copyright 2003, 2012 David D. Butler-Chamberlain

"Monarchy is understood in the Holy Scriptures.
You come upon it first in Judges.
Then they become Kings.”*

Introduction

In the beginning, the New World had only a handful of kings. The Holy Roman Emperor, Charles V, created his son, Philip, King of Chile, so he would rank equally with his bride to be, England’s “Bloody” Queen Mary. England’s Charles I, Martyr, ruled over the colony of Virginia. In Virginia, King Charles I was
a king after death: The Royal Arms remained proudly over the capitol at Williamsburg throughout Oliver Cromwell’s terrorist dictatorship.

In Hawaii, King Kamehameha IV and Queen Emma reigned and ruled from the king’s accession in 1855 until the king’s untimely death in 1864. Their Hawaiian Majesties are remembered in the Episcopal Church each year on November 28th and, hence, their story may be found in The Proper for the Lesser Feasts and Fasts, 458-459 (2003). Both the traditional and the so-called contemporary collects for Blessed King Kamehameha IV and Blessed Queen Emma remember the words of King Charles I, Martyr: “[G]rant that we, with them, may attain to the crown of glory that never fades away . . . “. 
For a time, the thin population of Canada was ruled by the French sovereign and then by the British king or queen. In 1876, not coincidentally, on the centennial of the American Declaration of Independence, Benjamin ("We authors, Ma’am . . .") Disraeli persuaded parliament to add Empress to Queen Victoria’s titles. In the 19th Century, Mexico was briefly ruled by two emperors, Augustin de Iturbide and Maximillian I. Though widely believed to have assumed the dignity of emperor, Haiti’s Toussaint L’Ouverture in his self-dictated constitution merely appointed himself governor general for life under the French Emperor Napoleon.

Tenuously a succession of tsars ruled and reigned in Alaska. Following the announcement of the Monroe Doctrine, more tenuously, Tsar Alexander I ruled and reigned over Alaska and over Fort Ross in Alta California, now on the Coast of Sonoma.
County midway between Marin and Mendocino counties. Mysteriously, at the age of forty-eight, Alexander I vanished. When his coffin was opened in the 1920’s, it held nothing. This sometime Emperor of All the Russias acquired a cult of orthodox believers in his immortality *al la* Our Lady, King Arthur, and, by some accounts, the Emperor Charlemagne, who sleeps surrounded by his knights to rise in defense of the West. “Sleepers, awake,” as J. S. Bach wrote.

Rather than immortal saints and deathless emperors, Sonoma County, California, acquired Fort Ross and the wine industry. In any case, emperors are a clean different thing from kings, emperors being both pagan and pre-Christian and post-modern and post-Christian. Even in Lotus-eating Northern California, it is well-past time, (1) as John and Priscilla Alden said in a fowl
eating culinary sense, and (2) Don Juan of Austria said in a fouled anchor geo-political sense, to talk Turkey.

Argument

I. The Rule of Twenty-Four

When I began law practice in the late 1970’s, I did a lot of criminal defense work. In an ordinary murder case, there was an idea called “The Rule of Twenty-Four.”

The idea was that the police, and, if possible, my private detective, should look for the motive for the killing twenty-four hours or less before the killing because people, even most
perpetrators, can’t stay enraged much longer. And the idea was that the police, and, if possible, my private detective should look for physical evidence within twenty-four hours following the killing because people, even most perpetrators, have the sense to throw the gun in the Raccoon River or to Ask Mama** to wash the blood-strained Levis.

Of course, these were ordinary murders, murders with boning knives taken home from the kill floor at the packing house. My 1970’s murders were about emotion, anger, words shouted in a bar or during an August picnic outside a house in a poor neighborhood, a house without air conditioning. A murder involving statecraft, revenge at the highest levels, making a statement (showing the flag), might have a fuse decades, even generations, during which slowly to smolder.
Two weeks ago Saturday, the space shuttle Columbia went down. It was intriguing to watch the mainstream media buy immediately into the federal government’s line. At nine in the morning our time – before debris fell fully to earth – the local Cable News Network affiliates solemnly pontificated that “terrorism had nothing to do with Columbia’s destruction.”

I heard that, turned off the radio, and took my Alsatian, Icon, for a long walk in Waterworks Park. Des Moines drinks the water, much filtered, from the Raccoon River. Much filtered, it is excellent water.

The next morning, at eight o’clock our time, National Public Radio announced that Colonel Ilian Ramon, the Israeli on the Columbia, was one of the eight pilots who destroyed the Iraqi nuclear reactor in 1981. A glance at Wikipedia disclosed that
Ramon’s F-16 bore the marks of two kills on its nose. The first memorializes a Syrian fighter jet. The second commemorates Ramon’s part in Operation Opera, which took out the Iraqi nuclear reactor in 1981. Ramon was the youngest fighter pilot in Operation Opera, which put paid – for a time – to Iraq’s longing for nuclear capability. I’d call that motive.


One could envision the Register’s editorial board, their foreheads deeply etched with thoughtful furrows – though without in these politically correct days Edward R. Morrow’s trademark cigarette, - hemming and hawing, pontificating one to
another, all pretending to decide whether to rubberstamp the federal government’s lie of the day.

Of course (“It’s physical, only logical.”), the local paper’s editors drank the government’s Kool-Aid. That same morning in paragraph fifteen of a sixteen paragraph story the *Register* finally did actually disclose Colonial Ramon’s bombing of the Iraqi nuclear reactor.

By the following Wednesday, the *Des Moines Register* had reprinted an opinion piece by the ever-predictable Richard Cohen out of the *Washington Post*. The article was an elegy for Colonel Ilian Ramon. At least as reprinted in the *Des Moines Register*, Cohen’s elegy, a sloppy salmagundi of art, the Holocaust, feelings, in short, people-who-need-yadda-yadda-people, was
perfectly silent regarding Ramon’s bombing of Saddam Hussein’s nuclear reactor.

I am not enough of an amateur missile scientist to know about opportunity. I am enough of a trial lawyer to recognize motive. Edgar Allen Poe wrote a short story, “The Purloined Letter,” the point of which was that the letter in question was always in plain view on the top of a cluttered worktable.

II. The Rule of One Hundred

In the days of King Charles I, Martyr, king-ship was dangerous work. As Alfonso XIII, like Jesus, a King before birth and a
descendant of King Charles I, Martyr, famously observed, “Being a King is a dangerous profession. But it is devilishly well paid.”

Early in March, 1917, the splendid Hungarian writer Gyula Krudy asked a young Russian woman, formerly a Berlin University student, now trapped in Budapest for the duration of the First World War, “What do real Russians believe in?” “The young lady . . . whispered with a voice that trembled like the Volga mists: ‘Nothing. At most in God and the czar.’” ***


Old Europe has extra virgin olive oil: Now, Sonoma County, California, has perhaps serially monogamous olive oil. But both communities have olive oil. In old Europe Kings, emphatically
not the people, decided. Fortunate, able sovereigns took the time needed to decide correctly or paid a high price on the battlefield, the scaffold, or wandering as pretenders into death, into myth, or into both.

Today, at least in America’s school books, the people decide. The Federal judges and bureaucrats being fortuitously forgotten, the people reign and rule themselves. Thus, this is the legal visually challenged, esotropiac, ursine which we must either bear or run from.

Hence, we modern Americans, like the old kings and queens, need to be both strong lions and wise foxes. Ask yourself this: Would King Charles I, Martyr, Maria Theresa of Austria-Hungary, or England’s Elizabeth I and II simply accept the conclusion that Saddam Hussein had neither (1) motive nor (2)
opportunity to shoot down Columbia? Would any of these sovereigns buy into these two notions before all the debris from the shuttle had hit the ground?

We all saw the black map of East Texas with the red and yellow streak of Columbia, like Icarus, falling slowly to earth. In high school in California’s San Mateo County, I did drama. It is funny how words stick in the human mind: It must be like that for a dog like Icon with scents. Immediately, the map made me think of a line in Christopher Marlowe’s play, *Doctor Faustus*, “See, see, where Christ’s blood streams in the firmament.”

In order to govern ourselves, we Americans need to look. But far more, in order to govern ourselves, we Americans need to see those things at which we look. And in order clearly to see, we ought give ourselves, like the kings and queens of antiquity, like
at his best, Charles I, Martyr, more than twenty-four hours before ruling out motive in Columbia’s fall from grace.

Like the Prince of Monaco and the Pope, United States federal judges both reign and rule for life. Queen Elizabeth, the Kings of Spain, and the Japanese Emperor reign for life. Emphatically, in these times, they do not rule. The northern European kings, queens, and grand dukes, who also emphatically do not rule, tend to abdicate to their heirs apparent at sixty or so as in Holland or Luxembourg. Lichtenstein is *sui generis*: There the prince reigns and rules, but he also abdicates when old age comes upon him with its many, many qualms. The current Pope recently “accepted” the resignation of Roger Mahony, the Cardinal-Prince-Primate of the Village of Our Lady, Queen of the Angles (once, lamentably, L.A., now even more lamentably and risibly, LAX), due to the cardinal reaching the mandatory retirement age of
seventy-five for bishops. Mahony, as Cardinal, keeps his vote for any future Pope, but only until his eightieth birthday.

The Constitutional text used by Justice Marshall as a pretext for lifetime tenure is “during good Behaviour . . .”. U.S.Const., Art. III, sec. 1. That text, in turn, comes by slight of judicial hands out of the Book of Timothy in the Greek Bible as one of the qualifications for bishops. It is not in the Latin Vulgate. Thomas Jefferson thought judicial review by lifetime judges to be errant nonsense, “mere chicanery.” S. E. Morison, The Oxford History of the American People, 362-363 (1965). Nevertheless, Marshall tortured judicial review by lifetime judges out of the “good Behaviour” clause. Marshall ought to be viewed as the first advocate of the Playtex or “living” constitution. Why Americans tolerate reign and rule by lifetime federal judges is a question to be asked and, perhaps, answered more fully at another time.
But for now, it is enough to note that the United States has 875 authorized lifetime federal judges. They are chosen by the President. They are acclaimed, only once, by the United States Senate. Then they reign and rule until voluntary retirement, death, or senility grasps them in its shadowy hand, superannuated wretches, crazed by age and crippled by infirmity.

Meanwhile, the United States is fighting three wars, each with the ostensible goal of government by the people. In our homeland, however, we now have hundreds more than the handful of kings with which we started out. These hundreds of little kings spend their days counting prison beds, public school students, fire and police officers, much of it tasks which could be done by intelligent high school students.
Those familiar with a Mobius strip, a one sided figure which deceptively appears to have two sides, will recognize the scheme. You can make a Mobius strip. Take a long strip of paper, twist it once, and tape the ends together. Begin at any point to draw a line down the length of the one side. Eventually the line you have drawn will connect with its beginning.

This writer hears the rhetorical progressive leftist question, “Lamentation and auto-flagellation, what would we do without our lifetime judges? Who would control the lunatic people? What would become of our precious, our ring of power, Brown versus Board of Education, 347 U.S. 483 (1954)?”

Lenin, the terrorist and not the pop star, used to opine, “If a man says ‘A,’ he says ‘B.’” Drink the Kool-Aid of Brown, and you also imbibe the Kool-Aid of Plessy versus Ferguson, 163 U.S. 537
(1886). You also drink the Kool-Aid of bussing which gutted American cities. Belk versus Charlotte-Mecklenburg Board of Education, 269 F.3d 305 (4th Cir., 2001). If you dare, go and look at Watts today. Again, if you dare, go and look at Detroit today.

You also drink the Kool-Aid of judicially concocted (“fashioned”) employment racial quota schemes. Griggs versus Duke Power Co., 401 U.S. 424 (1971). Go to any Democrat or Republican senatorial fund raiser today. Seventy-five per cent or more of the cars will have been built by German (Mercedes-Benz, BMW), English (Jaguar, Aston-Martin, Morgan), German-English (Morris), Japanese (Honda, Mitsubishi), or Korean (Subaru) hands. It is well past time to talk turkey. It is well past time to bring the mini-monarchs of the federal bench to heel by election and term limits.
This essentially spooky charade of rule and reign by medieval kings under the label of democratic self-government reminds this writer of the single funny story in Soren Kierkegaard’s writings:

What the philosophers say about Reality is often as disappointing as a sign you see in a shop window, which reads: ‘Pressing done here.’ If you brought your clothes to be pressed, you would be fooled; for only the sign is for sale.

The uniform acceptance of the premise that “... good Behaviour” somehow really means for life by academics both legal and historical and also, admittedly, by Alexander Hamilton, reminds this writer of a line in George F. Will et al., Corn Among the Indians of the Upper Missouri, 198 (1927): “Primitive peoples have always been strongly drawn towards the worship of their principal sources of food supply . . .” Numbers 78 - 79, The Federalist Papers, 464 – 475 (ed. Rossiter, 1961).
Robert Mugabe, Idi Amin (he thought), and Hosni Mubarak (he thought) all reign and rule for life. But why do 875 American federal judges? The writer Elizabeth Kostova begins her fine novel, *The Historian*, ix (2005) with this warning to the reader: “I have learned that, in fact, not everyone who reaches back into history can survive it. And it is not only reaching back that endangers us; sometimes history itself reaches inexorably forward with its shadowy claw.”

“It shall be said at last. Hooks,” as T. S. Eliot observes, “have been baited with morsels of the past.” But Eliot makes this observation in a play, so there is another voice who also soon speaks in counterpoint: “[T]ime past is time forgotten. We expect the rise of a new constellation.” T.S. Eliot, “Murder in the Cathedral,” *The Complete Poems and Plays: 1909-1950*, 190-191 (1971). Which voice we hear is dependant on us. This writer
thinks we need to ignore the whining and the shouting of other voices, other agendas. We need to acquire the habit of looking and of seeing for ourselves, or to resign ourselves to others’ vision for us.

Richard Rodriquez titled the final chapter of his fine book, *Days of Obligation: Arguments with my Mexican Father* (1992), “Nothing lasts a hundred years.” From the Battle of Waterloo in 1814 to the Battles of the Somme in 1918, the British Empire ruled and reigned over palm and pine. Now we Americans think our empire will last a thousand Autumns, a thousand un-wearying Autumns.
Our century plus has nearly run, and we are not looking, we are not hearing, and we are not seeing. Our own senses are dead, drowned by the shouting of commercial media and by the whining of so-called public media. We are ruled and reigned over by a mob of little medieval monarchs, our attention distracted by sports spectacles at home, and wars abroad.

In 1925, the United States Supreme Court began the long march of incorporation by reference in *Gitlow versus New York*, 268 U.S. 652. On 19 April 1933, Franklin Roosevelt repudiated the gold standard: “This was the most revolutionary act of the New Deal, since it broke the implicit contract between government and public . . . that all government bonds . . . were to be paid in ‘gold coin.’” S. E. Morison, *The Oxford History of the American People*, 954 – 55 (1965). The federal judges discreetly looked elsewhere.
Adam Smith wrote “There is a great deal of ruin in a nation.”

The weight of ruin in the United States of America is being weighed, weighed, measured, measured. But, emphatically, it is not being weighed and measured by we, the people.


** The reference is to the title of Robert Smith Surtees’ fine comedic 1858 fox-hunting novel. The late Franklin Roosevelt, who hunted astride as a boy and young man, was a great *aficionado* of Surtees’ novels, allowing himself as President to re-read only one book a year. *Plain or Ringlets?*, published in 1860, is also a superbly drawn portrait of the hard riding, hard drinking, and hard courting English lower upper class.


The fall of the Iron Curtain has opened like a Faberge egg a jewel box of Eastern European literature from former Yugoslavia
and the Baltics, but most importantly from Hungary. Hungarian books, with no kinship with Latin, Slavic, or German, lay with pages uncut in great university libraries until only recently. The architect of the revelatory revolution in translation is the Central European University Press, located in Budapest, London, and New York.

The Central European University Press, like the Central European University itself, is the economic get of the financier and polemicist, George Soros. Some view Soros as an intellectual Jonas Salk, defeating crippling ignorance. Some view Soros as a factual Baron von Frankenstein, weaver of the net of globalization in which the West, caught like a dolphin in a net set for tuna, is drowning. Nevertheless, as this Republic thickens into Empire, there is a little time. R. Jeffers, Selected Poems, “Shine, Perishing Republic, 9 (1965). The translated books are there, for now, for reading and for reflection.

*       *       *

David D. Butler-Chamberlain is a lawyer in Des Moines, Iowa. He practices extensively in both Iowa courtroom and Iowa Star Chamber litigation (e.g. dissolution of marriage under Chapter 598, Iowa Code, and the “Child Abuse List” maintained by the Iowa Department of Human Services under section 235A.19, Iowa Code).
Mr. Butler-Chamberlain earned a B.A. degree at San Francisco State (history & humanities, 1973) and a J.D. from Stanford and Willamette Universities (1978). For two years between undergraduate and law school, Mr. Butler-Chamberlain operated the 30 Stockton trolley coach for the San Francisco Municipal Railroad through South of Market, the Financial, Chinatown, Russian Hill, Pacific Heights, Cow Hollow, and the Marina districts.