Fighting Terror with Terror

by Dennis Loo

"I looked at him, lost in astonishment…His very existence was improbable, inexplicable, and altogether bewildering. He was an insoluble problem. It was inconceivable how he had existed, how he had succeeded in getting so far, how he had managed to remain -- why he did not instantly disappear." Joseph Conrad, *The Heart of Darkness*

Bush and Cheney have not yet disappeared. A good thing, the White House tells us, for six years have elapsed since 9/11 without another terrorist attack on the U.S. But the absence of an attack doesn't necessarily prove their case. Eight years passed between 1993 when the World Trade Center was first bombed and September 11, 2001. How do we know then whether they're winning or losing? How do we know whether, like Kurtz in Conrad's *Heart of Darkness*, we will once again confront "the horror, the horror?"

For some time now, prominent anti-terrorism experts who served under Bush have been sounding the alarm that the White House is losing its "war on terror" and that both its offense and defense are fatally flawed. Michael Scheuer, a senior CIA analyst in charge of tracking down Osama bin Laden, the man who, of all people, ought to know, was so provoked and distressed that he left the CIA and went public - with the CIA's blessings - writing *Imperial Hubris: Why the U.S. is Losing the War on Terror*. He concludes his book with these words: "the United States of America remains bin Laden's only indispensable ally." That is not a typo. He said ally.[1]

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[1] "One of the great intellectual failures of the American intelligence community… is to assume if someone hasn't attacked us, it's …because we've defeated him," says Scheuer. "Bin Laden has consistently shown himself to be immune to outside pressure. When he wants to do something, he does it on his own schedule." (*60 Minutes* interview November 14, 2004, available at http://www.cbsnews.com/stories/2004/11/12/60minutes/printable655407.shtml.)

Clark Kent Ervin, former Inspector General of the Department of Homeland Security, who also left his post in frustration, wrote in his blog: "The full extent of our Iraq misadventure may only be known one day when an attack at home that might otherwise have been prevented is not."[2] Ervin points out in his book, *Open Target*, that the easiest way for terrorists to get a nuclear device into the U.S. is by sea and warns that only 6% of shipments at our docks are inspected. "Every year approximately nine million cargo containers arrive at American's 361 seaports from all over the world – about 26,000 a day."[3] He goes on to recount that a year after 9/11, ABC News tested how vulnerable we were to importation of a nuclear device. They transported a container of depleted uranium to the U.S. from Istanbul. Customs failed to detect the device. A year later ABC repeated the experiment, this time sending a DU (depleted uranium) device via Jakarta. Customs again failed to detect the device.[4]

Richard Clarke, former counterterrorism czar under Clinton and Bush states: "[Al Qaeda] is in many ways a tougher opponent than the original threat we faced before September 11, and we are not doing what is necessary to make America safe from that threat."[5]

The Bush White House has treated these fervent warnings the way the Greeks in mythology reacted to Cassandra's warnings of impending disasters – Cassandra was always right, but never listened to. As Scheuer, Ervin and Clarke point out, and as nearly any Iraqi or Muslim can tell us, we are creating new recruits for anti-state terrorist groups

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[2] http://opentarget.blogspot.com/, "Declare Victory and Go Home," February 13, 2007.
[3] Clark Kent Ervin, *Open Target*, NY: Palgrave Macmillan, p. 118.
[4] Ibid, pp. 118-120.
[5] *Against All Enemies: Inside America's War on Terror*, NY: The Free Press.

everyday by our policies. Scheuer reiterates this again and again in his book: it is not *who* we are that provokes Bin Laden, it's what we are *doing*.

This isn't hard to understand. Kurtz's horror is daily being visited upon Iraqis. More than a million Iraqis have died because of our 2003 invasion, a country, need it be said, that had nothing to do with 9/11, and at latest count, close to 4,000 American service personnel have been killed. As the National Intelligence Council – the CIA director's think tank - concluded in its January 12, 2005 report, our ongoing occupations in Iraq and Afghanistan have turned Iraq into a breeding ground for terrorists[6] the way dropping bloody fish heads into the ocean produces sharks roiling the waters. Scheuer, among others, further notes the disjuncture between Bush's talk of liberty and democracy and the U.S. government's unwavering support for brutal, parasitic regimes in Middle Eastern countries (e.g., Saudi Arabia) and elsewhere (e.g., Pakistan) that fuels anger in these countries and provides an ongoing, open offense and rallying cry against the U.S.

What would the average American think if Germany invaded us, using cluster bombs on dense urban areas, treating any American as an enemy and our cities as free fire zones, picked Americans up at random in the streets and tortured them, killed an equivalent number of Americans as we have in Iraq (i.e., taking out the entire population of New York City), set up permanent bases, built the largest embassy in the world on our soil, and declared that it intended to stay indefinitely? How many Americans would be waging a determined, militant resistance against our invaders and occupiers? (When H.G. Wells wrote *The War of the Worlds* it was prompted by his desire to convey to the people of imperialist countries how it must feel to be a Third World country invaded by a foreign

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[6] http://www.truthout.org/docs_05/011505Z.shtml

power. Some of the people still deluded into thinking that it's alright to invade innocent countries and okay to torture people would do well to re-read H.G. Wells' classic.)

What is Terror Anyway?

Since 9/11 Bush and Cheney have been waging a "global war on terror," but what, really, is terror? The term has been used so indiscriminately in public discourse that it needs to be given a shower, a haircut and a fresh set of clothes so that it can appear in decent company and be of some use again. *The stakes involved and the need for intellectual and emotional clarity could hardly be greater.*

Let's first consider how our government defines terrorism. Inherent in these definitions are clues to part of the problem we face as a people with this "war on terror."

The FBI defines terrorism as "the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives."

The key word in the FBI definition is "unlawful," not "coerce" or "intimidate" since governments, as well as terrorists, use force. It isn't violence, intimidation, or coercion per se that makes something terroristic. It is whether or not that force can be rationalized as lawful or legitimate. If it's seen as legitimate, then violence is not terroristic, no matter how unjust, excessive or random. The question here then is: what makes something "unlawful?" The rules of engagement for soldiers in war and the procedures promulgated by law enforcement (police, FBI, ATF and so on) are essential to legitimizing state use of force – otherwise, the public could see the actions of soldiers and law enforcement as arbitrary and capricious. The intentional irony here is that in the fog of chaos the very existence of these rules *legitimates* their violation in the breach.

Police use of force can be rationalized as being in the public interest since it's carried out under the color of law. Likewise, when military forces bomb and kill civilians in times of war we are told that war is a messy business and "mistakes" are inevitable. In the huge gray areas of real conflicts, the existence of tidy procedures provides a convenient fiction that justifies varying degrees of random savagery. Legitimacy or illegitimacy is not an inherent property of the act or acts; legitimacy or illegitimacy are subject to interpretation.

The U.S. State Department defines terrorism as "premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, usually intended to influence an audience" (Title 22 of the United States Code, Section 2656f(d)).

The State Department's definition is better than the FBI's, but it implicitly excludes state-sponsored terror since the agents of such terror are state actors.

Britannica Dictionary defines terrorism this way:

> "Terrorism**,** n. the systematic use of violence to create a general climate of fear in a population and thereby to bring about a particular political objective. Terrorism has been practiced by political organizations with both rightist and leftist objectives, by nationalistic and religious groups, by revolutionaries, and even by state institutions such as armies, intelligence…"

This is better still, but neither it nor the State Department's definition specifies that a key characteristic of terrorism is its *indifference* to the injury or death of innocent victims or even terrorism's deliberate *targeting* of innocents.

Finally, here is the USA PATRIOT Act's definition for a new crime dubbed "domestic terrorism:" "acts dangerous to human life that are a violation of the criminal

laws … [if such acts] … appear to be intended …to influence the policy of a government by intimidation or coercion."

Obviously, by this definition, any act of civil disobedience and any political protest could be readily categorized as "domestic terrorism" since they are all designed to influence the government's policy. Someone, after all, can always trip and get hurt. Lobbyists, obviously, intend to influence government policy. The PATRIOT Act's definition for "domestic terrorism" is so broad that it robs the term terrorism of all real meaning and makes it instead a catch-all label that can be used against almost any dissenters or advocates of policy that those in power do not appreciate. Environmental or animal rights activists, for example, do not target people. What they engage in might more properly be described as sabotage. Yet because a spray can might blow up while a saboteur is using it to deface a Humvee, for example, they could be (and have been) classified as "ecoterrorists" or "domestic terrorists." If truckers, to use a different example, were to engage in a strike action or demonstration in which they used their trucks to block traffic in D.C. for an hour or more, this could arguably be seen as dangerous to human life and be treated as terrorism. Indeed, a group of demonstrators in Salt Lake City a few years ago were prosecuted as "domestic terrorists" for interfering with commercial businesses retail sales on the street where they were demonstrating. Simply put, the PATRIOT Act's definition of terrorism renders the term meaningless except as an amorphous bogeyman.

Terrorism properly defined is

The systematic use of force against persons or property with the intent to induce a general climate of fear in a population in order to produce a particular political objective. Such actions are carried out with either

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> *deliberate indifference to the fates of, or involve the conscious targeting of, noncombatant individuals.*

I include the explicit mention of innocent civilians in my definition because terrorism differs from political violence in that *it is designed to induce fear by the injury or death of innocents.*

This definition has the virtue of bypassing the question of legitimacy since, as everyone knows, "one man's freedom fighter is another man's terrorist." By bypassing the question of legitimacy, it allows us to more impartially define whether something is terrorist or not. Of course, it isn't really possible to offer a definition that everyone will accept. Some people will never accept a definition that includes the actions of their own government.

War and State/Anti-State Terror

Wars are commonly depicted in bravado terms that overlook or drastically minimize any casualties, especially among civilians. Witness, for example, then Fox News' Tony Snow's cheerleading the initial quick toppling of Saddham Hussein on April 13, 2003:

> "Tommy Franks and the coalition forces have demonstrated the old axiom that boldness on the battlefield produces swift and relatively bloodless victory. The three-week swing through Iraq has utterly shattered skeptics' complaints."

The toppling of Hussein and the invasion were not relatively bloodless.

If innocents are hurt or killed or their property damaged and states are called to account for it happening, their explanations are likely to be that these acts were the product of rogue individuals, "collateral damage," or the innocents hurt or killed were being used as "human shields" by the individual(s) the state was really targeting. States

invariably respond that they had no intent to hurt, kill or damage innocents. It was accidental or unavoidable through no fault of theirs.

Of course in the course of war, even states that are being as careful as they can be and are not trying to deceive will sometimes inadvertently hurt innocents. The issue here is not individual acts then, it is one of state policy. Is the policy one that intends to do harm, or reflects utter indifference and criminal recklessness with respect, to civilians? If so, then it's terrorism.

Anti-state terrorism and state terrorism share, at a minimum, an indifference to civilians' fates and in most instances they both deliberately target civilians. The object in both cases is to strike fear in the population in order to provoke a particular political response. Anti-state terrorists intend for the fear and disruption they cause within the population to provoke the state into granting certain political concessions. In most instances, anti-state terrorists want to cause a state to be toppled. States that use terrorism intend for it to cause their opponents and their supporters to give up their fight. State use of terror is deliberately indiscriminate: you are supposed to be terrified that you or your love ones could be the next target, merely for being in the wrong place at the wrong time.

Two Sides of the Same Coin

Both anti-state terrorism and state terrorism share therefore a fundamentally identical attitude towards the people – people are political objects to be acted upon, rather than subjects to whom we can appeal. They are best moved through the generous application of fear. Anti-state and state terrorism both evidence contempt and cynicism towards people. In that sense anti-state and state terrorism are both profoundly, deeply, anti-democratic and anti-humane.

Bush and Cheney's war on terror is the obverse side of the coin from Bin Laden's jihad. Osama Bin Laden has on a number of occasions subtly signaled his pleasure with Bush and Cheney's policies. Recruiting soldiers to his jihad is far easier with Bush and Cheney in charge. Both sides of this global war on terror – Bush/Cheney and al-Qaeda – present a unity of opposites: each needs the other and profits from the existence of the other. The CIA, in fact, concluded that Bin Laden's October 2004 videotaped message just prior to the November 2004 presidential elections was actually intended to help Bush.[7] "Atiyah," a top Osama Bin Laden lieutenant, states in an intercepted Dec. 11, 2005 letter that "prolonging the war is in our interest."[8] And in May 2007 Ayman al-Zawahiri, an al-Qaeda leader, released a message stating that they hoped that American troops would remain in Iraq longer so that they can kill enough Americans to make our invasion produce changes to our policies.[9]

Bush and Cheney's approach has been to use the fear of attacks to consolidate their power and control – witness the PATRIOT Act and illegal spying - rather than to take obvious steps that would truly help make America safer, such as safeguarding port cargo security. Their priorities in response to 9/11 make it clear they are not even

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[7]Robert Parry, "Al-Qaeda's Fragile Foothold," October 4, 2006, http://consortiumnews.com/2006/071406.html

[8] Ibid.

[9] "Zawahiri expressed some mock anguish over what he sees as a too-early US withdrawal from Iraq.

"Such an action, he said, 'Will deprive us of the opportunity to destroy the American forces which we have caught in a historic trap. We ask Allah that they only get out of it after losing two or three hundred thousand killed.'" Michael Scheuer, "Al-Qaeda message aimed at US living rooms," *Asia Times*, May 10, 2007, http://www.atimes.com/atimes/Middle_East/IE10Ak08.html.

particularly interested in preventing another attack. Indeed, in recent weeks, several people who support or represent the White House have made it astonishingly clear that another 9/11 would be good and necessary because it would justify the White House's policies:

 Dennis Milligan, new Arkansas GOP Chairman: "[A]ll we need is some attacks on American soil like we had on [9/11], and the naysayers will come around very quickly to appreciate not only the commitment for President Bush, but the sacrifice that has been made by men and women to protect this country." (June 3, 2007).

Rick Santorum, ex-Senator from Pennsylvania: "Between now and November, a lot of things are going to happen, and I believe that by this time next year, the American public's going to have a very different view of this war, and it will be because, I think, of some unfortunate events, that like we're seeing unfold in the UK. But I think the American public's going to have a very different view." (July 7, 2007, speaking on the Hugh Hewitt Show).

Lt.-Col. Doug Delaney, War Studies Program Chair, Royal Military College in Kingston, Ontario: "The key to bolstering Western resolve is another terrorist attack like 9/11 or the London transit bombings of two years ago." (Delaney paraphrased by Toronto Star reporter, Andrew Chung.) **If nothing happens, it will be harder still to say this is necessary,** adds Delaney. (July 8, 2007). (Boldfacing added)

A Sacramento *Democratic* strategist, paraphrased by one of the pro-impeachment Democrats at a recent Democratic gathering, offering the following as one of the reasons why he thinks impeachment is foolhardy for the Democratic Party: "there will be another terrorist attack between now and next November…the public will run into the arms of the

Republicans as a cause of that, and … Democrats are essentially helpless to do anything about that." (July 17, 2007).

Jack Goldsmith, former head of the Office of Legal Counsel in 2003 and 2004, in his book *The Terror Presidency* quotes David Addington, Cheney's current Chief of Staff, as saying in a February 2004 meeting: "We're one bomb away from getting rid of that obnoxious [FISA] court."[10]

Or, as Nazi Leader Hermann Goring put it in 1946:

"The people can always be brought to the bidding of the leaders . . . tell them they are being attacked, and denounce the peacemakers for lack of patriotism and exposing the country to danger."[11]

The corollary to the Bush administration's rights violations and illegal surveillance at home are violations of the rules of war that amount to state terror. The U.S. military in Abu Ghraib and at GITMO and in their assault on Fallujah and Hilla, where they specifically suspended international rules of war by aiming phosphorous missiles at people and shooting at anyone who moved, rule through terror. In the case of Hilla, where they used cluster bombs on civilian areas, the object was to quickly crush any resistance to their drive to Baghdad because they did not think that American public opinion would tolerate a protracted war campaign. In the case of the siege of Fallujah, the point was to punish the people of Fallujah for their support of the insurgents.

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[10] http://www.washingtonpost.com/wp-dyn/content/article/2007/09/04/AR2007090402292_pf.html

[11] A conversation Gustave Gilbert held with Goering in his cell on the evening of April 18, 1946, recorded in Gilbert's book, *Nuremberg Diary* (New York: Farrar, Straus, 1947), pp. 255–256.

A state that uses terror reveals itself to be in a particularly precarious state. It's precarious because it must resort to means exceeding those that states normally employ in order to carry out their policies and/or in order to retain their power. This so-called war on terror cannot be won the way it is being waged. Indeed, it only guarantees the spread of anti-state terror and its growing virulence indefinitely. It's like fighting a fire by thinking that you can drown the fire with barrels and barrels of gasoline. As the conflagration grows ever higher, Bush and Cheney call out: "We need more gasoline here!"

The Bigger the Failure, the Greater Their Success

A vicious paradox characterizes this White House: the more they fail, the more they succeed in getting what they wanted all along and the more grounds they marshal and spin to justify their continued leadership. After Katrina ravaged an unprotected New Orleans, Bush stated that he wanted to see the Posse Comitatus Act overturned – the Civil War law that prohibits the use of military forces in domestic affairs. Soldiers are ill-suited by training and mission to handle domestic matters. The "grave and deteriorating" situation in Iraq where American and other forces are charged with handling domestic affairs to a large extent are further living evidence of this.

Bush got his wish in the John Warner Defense Authorization Act of 2007 that he signed into law in a private ceremony the same day he signed the Military Commissions Act of 2006 in October 2006.[12] The Warner Act, unbeknownst to nearly the entire U.S. population, gives the president the power to declare a "public emergency" and take control of National Guard Units - the National Guard is ordinarily under the control of

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[12] http://www.bordc.org/threats/hr5122.php

state governors - to conduct mass roundups, arrests and detentions. The Warner Act, in other words, is a martial law enabling act.[13] The Act calls for the president to inform a handful of members of Congress if he does declare a "public emergency" to reveal what he's doing and why he's doing it. In his signing statement, [14] however, Bush declared that he reserves the right not to tell anyone in Congress why he's declared martial law and what he's doing.

A tragically all too plausible and all too possible scenario whereby the president invokes the Warner Act would be a nuclear device being set off in a U.S. city, killing tens or hundreds of thousands immediately and endangering millions more. Bin Laden, as Scheuer has pointed out, has already received permission to use nukes.

> "You've written no one should be surprised when Osama bin Laden and al Qaeda detonate a weapon of mass destruction in the United States," says Kroft. "You believe that's going to happen?"
> …
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> "I think it's pretty close to being inevitable," says Scheuer.
> ...
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> "[Bin Laden] secured from a Saudi sheik named Hamid bin Fahd a rather long treatise [a fatwa issued in May 2003]… that [bin Laden] was perfectly within his rights to use [nukes]. Muslims argue that the United States is responsible for millions of dead Muslims around the world, so reciprocity would mean you could kill millions of Americans."[15]

What would Bush do in case of another 9/11? Imagine the chaos that would ensue after a nuclear (or chemical or biological) attack. Bush would most likely declare martial law, suspend civil rights, civil liberties, muzzle the press and, if it occurs close enough to

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[13] http://www.towardfreedom.com/home/content/view/911/

[14] http://www.whitehouse.gov/news/releases/2006/10/20061017-9.html

[15] *60 Minutes* interview November 14, 2004, available at http://www.cbsnews.com/stories/2004/11/12/60minutes/printable655407.shtml.

November 2008, quite possibly also suspend elections. The Democratic Party would undoubtedly join the chorus demanding the most draconian anti-terrorism measures possible in order to "prove" their patriotism. The country would stand "united in outrage" and at one with the martial law president who promises us, against the (video) backdrop of a major American city in ruins, to find and punish the perpetrators of this terrible act and to wage an unremitting, indefinite war against terror. All bets would be off and all prior "normality," all pretences of "checks and balances" and due process would be a quaint and increasingly distant memory.

If Bush and Cheney, in other words, fail once again to prevent a terrorist attack on the U.S., they would be rewarded with their fondest wish: unbridled dictatorial powers. The fact that their approval ratings are today at historic lows would be wiped away in one day. In George Orwell's classic, *1984*, Big Brother declares, "War is peace." In Bush's America, "failure is success."

Should this scenario come to pass, no one can say that we weren't warned. Warnings of the 9/11 attacks were numerous, dire and ignored. The most blatant of these was the August 6, 2001 Presidential Daily Bulletin that warned Bush that Bin Laden might be planning to hijack commercial airliners. The PDB was entitled "Bin Laden Determined to Strike in the United States."[16] It specifically mentioned the World Trade Center.

Despite what they knew before 9/11, the Bush White House did nothing to alert NORAD of potential hijacking, nor did they step up security at the airports. Suspects were not followed up with, despite repeated and urgent requests to do so from FBI field-

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[16] http://news.findlaw.com/hdocs/docs/terrorism/80601pdb.html

agents who were shocked to find Arabs taking flight lessons with no interest in learning how to land.

Condi Rice, in spite of the foregoing, declared on May 16, 2002 to the 9/11 Commission: "I don't think anybody could have predicted that they would try to use an airplane as a missile, a hijacked airplane as a missile." Rice insisted that nobody knew who, when and where and therefore their inaction was appropriate - they didn't have Mohammed Atta's exact itinerary after all.

As Thomas Kean, former Republican Governor of New Jersey and 9/11 Commission Chairman, concluded, 9/11 "was not something that had to happen…. There are people that, if I was doing the job, would certainly not be in the position they were in at that time because they failed. They simply failed," Kean said.

The Losing War on Terror: Is It Cultural Myopia?

Scheuer attributes the counter-productiveness of Bush and Cheney's war on terror to cultural myopia. Cultural myopia certainly helps to explain the disastrous wars on Afghanistan and Iraq: an arrogance and laziness of mind that treats everything and everyone in the world through the lens of American values, practices and behaviors. "With regret," the Russian official said, "I have to say that you are going to get the hell kicked out of you [in Afghanistan]." One of the Americans responded… "We're going to kill them," the U.S. official asserted. "We're going to put their heads on sticks. We're going to rock their world."[17] This kind of grotesque arrogance can explain much about why we're losing these wars in Afghanistan and Iraq, but it does not explain why the neo-cons wanted to invade Afghanistan and Iraq in the first place prior to 9/11. It does not

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[17]Scheuer, op cit, p. 29, quoting from Bob Woodward's *Bush at War*, p. 103.

explain their outsourcing their pursuit of Bin Laden and their willful substitution of Bin Laden as Public Enemy No. 1 with Saddham Hussein. Cultural myopia and arrogance can account for tactical blunders but they do not explain the overall strategy.

Bush and Cheney knew when they launched their campaign to parlay the anger and fear of Americans as a result of 9/11 into an invasion of Iraq that Saddham Hussein and Iraq had nothing to do with 9/11. They elected to go after Iraq under the signboard of the "war on terror" knowing that al-Qaeda was elsewhere. Bush and Cheney's so-called preventive war doctrine that rationalizes their unprovoked aggression on countries that pose no threat to the U.S. therefore bears no relationship in actual fact to the dangers posed by al-Qaeda and by anti-state terrorism in general. Incompetence and cultural arrogance do not comprise the central reason for their bungling this "war on terror." As Scheuer points out, Bush and Cheney need their putative enemy Osama Bin Laden just as much as Bin Laden needs his foil in Bush and Cheney.

The anti-terrorism measures employed by the White House are not just dramatically counter-productive; their anti-terror measures appear to be designed primarily to repress and control the U.S. population and other countries. The White House ordered the NSA to carry out massive warrantless surveillance of Americans' phone calls *before* 9/11. [18] Bush has openly mused that a dictatorship would be fine, as

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[18] USA Today first reported on this on May 11, 2006, "NSA has Massive Database of Americans' Phone Calls," http://www.usatoday.com/news/washington/2006-05-10-nsa_x.htm. Subsequently, it came to light in lawsuits and briefs that the NSA sought to initiate this illegal spying seven months *before* 9/11. Qwest Communications' CEO Joseph Nacchio states that he met with the NSA on February 27, 2001 and was asked to participate in this. He refused. AT&T and Verizon, however, complied. See "Documents: Qwest was Targeted," by Sarah Burnett and Jeff Smith, *Rocky Mountain News*, October 11, 2007:
http://www.rockymountainnews.com/drmn/tech/article/0,2777,DRMN_23910_5719566,

long as he was the dictator.[19] Moreover, since taking office he and Cheney have

aggressively and consistently asserted unrestricted executive powers, claiming under the

Federalist Society's doctrine of the "unitary executive" that Bush's role as commander

and chief grants him the right to make law and override the law at his sole discretion. On

May 9, 2007, with little fanfare, and no protests from the Democratic Party, Bush issued

two new presidential directives, the National Security Presidential Directive/NSPD 51[20]

and Homeland Security Presidential Directive/HSPD–20. These allow Bush to decide on

his own say so when and if a national emergency has occurred and give him the power to

carry on governance without any role for Congress or any other branch of the government

whatsoever. Dictatorship is the term most apropos here. The Bush administration's

shocking actions and policies are not, however, an aberration. They are actually a

continuation and acceleration at a higher level of policies begun in earnest under Reagan

and carried forward with somewhat different attributes by Clinton.

Whether Bush and Cheney are failing to prevent disasters out of sheer

incompetence, reckless arrogance, or because they know that their war on terror is a fraud

and they wage it merely as a cover for their real objectives does not, in one sense, matter.

Did they fail to prevent 9/11 because they could not connect the dots that would have

00.html, "Did the NSA Retaliate Against Qwest?" by Steve Benen, The Carpetbagger
Report, October 11, 2007: http://www.thecarpetbaggerreport.com/archives/13201.html
and "Former Phone Chief Says Spy Agency Sought Surveillance Help Before 9/11," by
Scott Shane, *New York Times*, October 14, 2007:
http://www.nytimes.com/2007/10/14/business/14qwest.html.
[19] Bush has said this out loud at least three times. See
http://www.buzzflash.com/analysis/2002/10/29_Dictator.html.

[20] http://www.whitehouse.gov/news/releases/2007/05/20070509-12.html.
http://www.ww4report.com/node/3940

been glaringly obvious to even a high school student of ordinary intelligence? Were they too distracted by their other plans? In any case, the net result for the rest of us is the same: a dangerous and unprecedented policy of repression and coercion, with no end in sight.

Consider the following highly abbreviated list: the legalization and ongoing practice of torture, the doctrine and practice of pre-emptive attacks, targeting of civilians during war, the open and ongoing violation of the 1978 FISA law through the warrantless surveillance of hundreds of millions of Americans, the stripping of habeas corpus rights and the consequent indefinite detentions, the Warner Act, NSPD-51, the USA PATRIOT Act, the Protect America Act of 2007, and hundreds of signing statements that override the laws passed by Congress. Breaching long-standing civil liberties and fundamental beliefs in American governance risks generating severe fissures in the social compact.

Clearly, we face an extraordinary situation, one unlike any this country has ever seen. Civil liberties and rights that were won through the American Revolution and were secured through the battle for the Bill of Rights are now gone. But what exactly is this extraordinary situation? Is it the presence and actions of anti-state terrorists such as al-Qaeda? Or is it the actions undertaken by our government in alleged response to anti-state terrorists?

Can we afford to wait out Bush and Cheney's term in the White House? Every single day that they remain in office is another day that innocent people are being tortured, global warming goes unheeded, and the problems they are exacerbating intensely fester and threaten to explode into a disaster that will make Katrina and 9/11, horrific as they were, appear surprisingly small by comparison.