

Obama's Slippery Slope. Ginning-Up the "Terror" Threat, Shredding the Constitution

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When Faisal Shahzad, a naturalized American citizen and 30-year-old son of a retired senior Pakistani Air Force officer was arrested in the failed plot to detonate a car-bomb in Times Square May 1, U.S. counterterrorism officials and their stenographers in the corporate media proclaimed a "connection" between Shahzad and the far-right jihadi outfit, the Tehrik-i-Taliban Pakistan (TTP).

Never mind that such "evidence" relies on the thinnest of reeds: that Shahzad had recently traveled to Pakistan, was allegedly in "contact" with the TTP and had even received "training" from a sectarian, clan- and tribal-based organization wary of outsiders who nevertheless, allegedly "approved" of an ill-conceived plan to kill hundreds of New Yorkers.

Last week on NBC's "Meet the Press," U.S. Attorney General Eric Holder claimed, "We know that they [TTP] helped facilitate it. We know that they helped direct it. And I suspect that we are going to come up with evidence which shows that they helped to finance it. They were intimately involved in this plot."

Holder's "evidence"? Why statements by former CIA torture-enabler and current Obama counterterrorism adviser, John O. Brennan, "confirming" the administration's threadbare assertions.

[The New York Times](#) reported that Brennan "appeared to say even more definitively than Mr. Holder did that the Taliban in Pakistan had provided money as well as training and direction."

"He was trained by them," the former CEO of The Analysis Corporation ([TAC](#)) and Chairman of the security industry lobby shop, the Intelligence and National Security Alliance ([INSA](#)) said. "He received funding from them. He was basically directed here to the United States to carry out this attack."

According to media reports however, Shahzad's motivation for attempting to murder citizens of his adopted country was the cold-blooded killing of his former countrymen by the United States-specifically, the CIA's escalating drone war that has killed nearly a thousand Pakistanis since 2006.

[The New York Times](#) reported May 16, that one relative told reporters that "he was always very upset about the fabrication of the W.M.D. stunt to attack Iraq and killing noncombatants such as the sons and grandson of Saddam Hussein." The torture of Guantánamo Bay and other prisoners by the former and current administration was also a source of anger; a message on a Google Groups e-mail list bearing the photos of handcuffed

and crouching detainees bore the words, “Shame on you, Bush. Shame on You.”

In other words, the catalyst for the aborted attack was not our “freedom” but American policies, specifically the invasion and occupation of Central Asian and Middle Eastern states to secure strategic resources that inconveniently belong to other people.

Despite a new round of drone attacks in Waziristan May 11, that killed 14 alleged militants in a barrage of 18 missiles fired by CIA Predator and Reaper drones, the third since the attempted bombing, Pakistani officials dismissed the notion that the TTP were capable of reaching the “next level.”

[McClatchy Washington Bureau](#) investigative journalist Saeed Shah reported May 11, the same day of the drone barrage, that “the inept construction of the failed bomb also raised doubts over whether the Pakistani Taliban could have trained Shahzad. They have expertise in explosives and were connected to the devastating strike on a CIA base in Afghanistan at the end of last year.”

In an earlier report, [McClatchy](#) disclosed that “six U.S. officials had said there was no credible evidence that Shahzad received serious terrorist training from the Pakistani Taliban or another radical Islamic group.”

In all likelihood, the insular TTP would not have viewed Shahzad as a potential recruit but rather as an American or Pakistani spy and he probably would have shared the fate of former ISI officer and Taliban supporter, [Khalid Khawaja](#), who was gunned down in May by a militant faction despite close ties to Osama bin Laden and Mullah Omar.

Even within the murky world of America’s public-private secret state, not everyone is buying the administration’s “TTP trained Shahzad” tale.

McClatchy reported that the private intelligence outfit, Stratfor, said that “the lack of tradecraft in Shahzad’s device is compelling evidence that whatever ‘contacts’ or ‘training’ he might have received in northern Pakistan was largely confined to physical training and weapons handling, not the far more sophisticated skill set of fashioning improvised explosive devices.”

But with Obama’s “AfPak” adventure going off the rails, perhaps the most compelling question not being asked by the media is this: was the failed May 1 attack, like the Christmas Day plot to blow up Flight 253 over Detroit, a “product” to be exploited by the administration and their allies in Congress for whollydomestic purposes, one having very little to do with the specter of international terrorism?

Bring in the Clowns

Even before the smoke cleared in Times Square, congressional Democrats and Republicans were calling for a new round of repressive measures to “keep us safe.”

Senators Joseph Lieberman (ID-CT) and former nude pin-up boy, Scott Brown (R-MA), introduced the [Terrorist Expatriation Act](#) that would allow the State Department to revoke the citizenship of people suspected of providing support to terrorist groups.

Lieberman told a May 6 press conference, “If the president can authorize the killing of a

United State's citizens because he is fighting for a foreign terrorist organization, in this case Al Qaeda on the Arabian Peninsula, that is involved in attacking America and killing Americans, we can also have a law that allows the U.S. government to revoke a locked-in citizenship."

The grammar-challenged senator from Massachusetts told the press, "This isn't a knee-jerk reaction. It reflects the changing nature of war in recent events. War has moved into a new dimension. Individuals who pick up arms, this is what I believe, have effectively denounced their citizenship. This legislation simply memorializes that effort."

In keeping with the repressive tenor of the times, House Speaker Nancy "impeachment is off the table" Pelosi (D-CA), said she supported the "spirit" of the bill.

But while we may dismiss the political theatrics of these clowns, more attacks on our rights and liberties are on the way.

During last week's appearance on "Meet the Press," Holder claimed that Justice Department interrogators "needed greater flexibility" to question terrorism suspects and that the administration now seeks to "carve out a broad new exemption to the Miranda rights established in a landmark 1966 Supreme Court ruling."

According to that precedent, prosecutors are barred from using statements made by suspects before they have been warned that they have a right to remain silent and to consult with an attorney.

That ruling was based on decades of evidence that police, including federal gumshoes, had coerced false confessions from suspects and then used their tainted statements in order to secure convictions and prison sentences—whether or not the individual was actually guilty of a crime.

Investigative journalist Charlie Savage reported May 10 in [The New York Times](#) that the "change" regime, providing a new, Orwellian twist to the meaning of the word, will ask Congress to loosen Miranda requirements against a "backdrop of criticism by Republicans who have argued that terrorism suspects—including United States citizens like Faisal Shahzad, the suspect in the Times Square case—should be imprisoned and interrogated as military detainees, rather than handled as ordinary criminal defendants."

In other words, far from being a proposal that will "keep us safe," the administration's tinkering with constitutional protections is a cynical political calculation by spineless Democrats, caricatured by their Republican colleagues as "soft on terrorism," to deflect criticism in an election year.

While the American Civil Liberties Union ([ACLU](#)) questioned Holder's move saying that "gradually dismantling the Constitution will make us less free, but it will not make us more safe," Salon columnist and constitutional law scholar Glenn Greenwald, was far less circumspect in his criticism of the administration. Greenwald [wrote](#) May 13:

What's most amazing about all of this is that even 9 years after the 9/11 attacks and even after the radical reduction of basic rights during the Bush/Cheney years, the reaction is still exactly the same to every Terrorist attack, whether a success or failure, large- or small-scale. Apparently, 8 years of the Bush assault on basic liberties was insufficient; there are still many

remaining rights in need of severe abridgment. Even now, every new attempted attack causes the Government to devise a new proposal for increasing its own powers still further and reducing rights even more, while the media cheer it on. It never goes in the other direction. Apparently, as “extremist” as the Bush administration was, there are still new rights to erode each time the word Terrorism is uttered. Each new incident, no matter how minor, prompts new, exotic proposals which the “Constitution-shredding” Bush/Cheney team neglected to pursue: an assassination program aimed at U.S. citizens, formal codification of Miranda dilutions, citizenship-stripping laws, a statute to deny all legal rights to Americans arrested on U.S. soil. ...

It really is the case that every new Terrorist incident reflexively produces a single-minded focus on one question: which rights should we take away now/which new powers should we give the Government? (Glenn Greenwald, “New targets of rights erosions: U.S. citizens,” Salon, May 13, 2010)

As if this weren’t bad enough, the administration will soon propose new legislation to Congress “to allow the government to detain terrorism suspects longer after their arrests before presenting them to a judge for an initial hearing,” [The New York Times](#) reported May 15.

“If approved,” the Times disclosed, “the idea to delay hearings would be attached to broader legislation to allow interrogators to withhold Miranda warnings from terrorism suspects for lengthy periods, as Attorney General Eric H. Holder Jr. proposed last week.”

It was unclear how long a “delay” the regime is seeking but in order to circumvent Supreme Court rulings barring the indefinite detention of suspects, “several legal specialists” according to the Times said that the “court might be more willing to approve modifications if lawmakers and the executive branch agreed that the changes were necessary in the fight against terrorism.”

One such “specialist,” Benjamin Wittes of the Brookings Institution said that while the Miranda proposals were generating publicity, a “presentment” hearing “is even more likely to disrupt an interrogation because it involves transporting a suspect to a courtroom for a formal proceeding.”

In a May 14 [Washington Post](#) op-ed, Wittes argued that “the presidency badly needs more political and legal latitude when authorities capture a suspect in an ongoing plot.” All the more relevant when that “plot” is one hatched in the shadows to destroy the constitutional rights of the American people.

As a “safeguard” Wittes told the Times, “Congress could require a high-level Justice Department official to certify that delaying the suspect’s initial appearance in court was necessary for national-security reasons.”

But as with administration assertions of the “state secrets privilege” to derail lawsuits challenging the government’s imperial right to illegally spy on their citizens, such Justice Department avowals wouldn’t be worth the paper they were written on.

In [testimony](#) Thursday before the House Judiciary Committee, Holder claimed that administration proposals would effect only a minute number of “terrorism” cases.

Holder told the Committee: “We now find ourselves in 2010 dealing with very complicated

terrorism matters. Those are certainly the things that have occupied much of my time. And we think that with regard to that small sliver-only terrorism-related matters, not in any other way, just terrorism cases—that modernizing, clarifying, making more flexible the use of the public safety exception would be something beneficial.”

Really?

Would the “public safety exception” only apply to “terrorism” cases that involved the Afghan-Arab database of disposable Western intelligence assets known as al-Qaeda?

Or, as is likely, would a more expansive reading of the statute be viewed as a splendid means by this, or future administrations, to subject domestic dissidents, rebranded as “terrorists,” to citizenship-stripping administrative detention, which after all is just another day at the office for that “beacon of democracy,” America’s stationary aircraft carrier in the Middle East, Israel?

What with preemptive policing that already targets antiwar, antiglobalization and environmental activists for “special handling” by federal, state and local “counterterrorism” agencies, fusion centers and various Pentagon spy shops, it’s a sure bet that “what happens in Vegas” won’t stay there.

As Patrick Martin pointed out May 10 on the [World Socialist Web Site](#), “In practical terms, the Obama administration no longer distinguishes between citizens and non-citizens in its counterterrorism policies. Both alike can be targeted for surveillance, arrest, indefinite detention, even assassination.”

Martin writes that the introduction of an expanded “public safety exemption” when coupled with the administration’s indefinite detention proposal “would go far beyond the Bush administration, translating what were measures to be taken on executive authority, supposedly in emergency conditions, into the standard operating procedures of the US government and police agencies at every level.”

What was it again the terrorists hated us for?

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