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Dare We Call It Tyranny? **by Sheldon Richman**

The American people's response to President Bush's "war on terror" should be ...
terror. The administration, sometimes with Congress's complicity:

- is preparing for a 50-year stay in Iraq, complete with 14 military bases and an embassy larger than the Vatican. (Can there be a better recruiting program for al Qaeda?)
- has abolished habeas corpus, the principle that for centuries has protected people from arbitrary confinement, for noncitizens *declared* to be "enemy combatants." (While the federal courts have upheld the abolition of habeas corpus for detainees at Guantanamo Bay and elsewhere overseas, fortunately an appellate court has just ruled against the administration in the case of a legal U.S. resident, Kahlah al-Marri, arrested in the United States, a ruling the administration is appealing.)
- unilaterally claims the power to use "enhanced interrogation techniques" — torture — on *suspected* terrorists and to turn them over to foreign governments known to torture prisoners. This has been done to persons later cleared of wrongdoing.
- runs secret CIA prisons in Europe and elsewhere. Thirty-nine persons seized abroad and believed to have been in U.S. custody have disappeared, according to Amnesty International and Human Rights Watch.
- violates our privacy by secretly accessing foreign phone calls, e-mails, and financial and other records — approved, if at all, only by a rubber-stamp "court."
- conducts searches without notice or judicially issued warrants. The administration's assurances that it does not engage in misconduct are worth little, considering what has already come to light.

To hold onto the support of the American people for this dictatorial power, the Bush administration has engaged in its own form of terrorism by exposing domestic “plots” involving small rag-tag groups allegedly bent on, among other things, attacking Fort Dix and blowing up fuel tanks and pipelines near JFK International Airport. The pipeline plot, U.S. Attorney Roslynn R. Mauskopf said, “could have resulted in unfathomable damage, deaths and destruction.” Yet people who actually understand these things say this is far-fetched.

It looks as though we are being terrorized by the government. To be sure, there must be a few people in the country who, for whatever reason, talk about blowing something up. But skepticism about these supposed threats is in order: the alleged plotters were exposed by FBI informants trying to get their own criminal sentences reduced. There is a fine line between an informant desperate to cooperate with law enforcement and an agent provocateur — the facts are easily concealed.

The government’s past conduct justifies suspicion. Remember Jose Padilla. He first came to our attention in 2002 when then-Attorney General John Ashcroft interrupted a visit to Russia to make a dramatic television announcement that Padilla, an American citizen, had been seized in Chicago for allegedly planning to detonate a dirty (radiation) bomb in the United States. For years Padilla, a former gang leader who talked big, was held — uncharged — in solitary confinement (tortured and drugged, he says) by the military as an unlawful enemy combatant. When he asked the courts to review his detention, the Bush administration objected on grounds that Padilla was entitled to no protections accorded criminal defendants. He eventually got his case into court, but an initially favorable decision was reversed on appeal. Before the Supreme Court could hear the case, the government moved it to the civilian courts, and Padilla is now standing trial. *But he was not charged with plotting to set off a dirty bomb in the United States.* Instead, he was charged with planning to commit terrorism *in other countries.* The U.S. government *is* the world’s policeman.

Avoiding the Supreme Court by taking Padilla to criminal trial enabled the administration to protect its power to hold “enemy combatants” without charge indefinitely, but now the al-Marri ruling makes it a virtual certainty the issue will go to

the Supreme Court. If the administration prevails, Padilla's acquittal wouldn't guarantee his freedom.

Presidential power grabs and unlikely plots: if this doesn't add up to tyranny, what would?

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