

# Mounting attacks on free speech in US

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Even as the Bush administration claims to be bringing democracy and political liberty to Iraq, it is spearheading a deepening assault on basic democratic rights at all levels in the United States.

At a Pentagon media briefing on Monday, Defense Secretary Donald Rumsfeld said of US plans for post-war Iraq, "We hope (for) a system that will be democratic and have free speech and free press."

What Rumsfeld means by free speech can be gauged by a growing number of incidents in the United States itself. Police and government authorities have seized upon the war against Iraq to extend the onslaught on freedom of expression that has accelerated since the September 11 terrorist attacks.

Emboldened by the military conquest of Iraq and armed with the Bush administration's Patriot Act, which authorizes far-reaching restrictions on civil liberties in the name of the "war on terrorism," officials at federal, state and municipal levels are taking draconian steps to stifle political dissent.

In Oregon, for example, right-wing radio show hosts and Republican legislators are pushing a state anti-terrorism bill that would allow authorities to jail street-blocking protesters for at least 25 years. State Senate Bill 742 defines a terrorist as a person who "plans or participates in an act that is intended, by at least one of its participants, to disrupt "business, transportation, schools, government, or free assembly." The bill contains automatic sentences of 25 years to life for the crime of terrorism.

Its supporters openly state that the police need stronger laws to break up protests such as those that have occurred in Portland, Oregon, where thousands of people have marched and demonstrated against the war in Iraq. "We need some additional tools to control protests that shut down the city," said Lars Larson, a talk show host who has aggressively promoted the bill.

In New York City, police admitted last Thursday to conducting political interrogations and compiling a database of people arrested during recent antiwar protests. Detectives used a "Criminal Intelligence Division/Demonstration Debriefing Form" to record information on hundreds of people arrested since mid-February.

Police violated participants' constitutional rights of free speech and free association, forcing them to answer questions about their political affiliations and beliefs, prior protest activities, and their educational backgrounds. Civil rights lawyers said police asked detainees about their party affiliations, views on Palestine and Israel, and whether they thought the US should have entered World War II.

Protesters were taken to police headquarters after being charged with minor offenses (such as blocking a sidewalk) and then interrogated. Those arrested were not advised of their right to counsel, requests to see counsel were ignored or met with threats of prolonged detention, and lawyers seeking access to those being questioned were kept outside One Police Plaza.

To head off a constitutional lawsuit, New York Police Department

chief spokesman Michael O'Looney said the department had agreed to halt the use of the "debriefing form" and had destroyed the database. Police would continue to tally the names of organizations, supposedly to help in deciding how many officers to assign to future demonstrations. There is no guarantee that this concession, made only after the end of large-scale military hostilities in Iraq, will be honored.

New York City's legal representative, Gail Donoghue, continued to defend the police interrogation. "The plaintiffs ignore the fact that the people who were questioned had been arrested because they had committed criminal acts," she said. "The fact that they were arrested at a demonstration does not insulate them from being asked questions about their conduct."

Thursday's disclosure came just weeks after a judge cited "fundamental changes in the threats to public security" in lifting 20-year-old restrictions on the New York Police Department's license to spy on political groups. At the city administration's request, US District Judge Charles S. Haight Jr. on April 8 permitted wider police monitoring of political groups.

American Civil Liberties Union (ACLU) official Donna Lieberman commented: "As a city and a nation, we are at a crossroads about civil liberties. The city's initiation of these interrogations reveals how willing government is to abandon basic First Amendment values in these difficult times."

Police intimidation of antiwar protesters is far from confined to New York City. In Denver on April 17 police admitted photographing, recording license plate numbers and intercepting email of peaceful demonstrators. Police chiefs pledged to discontinue these practices under a legal settlement reached between the city and the American Civil Liberties Union (ACLU) of Colorado.

A week earlier, in Alamosa, Colorado, the ACLU reached an agreement with city officials to allow a local book and music store owner to resume displaying the American flag upside-down in his store window to express his disgust with the war on Iraq.

John Fleming, owner of The Roost store, showed the flag as a symbol of the US in distress. Alamosa's police chief threatened him with prosecution under an old Colorado law that says "contempt of flag" is a crime and makes it unlawful to "mutilate, deface, defile, trample upon, burn, cut or tear any flag in public." The police threat flew in the face of Supreme Court rulings that the US Constitution protects the use of the US flag in political protests.

Teachers, librarians and T-shirt wearers are among other victims of the war on democratic rights.

Four high school teachers in Albuquerque, New Mexico have filed a lawsuit in federal court after being suspended in March for refusing to remove antiwar signs from their classrooms. Albuquerque Public Schools (APS) declared that the signs breached its "controversial issues" policy. Yet its schools are full of military recruitment posters and photographs of US troops fighting in Iraq.

The teachers have since returned to their schools and are back on the job, but without back pay. They are asking for reinstatement of pay, that “letters of reprimand be removed from personnel files and [for] enforcement of their right to free speech,” ACLU lawyer Jane Gagne said. The lawsuit claims the school district violated the free speech and equal protection provisions of the First and Fourteenth amendments to the US Constitution and similar provisions of the state constitution.

“APS has clamped down on antiwar expression that did not in the least interfere with the educational process,” Gagne said, “and where nothing indicates that the teachers and the counselor forced their views on anyone. In fact, they encouraged open and free discussion among pro-war and antiwar students.”

At a recent school board meeting, educators, students and community members read statements of support for the teachers’ actions. They plan to publish a petition in a local newspaper and present it to the board, proving the teachers have the community’s support. “I feel proud the teachers expressed their dissent to their bosses,” said Sue Chavez, an APS speech pathologist. “They modeled the kind of behavior they expect from their students.”

In Fayetteville, Arkansas a young man was arrested for criminal trespass April 5 at the Northwest Arkansas Mall when he and other members of a University of Arkansas student group attempted to enter the facility wearing T-shirts emblazoned with antiwar slogans.

Daniel Vaught, 22, said he tried to enter the mall’s north entrance to have lunch after he and fellow students had demonstrated in Fayetteville. Their shirts bore the slogans, “Support the troops, not war or Bu\$h.” Mall security officers confronted them and quickly called the Fayetteville Police Department.

Vaught said the group was inspired by the recent case of a New York lawyer who was arrested at Crossgates Mall in Albany after refusing to remove a T-shirt bearing the slogan “Peace on earth” on the front and “Give peace a chance” on the back.

Across many states, librarians are fighting provisions of the Patriot Act that give federal intelligence agencies greater authority to examine all book and computer records at libraries. The law requires investigators to get a search warrant before seizing library records, but those proceedings are secret and not subject to appeal. It also forbids libraries from informing patrons that their reading or computer habits are being monitored by the government.

In Monterey Park, near Los Angeles, every public computer inside the city’s library has a defiant warning taped to its screen, warning users that anything they read is subject to secret scrutiny by federal agents. “We felt strongly that this had to be done,” librarian Linda Wilson told the *Washington Post*. “The government has never had this kind of power before. It feels like Big Brother.”

Earlier this year, the American Library Association, which has 64,000 members, formally denounced the Patriot Act provision and passed a resolution urging Congress to repeal it. Since then, some two dozen state library groups—from California to Georgia—have taken a similar stand.

Some libraries are destroying nearly all the records they keep of what their patrons read, as well as sign-up logs of computer use. Others are scrapping plans to use new computer technology to profile the reading habits of patrons and inform them when works they enjoy are published. Some library officials are distributing pamphlets against the Patriot Act provisions. “How can you tell when the FBI has been in your library?” the pamphlet asks. “You can’t,” it answers.

Several libraries in Maine recently launched a campaign to

encourage lenders to read the George Orwell novel *1984*, which depicts a world in which an all-powerful government known as “Big Brother” punishes citizens for thought-crimes.

According to a survey conducted by researchers at the University of Illinois at Urbana-Champaign, about 550 libraries across the country reported receiving requests over the past year from federal and local investigators for patrons’ records. More than 200 libraries said they had resisted such requests.

Justice Department spokesman Mark Corallo defended the Patriot Act, arguing that it targeted only “suspected foreign spies and terrorists,” but refused to say how many or what kind of requests federal agents had made for library records. To do so, he said, could compromise national security.

These incidents are the tip of the iceberg of a sustained attack, led by the Bush administration, on intellectual freedom, civil liberties and political rights. Already, anti-terrorism and immigration laws have been used to dismiss and arrest pro-Palestinian professors, round up hundreds of foreign-born residents from selected countries, illegally detain more than 600 so-called “enemy combatants” offshore in Guantanamo Bay and imprison two US citizens—Jose Padilla and Yaser Esam Hamdi—without trial.

There is a growing recognition among not just librarians and civil rights activists, but entertainers, artists and ordinary working people that the most fundamental democratic rights are under threat.

American actor and director Tim Robbins, addressing the National Press Club in Washington earlier this month, said: “In the 19 months since 9/11, we have seen our democracy compromised by fear and hatred. Basic inalienable rights, due process, the sanctity of the home have been compromised in a climate of fear.”

Speaking after the Baseball Hall of Fame cancelled an event featuring him and his wife Susan Sarandon because of their opposition to the Iraq war, Robbins said the couple had received threatening emails and telephone calls. “A chill wind is blowing in this nation,” he said. “A message is being sent through the White House and its allies.... If you oppose this administration, there can and will be ramifications.”

He concluded: “Our ability to disagree, and our inherent right to question our leaders and criticize their actions, define who we are. To allow those rights to be taken away out of fear, to punish people for their beliefs, to limit access in the media to differing opinions, is to acknowledge our democracy’s defeat.”

There is a profound connection between the Iraq war and the official offensive against democratic rights. A program of neocolonial conquest can be implemented only through the suppression of domestic political opposition. Increasingly, the military occupation of Iraq is mirrored by the makings of an internal police state regime.



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