

Why was Senator Kennedy placed on US “no fly” list?

David Walsh, Barry Grey
21 August 2004

At a Senate Judiciary Committee hearing on August 19, convened to discuss the September 11 commission's recommendations, Senator Edward Kennedy revealed that for a period of five weeks this spring he had been repeatedly told he could not fly on commercial airplanes because his name was on the government's “no fly” list.

The longtime Massachusetts Democratic senator (first elected to complete his brother John's term in 1962, and now the second most senior member of the Senate) disclosed that between March 1 and April 6 airline agents had blocked him from boarding flights, mainly between Washington DC and Boston, on five separate occasions.

The 72-year-old Kennedy briefly recounted the Kafkaesque incidents: “He [the ticket agent] said, ‘We can't give it to you ... You can't buy a ticket to go on the airline to Boston.’ I said, ‘Well, why not?’ He said, ‘We can't tell you.’ Tried to get on a plane back to Washington ... ‘You can't get on the plane.’ I went up to the desk and said, ‘I've been getting on this plane, you know, for 42 years. Why can't I get on the plane?’”

On each occasion, at Boston's Logan International Airport, Washington's Reagan National Airport and one other, airline supervisors ultimately overruled the ticket agents and permitted Kennedy to board his plane. All the flights were on US Airways.

Kennedy staff members eventually telephoned the Transportation Security Administration, a branch of the Department of Homeland Security, and officials there promised to rectify the mistake. However, it took them several weeks to clear up the matter. In fact, only days after Homeland Security Secretary Tom Ridge called Kennedy in early April to apologize, another airline agent attempted to block the Massachusetts Democrat from boarding.

Kennedy commented at Thursday's hearing, “If they have that kind of difficulty with a member of Congress, how in the world are average Americans, who are getting caught up in this thing, how are they going to be treated fairly and not have their rights abused?”

This seemingly bizarre episode is largely being treated as a

joke in the US media. But it raises questions that are anything but amusing.

The secret “no-fly” list was instituted after the September 11 hijack bombings. The government will not disclose any information about the watch list. The American Civil Liberties Union (ACLU) has obtained FBI documents indicating that more than 350 Americans have been delayed or denied boarding since the list came into being. None of them, however, has been arrested or charged with any crime.

Senior ACLU counsel Reggie Shuford told the *Washington Post*, “That a clerical error could lend one of the most powerful people in Washington to the list—it makes one wonder just how many others who are not terrorists are on the list. Someone of Senator Kennedy's stature can simply call a friend to have his name removed, but a regular American citizen does not have that ability. He [Kennedy] had to call three times himself.”

The ACLU has filed lawsuits in San Francisco and Seattle, demanding that the government explain how wrongly flagged travelers may get their names off the list.

The day after Kennedy's revelation, Democratic Congressman John Lewis of Georgia reported that he too has been singled out for special scrutiny because someone on the watch list allegedly has the same name. Lewis told reporters he cannot obtain an electronic ticket, must show extra identification, and has his luggage checked by hand.

According to the Associated Press, Lewis said one airline representative in Atlanta told him, “Once you're on the list, there's no way to get off it.” A faculty member at the University of Houston, also named John Lewis, reported a similar problem.

There is some unclarity as to the name appearing on the watch list in the Kennedy incident. The *Washington Post* reports that “A senior administration official who spoke on condition he not be identified said Kennedy was stopped because the name ‘T. Kennedy’ has been used as an alias by someone on the list of terrorist suspects.” A number of media outlets carried the same version of the story.

Of course, “Ted” Kennedy's real first name is Edward,

and would appear as such on any ticket or identification documents, so why the senator's name should set off alarms, even if a 'T. Kennedy' appeared on a "no fly" list, is a mystery that has not been explained.

The *New York Times* reports a different story: "The alias used by the suspected terrorist on the watch list was Edward Kennedy, said David Smith, a spokesman for the senator, who uses his full name, with a middle initial, of Edward M. Kennedy."

Homeland Security officials, echoed uncritically by the media, present the Kennedy episode as an innocent mistake, an example of continuing glitches in the Homeland Security system. Even if one accepts the claim that Kennedy's flight problems were the result of a mistake, considering what they reveal about the government watch list, the episode can hardly be deemed innocuous. If the seven-term senator from Massachusetts, one of the most prominent figures in national politics, can be treated as a terrorist suspect, then what are the implications of the government watch lists and databases for ordinary people?

Even if Kennedy got caught up in the Homeland Security network by mistake, the fact remains that scores of others have found themselves blocked from boarding planes because of their antiwar and anti-Bush political views.

There are, moreover, aspects of the Kennedy affair that cannot be so easily explained away. Why did it take Ridge four weeks to apologize, and why, after the mistake was supposedly corrected, was Kennedy stopped yet again?

Given the decade-long history of political conspiracy and provocation carried out by the Republican right against prominent Democrats—from the scandal-mongering and entrapment of Clinton that culminated in the Kenneth Starr witch-hunt, the Monica Lewinsky affair, and Clinton's impeachment, to the stolen election of 2000, to the still unexplained anthrax attacks against Democratic leaders in Congress—the state harassment of Kennedy and Lewis, both of whom are considered in media and official circles to be "icons" of the liberal wing of the Democratic Party, cannot be so casually dismissed.

With the installation of the Bush administration, the most right-wing forces within the US political establishment assumed power, and they have continued to employ the same methods they used to capture the White House. As a result, relations within the political establishment have become increasingly poisoned, even as the Democratic Party has continued to lurch to the right and sought to conciliate its Republican antagonists.

Events of the past few years have demonstrated that extreme right-wing elements in and around the Bush administration are moving toward the criminalization of political opposition.

In May 2003, for example, Republican officials in Texas, taking their lead from House Majority Leader Tom Delay, called on the Department of Homeland Security to track down 53 Democratic state legislators who had boycotted the Texas House of Representatives and fled to neighboring Oklahoma in an attempt to block a redistricting bill that favored the Republicans. Delay asked the FBI to intervene and return the "fugitives" to Texas.

Two months later, in July 2003, a leading Republican in the US House of Representatives, Congressman Bill Thomas of California, called on Capitol police to oust Democrats from a room where they were caucusing. The Democrats were meeting to discuss how to deal with Republican legislation that would sharply reduce corporate payments to workers' pension funds.

No serious investigation has ever been carried out into the attempted assassination of the Democratic leadership of the US Senate, when letters filled with anthrax spores were sent to the offices of senators Tom Daschle and Patrick Leahy in the fall of 2001. The anthrax attacks are widely believed to have been carried out by right-wing elements with ties to the US military or intelligence apparatus.

Kennedy embodies the flaccid and impotent state of American liberalism. He is nonetheless demonized by elements within and around the Republican Party, who denounce him as a traitor for his criticisms of the Bush administration and its conduct of the Iraq war.

Was the airport harassment a deliberate act of political intimidation—a "shot across the bow" aimed at Kennedy and other congressional critics of Bush's policies?

Another intriguing question arises: why did Kennedy remain silent during the five weeks of his harassment?

Was he concerned that the revelation would discredit the "no-fly" list and the panoply of sinister Homeland Security operations, which he and the rest of the congressional Democrats have endorsed? Did he sense that he was, in some way, being set up? Or did the incident have its desired effect of further intimidating a "liberal" critic?

In any event, Kennedy's failure to immediately denounce these episodes amounts to one more Democratic capitulation to the police-state propensities of the Bush administration.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact