

Obama, Congress back legalization of a police state

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The US Senate's approval Thursday of legislation allowing the indefinite military detention of US citizens without charges or trials marks a new stage in a decade of uninterrupted assault on the most fundamental democratic and constitutional rights.

The Senate's 86-to-13 vote in favor of the legislation followed its approval in the House of Representatives Wednesday. It also came after the announcement by the White House that President Barack Obama would not exercise his power to veto the measure, which is included in the National Defense Authorization Act (NDAA), a \$662 billion package to fund Washington's war machine.

The bill mandates that anyone accused of being a terrorist be "detained without trial until the end of hostilities" in a military prison. While it requires such treatment for non-citizens, it authorizes it for citizens arrested on US soil, if the president decides they merit this extra-constitutional punishment.

This piece of legislation enshrines in law the worst of the crimes carried out under the Bush administration and provides legal sanction for an American military-police state. The sweeping bipartisan support it received in both houses of Congress has provided definitive proof that there exists no constituency for the defense of democratic rights within the American political establishment and its two big business parties.

For that matter, the passage of a law that shreds the founding principles of the American republic has raised barely a murmur of concern from the corporate-controlled mass media. They have no intention of making this a matter of public debate. For millions of American working people, however, the action is of the gravest importance.

The Senate's vote came precisely 220 years to the day after the passage of the Bill of Rights, the first ten

amendments to the US Constitution, on December 15, 1791.

These amendments spelled out basic democratic freedoms—including freedom of speech and of the press; freedom from unreasonable search and seizure; the right to due process; and the right of anyone accused of a crime to a speedy and public trial by an impartial jury. They were passed in order to codify the democratic gains of the American Revolution and to protect the people of the new republic from a return to the abuses that had been carried out against them under the colonial rule of the British monarchy. They represented a concretization of the "inherent and inalienable" rights proclaimed by the Declaration of Independence to "life, liberty and the pursuit of happiness".

With virtually no debate, and in the name of an unending "global war on terror", the Senate and the House have passed legislation that allows for the abrogation of all of these rights by a president endowed with police state powers that would amaze even old King George.

Indeed, despite the attempts of liberal and pseudo-left groups to promote illusions that Obama would veto the legislation because of concerns over its assault on democratic rights, the Democratic president's only worry was that it might call into question the sweeping powers that he and his predecessor, George W. Bush, have already seized. Thus, the White House intervened directly in the debate to assure the removal of language included in an earlier draft of the legislation explicitly stating that American citizens arrested on US soil would not be subject to indefinite military detention.

Obama had already made it clear that he upholds the power of the president to throw anyone he chooses into a military prison without charges or trial. Indeed, he has

gone substantial steps further than his predecessor in the White House, asserting the right to act as judge, jury and executioner in the state murder of American citizens deemed to be terrorists. He has exercised this supposed right in the extra-judicial execution of Anwar al-Awlaki and others.

Many of the Democrats who voted for the legislation voiced muted reservations about the military detention provisions. Typical was Senate Majority Leader Harry Reid, who allowed that the bill was “not perfect”, but represented “a major accomplishment in support of our troops”. There is a definite logic to such arguments: the unending US wars of aggression abroad are inseparable from the assault on democratic rights and social conditions at home.

Both arise out of the historic crisis of US capitalism. This crisis finds its sharpest expression in the historically unprecedented social polarization that has become the defining feature of American society. The immense divide between the financial oligarchy that monopolizes wealth together with economic and political power, and the working class, the vast majority of the population, which confronts declining living standards, mass unemployment and steadily deteriorating social conditions, has never been so stark.

Based on this malignant social foundation, democratic rights and democratic forms of rule become increasingly untenable. The ruling elite is compelled to seek a new framework for defending its wealth and power, one that is decidedly at odds with the principles laid down in the US Constitution and Bill of Rights.

The creation of this new framework has been in progress for over a decade. Following a protracted period characterized by the decay of American democracy and the growth of social inequality came the stolen election of 2000, with the right-wing majority of the US Supreme Court installing a president who had lost the popular vote.

Then the events of September 11, 2001, which have yet to be seriously investigated or explained by the American government, provided the pretext for launching two wars of aggression and enacting—with bipartisan support—a plethora of repressive legislation, from the Patriot Act to the Homeland Security Act, together with the adoption of torture, targeted assassination, extraordinary rendition, domestic spying and unlawful detention as official state policy.

These methods have been continued and intensified by Obama, who won his 2008 election victory in no small part due to popular revulsion for the actions of his predecessor. That they have now been openly enshrined in law by the Democratic-controlled Senate demonstrates that they were not merely the excesses of a single president or the product of a specific right-wing ideology.

Rather, they are the outcome of the class contradictions within American society and the historic crisis of US capitalism. With the financial meltdown of 2008 and the continuous deepening of the most severe crisis since the Great Depression of the 1930s, the slide towards the methods of police state dictatorship has only accelerated.

While supporters of the measures passed by the Senate Thursday invoked the supposedly ubiquitous threat of terrorism, their insistence that the United States itself be defined as a “battlefield” has a more far-reaching significance.

The explosive development of the Occupy Wall Street protests and the nationally coordinated campaign of police repression used to disperse them are only a precursor of far greater social struggles to come. Masses of working people are being pushed into class struggle by increasingly intolerable conditions of life.

The ruling oligarchy knows that its policies of making the working class pay for the crisis of the profit system must give rise to revolutionary social opposition and it is preparing accordingly. The working class must do likewise, mobilizing its independent political power in struggle against the threats of police state dictatorship and the capitalist profit system from which they arise.

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