

The AP spying scandal and the crisis of American democracy

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17 May 2013

The Obama administration's secret seizure of the phone records of Associated Press reporters is the latest attack on core democratic rights in the United States.

Last week, the Justice Department acknowledged that it had obtained a subpoena in February of this year to require telecommunications companies to turn over two months of phone records on some 20 lines used by the AP. The subpoena was part of an investigation into an alleged leak of classified information that had occurred the year before.

It is likely that many more media outlets have been similarly targeted, and the administration has refused to respond to requests that it reveal what other records were seized. Anyone who speaks to the media about any matter has to assume that their phone numbers and contact information have been or could be made available to the government by secret court order.

There could hardly be a clearer violation of the First Amendment guarantee of the freedom of the press.

On Thursday, Obama made his first comments on the case in a press conference at the White House. His remarks exposed the fact that the president, who swore an oath to defend the Constitution, is utterly indifferent to and ignorant of the democratic principles that it upholds.

Obama proclaimed that the freedom of the press, a right enshrined in the First Amendment of the Constitution, must strike a "balance" with the prerogatives and interests of the military-intelligence apparatus. This argument essentially invalidates the unambiguous declaration of the First Amendment that no law shall be promulgated "abridging the freedom of speech or of the press..." But according to Obama, this constitutional guarantee of the people's rights can be tossed aside when it interferes with operations and interests of state.

In another statement that exposed the president's cynicism and indifference toward the democratic principles articulated in the Bill of Rights, Obama stated that, "free press, free expression and the open flow of information help hold me accountable... and help our democracy function."

Thus, for Obama—who, according to his official *curriculum vitae*, taught constitutional law at the University of Chicago—freedom of the press and speech *merely* "help our democracy function." With these words, Obama argued implicitly that freedom of the press and speech are somehow *external* to democracy, and that there can be a democracy without these rights! They may be useful as a matter of procedure, assisting "democracy." But "democracy," without these rights, is a meaningless phrase. When constitutional rights conflict with the operations conducted by the Pentagon and CIA, then, according to Obama, government can and should violate them.

This is the antithesis of democracy. Obama was also asked at the press conference what he felt about comparisons between the scandals plaguing the administration and those that occurred under Nixon. The president brushed aside the question, saying the reporter could "draw your own conclusions." In fact, Obama has carried out operations that go far beyond the crimes and misdemeanors for which Nixon was forced out of office in 1974.

An urgent warning is necessary: The assault on democratic rights is far more advanced than the American people realize. Every basic democratic right included in the Bill of Rights—freedom of the press, freedom of association, free speech, the protection against warrantless searches and seizures, due process, the right to a trial by jury and public counsel, the ban on torture—has been systematically undermined.

The AP spying scandal is entirely in line with the policies and practice of the Obama administration, the most anti-democratic in US history. Obama has prosecuted six current or former government officials for leaking classified information, double the number prosecuted by all previous presidents combined.

The administration has declared the right to assassinate anyone, anywhere, including US citizens, without due process. Earlier this year, Attorney General Eric Holder declared that the president has the right to order the killing of a US citizen within the United States.

At the same time, the government is increasing its spying operations on the American people. The administration is preparing to push for a new law that will allow it to tap directly into Facebook, Google and other Internet companies, a major expansion of government efforts to gain access to every digital communication.

The AP revelations, moreover, come only a month after the Boston Marathon bombings, which was followed by the military-police lockdown of the entire city. The precedent was set to respond to any such event with what amounts to martial law and the abrogation of constitutional protections against warrantless searches.

Two basic factors underlie the destruction of American democracy: the unprecedented concentration of wealth in the hands of a tiny fraction of the population and the unending expansion of American imperialism abroad.

Both these factors are rooted in the crisis of American capitalism and the character of the American ruling class. Writing in 1916, Lenin noted, "Imperialism is the epoch of finance capital and of monopolies, which introduce everywhere the striving for domination, not for freedom. Whatever the political system, the result of these tendencies is everywhere reaction and an extreme intensification of antagonisms in this field."

The American financial aristocracy "strives for domination," in the United States and around the world. Headed by Obama, the ruling class has engaged in a ceaseless process of plunder, which has only escalated since the crash of 2008. Trillions of dollars have been handed over to the banks, while basic social services have been starved of resources and the working class has been driven deeper into poverty.

At the same time, there is not a part of the globe in which the American military and intelligence apparatus is not engaged in ceaseless intrigue, drone bombings or outright war and occupation. At the same press conference in which he defended the AP spying, Obama, standing beside Turkish Prime Minister Recep Tayyip Erdogan, issued new and more bellicose threats against Syria. The US and its European allies are preparing an escalation of the campaign against Syrian President Bashar Al-Assad, threatening to unleash a regional war with disastrous consequences.

The American corporate and financial elite, pursuing a deeply unpopular policy at home and abroad, stands in irreconcilable conflict with democratic forms of rule. The defense of democracy is, therefore, a fight against the ruling class and the capitalist system upon which it is based.



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