These newsletters provide facts and opinions regarding the many subjects of world peace, social and economic justice, human rights, and democracy for the benefit of all who know a well-informed citizenry is essential to a democracy.

Chase Madar alerts us to the great danger of the Manning trial to our democracy. “. . . the government now has even greater incentive to prosecute as a spy any confidential source who passes classified information to the press, criminalizing what has long been a vital. . . conduit of essential public information. Such collateral damage to the Fourth Estate will not be mourned by a government that has become aggressively intolerant of leaks, whistleblowers and, it often seems, a well-informed citizenry.” The Nation (Aug. 19/26, 2013). See the article below.

OMNI NATIONAL/INTERNATIONAL DAYS PROJECT

My blog: War Department/Peace Department
http://jamesrichardbennett.blogspot.com/
My Newsletters:
http://www.omnicenter.org/newsletter-archive/
Index:
http://www.omnicenter.org/omni-newsletter-general-index/

“The Constitution was designed to keep government off the backs of the people. The Bill of Rights was added to keep the precincts of belief and expression, of the press, or political and social activities free from surveillance.” Justice William O. Douglas’s dissenting opinion in Laird v. Tatum (1972).
Contents #3 Dec. 15, 2011

Assaults on Bill of Rights
Habeas Corpus
2011 Patriot Act
If Homeland Battlefield: End of Bill of Rights
Fascist Police State?
Military Detention USA
Defending the Bill of Rights
Jefferson and Madison
4th Amendment Victory
Electronic Privacy
Susan Herman
Tom Engelhardt
FDR: Economic Bill of Rights

Contents of #4 Dec. 15, 2012

Bill of Rights Day 2012
FISA, NDAA, and Other Anti-Democratic Regressions
BORDC vs. Decline of Liberties
ACLU vs. SB1867
PRA vs. Right Wing
Patriot Act
Bradley Manning
BORDC Newsletter

Contents #5 Dec. 15, 2013

President's Proclamation
National Constitution Center
Google Search: Attacks on Bill of Rights
Here is the link to all OMNI newsletters:

http://www.omnicenter.org/newsletter-archive/

Presidential Proclamation -- Bill of Rights Day, 2013

BILL OF RIGHTS DAY, 2013
BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

When America's Founders declared our independence, they set forth an idea that became our Nation's defining creed: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." They understood that while these truths have always been self-evident, they have never been self-executing. After 15 years of democratic experimentation and national debate, the Bill of Rights came into force, touching off a long journey to carve America's highest ideals into enduring, enforceable law.

The Bill of Rights is the foundation of American liberty, securing our most fundamental rights -- from the freedom to speak, assemble, and practice our faith as we please to the protections that ensure justice under the law. For almost two and a quarter centuries, these 10 Constitutional Amendments have served as a basis from which civil society could grow and flourish. They have encouraged innovation and defended Americans who questioned, challenged, and dared our Nation to be greater.

Thomas Jefferson once wrote, "I am not an advocate for frequent changes in laws and constitutions, but laws and constitutions must go hand in hand with the progress of the human mind." Our liberties opened heated debate over the questions of citizenship and human
rights, driving progress in the American mind. We learned that our Nation, built on the principles of freedom and equality, could not survive half-slave and half-free. We resolved that our daughters must have the same rights, the same chances, and the same freedom to pursue their dreams as our sons, and that if we are truly created equal, then the love we commit to one another must be equal as well. Americans with disabilities tore down legal and social barriers; disenfranchised farmworkers united to claim their rights to dignity, fairness, and a living wage; civil rights activists marched, bled, and gave their lives to bring the era of segregation to an end. As we celebrate the anniversary of the Bill of Rights, let us reach for a day when we all may enjoy the basic truths of liberty and equality.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 15, 2013, as Bill of Rights Day. I call upon the people of the United States to mark this observance with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of December, in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK
December 15, 2013

AT THE CENTER

Who Wants to Be a “Bill”-ionaire?

Learn about our first 10 amendments during this fast-paced, interactive game show.
Special Signers’ Hall Tour

Take a special tour of Signers’ Hall to learn about the history of the Bill of Rights and why it was left out of the original Constitution.

IN THE CLASSROOM

Constitution Hall Pass

Constitution Hall Pass: The Bill of Rights

The first 10 amendments to the Constitution guarantee so many of our rights and freedoms that we use every single day. Join us as we learn the story of the Bill of Rights, from the time of the Founders right up to today! You’ll see how James Madison originally proposed the Bill of Rights, and how it was up to Congress and the states to decide which amendments made the cut. We’ll show you which rights are actually protected by the Bill of Rights, and you’ll even learn about how students just like you have used those amendments to stand up for their principles—even if it meant taking their case all the way to the Supreme Court! Come along and get to know your rights as we take a look at the Bill of Rights!

WATCH ONLINE HERE »

Lesson Plans

- Bill of Rights
- Living News
- Perseverance and the First Amendment
- Picture Books and the Bill of Rights
- Respecting Freedom of Speech
Activities

• Amendment Cootie Catchers
• Bill of Rights Bingo

Games

• Bill of Rights

GOOGLE Search Results, Attacks on Bill of Rights, first page, Dec. 14, 2013

[I give these searches now and then to help us assess the quality of Google Searches. –Dick]

1. The Bill of Rights Under Attack - Adam Goldfein
   adamgoldfein.com/the-bill-of-rights-under-attack/
   Nov 27, 2013 - The Bill of Rights Under Attack. Source: Thinkstock. Below is the Bill of Rights, complete with the recent examples of how it is being curtailed.

2. Statists Use Twisted Logic To Attack The Bill Of Rights - Alex Jones
   May 8, 2013 - Brandon Smith Alt Market May 8, 2013. In the war for the continued existence of our Nation's Constitutional principles, I had long wondered ...

3. Eric's Bill of Rights Status Report - Eric's Site
   edp.org/borsr.htm
   Let's take a look at the Bill of Rights and see which aspects are being pushed on or threatened. The point here is not the degree of each attack or its rightness or ...

4. Bill of Rights Under Attack - Action America
   actionamerica.org/constitution/y2kbor.shtml
   The Bill of Rights - Under Attack By small increments, the Bill of Rights is being subverted. John Gaver January 3, 2006. John Gaver The Constitution and Bill of ...
5. **Attack on the Bill of Rights -- KEVIN CRAIG - "Liberty Under God ...**
kevincaraig.us/bill_of_rights.htm

What is the fundamental character of America? Why have so many millions of people wanted to live in America? For nearly 400 years our prosperity and liberty ...

6. **Stop attacks on Bill of Rights | The Marion Star |**
marionstar.com
www.marionstar.com/article/20130803/OPINION/308030005/

Aug 4, 2013 - When the first colonists came to America in 1607, their lifestyle and tools were the same processes and tools that had been used for at least ...

7. **The Kick Them All Out Project - Bill of Rights Under Attack: A Timeline**
www.kickthemallout.com/article.../Story-Bill_of_Rights_Attack_Timel... 

**Bill of Rights Under Attack: A Timeline. Wednesday, December 05 2007 @ 11:41 AM EST**
Contributed by: BMcDonald. Views: 19,546. Many people will think ...

8. **Under ATTACK: Liberty and the Bill of Rights | Bearing Drift**
bearingdrift.com/2012/10/30/under-attack-liberty-and-the-bill-of-rights/

Oct 30, 2012 - **Bill of Rights "assault" poster** Let's get foundational, shall we? I know there's a certain frenetic craziness to election season. There are promises ...

9. **Is Obama is destroying the Constitution? - Civil Liberties**
civil-liberties.yoexpert.com › News › Civil Liberties › Matters and Views

... deep attacks on the Constitution, generally and the Bill of Rights specifically. ...direct attack on the Constitution's separation of powers, as is his appointment of ...

10. **Scorecard: How Many Rights Have Americans REALLY Lost ...**
www.washingtonsblog.com › Politics / World News

Feb 21, 2013 - This post explains the liberties guaranteed in the **Bill of Rights** – the ...“A belief that one’s personal and/or national “way of life” is under attack”.

• ABOUT
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In the last few months, Americans' expectations about government interference in their lives has been turned completely upside down. Edward Snowden’s leaks have shown that the National Security Agency has paid millions to Google, Facebook, Yahoo and Microsoft, as well as telephone companies, for data about its customers. The government has information on hundreds of millions of its law-abiding citizens.

Heidi Boghosian’s new book, *Spying on Democracy: Government Surveillance, Corporate Power and Public Resistance*, which details the myriad ways governments and corporations are spying on us — and not necessarily to the benefit of the nation — couldn’t be more timely.

Boghosian, the executive director of the National Lawyers Guild, details the increase in surveillance of ordinary citizens and the dangers she believes it poses to our privacy and to democracy. Boghosian will be talking about *Spying on Democracy* at Berkeley Arts and Letters on Sept. 30 at 7:30 p.m. Investigative journalist Robert Scheer will interview her. In advance of the discussion, Berkeleyside caught up with Boghosian:

9/11 happened more than a decade ago. Osama Bin Laden was killed a few years ago, significantly reducing Al Qaeda’s reach. The U.S. is withdrawing from Iraq and Afghanistan, indicating the crisis has lessened. Yet you write that the government is still accelerating its surveillance of its citizens. Why is this happening?

Boghosian: Surveillance is highly profitable business, and control of information is attractive to those in power. By sustaining a number of perpetual "wars," from the war on drugs to the war on terror, business lobbyists and government justify the need for more increasingly sophisticated monitoring systems. The infrastructure — both physical and attitudinal — for accelerated surveillance was erected well before 9/11.
The U.S. Army has monitored the political activities of Americans since World War I. Aided by early computers during the Johnson administration, Army officials collected data and coded it to reflect a number of arbitrary categories about a person’s beliefs. As AT&T grew to become the largest repository of mass records, detailed dossiers of individuals were also amassed and stored by corporations. At the same time, military spending was in decline after the Cold War, so many businesses began developing surveillance equipment to sell to the government and boost profits. Going forward, it should be easy to justify surveillance with each ensuing national security crisis.

In your book *Spying on Democracy*, you write about the various ways the government and corporations collect information on American citizens. In his forward, Lewis Lapham calls this “hydra-headed.” You write about how since 9/11 there has been unprecedented coordination and exchange of some of this information between the government and the corporate world. What can they discover when they share information that they cannot do on their own?

Boghosian: The government can piece together disparate bits of information collected by corporate data aggregators to create personal profiles of Americans. Virtually any kind of sensitive information about an individual is readily available from data brokers, from religious practices, ethnic and racial information, interactions with other individuals, health issues, financial holdings, to reading habits. It’s difficult to know the scope of this information (although we know that Acxiom holds information on approximately 500 million consumers around the globe) as the field of data mining and reselling has been largely unregulated. But glimpses into different ways the government partners with businesses, and the reach of the data it accesses, emerge often by accident. The covert Project Hemisphere, for example, pays AT&T employees to work with the Drug Enforcement Agency in accessing stored telephone records dating back 26 years.

With the ubiquity of Facebook, people post photos of their families, children, parties, and outings. Do you think people are aware of how Facebook uses this information? Should people be concerned? How does giving away this information chip away at our democracy?

Boghosian: Few users of Facebook and other social media sites read the user policies or understand what they mean if they do read them. The government seems reluctant to improve policymaking that protects users, and may even benefit from improved and sophisticated social media marketing devices (the next presidential candidate may be marketed to voters based on what we put on Facebook). People should be concerned about the loss of control over personal information for several reasons. First, technology has both beneficial and detrimental uses. Despite the conveniences of affordable and personal telecommunications devices, the accumulation and storage of personal data risks being misused.
Individuals who criticize corporate policies, for example, may be targeted, stigmatized and even labeled as criminally suspect merely for their political views. Second, vast quantities of stored data contain high levels of inaccuracy with no way for us to know what is in our electronic files and no way to correct them.

The recent revelations of NSA spying shows that the government has the ability to monitor everyone's phone calls and computer communication. You write that routinely collecting such a vast amount of data may actually make the United States less secure as a nation. Why?

Boghosian: Routine and widespread data collection undermines U.S. credibility abroad. We’re already seeing how it impairs relations with allied nations. Also, there is a tendency for law enforcement and intelligence agencies to focus on domestic dissenters at times of heightened concern about national security. As a result, excessive resources are often devoted to individuals or groups holding particular ideologies, such as animal rights and environmental activists. That detracts from pursuing other investigative leads.

Another concern is that knowing that every communication is being monitored has the effect of making individuals conform to the status quo and watch what they say. President Obama’s “Insider Threat” program calls on government employees to monitor colleagues and report those who seem at risk of leaking information. Such subjective monitoring by peers stifles creative thought, especially where we most need it, since it may deter staff from sharing innovative ideas or from thinking expansively about ways to solve security challenges. Finally, the more we rely on private surveillance and information retrieval systems the more room there is for error. The transmission of erroneous records and false information—or having that information fall into hostile hands—can have devastating consequences for national security.

Why hasn’t there been more outrage about the revelations?

Boghosian: It takes a lot of courage these days to speak out publicly and to resist the enormous power of corporate America. Technology has crept into our lives so slowly that many are not aware of how reliant we have become on it and how complacent many are about trading personal information for expediency. If you walk down the street, it’s virtually impossible to find a public pay phone. Who waits in line any more to take money out from the bank? Having the latest gadget is not only a status symbol for many, it’s a practical reality that to keep abreast of the information overload we need to equip ourselves with heavily-advertised electronic merchandise. It’s quite difficult to escape pervasive advertising and the lure of ever-changing high tech contraptions. The role that corporations play in daily society has grown along with the technology creep. Hopefully, the more people think about and digest the negative impact of surveillance on a democratic society, the more will be emboldened to take action.

What can people do to maintain their privacy and push back against the uptick in data collection and surveillance?

Boghosian: The most important step is to become aware of the extent to which corporations build in mechanisms to get you to hand over personal information. Once you start seeing how quickly ads pop up for similar products after your order something online, or when you read questionnaires that ask you personal questions, you begin to realize that you have choices. While it’s difficult to extract ourselves from the technological connective tissue, we can all be smarter about guarding personal data. Don’t give out your social security number. Don’t give out your address, email address or fill out forms asking for the number of members of your household.

Let your elected officials know that you need them to step up and enact legislation calling for more transparency in government, and for more regulation of corporations that collect and share our data. Support any of the many organizations doing work to curtail the hold that an overreaching government and multinational corporations have on our democracy. The executive branch tends to exert too much power in
times of uncertainty; we need the people to remind the legislative and judicial branches that they must hold the executive in check.

Boghosian will appear at Berkeley Arts & Letters on Sept. 30 at 7:30 p.m. at the Hillside Club, 2286 Cedar St. in Berkeley. She will also give a talk at the Commonwealth Club in San Francisco on Oct. 1. Her book, Spy on Democracy, was published by City Lights Books.

Last summer, Boghosian shared a “data diary,” with the New York Times, recording all the moments in a day in which she was recorded.

Berkeleyside publishes many articles every day. To see all our stories in chronological order, and read ones you may have missed, check out our All the News grid.

Heidi Boghosian
Heidi Boghosian is the executive director of the National Lawyers Guild. She is the co-host of the weekly civil liberties radio show *Law and Disorder* on Pacifica’s WBAI in New York and over 40 national affiliates. She received her JD from Temple Law School where she was the editor-in-chief of the *Temple Political & Civil Rights Law Review*. She also holds an MS from Boston University and a BA from Brown University.
Obama’s Justice Department: Trumpeting a New Victory in War on Freedom of the Press
by Norman Solomon

http://www.commondreams.org/view/2013/09/24-0

There’s something profoundly despicable about a Justice Department that would brazenly violate the First and Fourth Amendments while spying on journalists, then claim to be reassessing such policies after an avalanche of criticism—and then proceed, as it did this week, to gloat that those policies made possible a long prison sentence for a journalistic source.

Welcome to the Obama Justice Department.

While mouthing platitudes about respecting press freedom, the president has overseen methodical actions to undermine it. We should retire understated phrases like “chilling effect.” With the announcement from Obama’s Justice Department on Monday, the thermometer has
dropped below freezing.

You could almost hear the slushy flow of public information turning to ice in the triumphant words of the U.S. attorney who led the investigation after being handpicked by Attorney General Eric Holder: “This prosecution demonstrates our deep resolve to hold accountable anyone who would violate their solemn duty to protect our nation’s secrets and to prevent future, potentially devastating leaks by those who would wantonly ignore their obligations to safeguard classified information.”

Translation: This prosecution shows the depth of our contempt for civil liberties. Let this be a lesson to journalists and would-be leakers alike.

Audibly on the chopping block are provisions in the Bill of Rights such as “freedom … of the press” and “no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

The Obama administration’s pernicious goal is to normalize circumstances where journalists can’t credibly promise confidentiality, and potential leakers don’t believe they can have it. The broader purpose is to destroy independent journalism—which is to say, actual journalism -- which is to say, freedom of the press.

Impacts are crystal clear to just about any journalist who has done reporting that’s much more than stenographic services for official government and corporate sources. When unofficial sources are choked off, not much is left other than the Official Story.

The Official Story is routinely somewhere between very selective and mendacious. A case in point, ironically enough, is the Justice Department’s righteous announcement that the prison term for the leaker of information to The Associated Press reflected the Department’s “deep resolve to hold accountable anyone who would violate their solemn duty to protect our nation’s secrets.”

“Hold accountable anyone”? (Laugh, scream or cry; take your pick.)

Like others before it, the Obama administration has made a frequent practice of leaking classified “secrets” to media outlets—when its calculus is that revealing those secrets will make the administration look good. Of course in those cases the Justice Department doesn’t bother to track down the leakers.

Such extreme hypocrisy in high places has become so normalized that major media outlets often seem completely inured to it.

Hours after the Justice Department’s announcement on Monday that its surveillance of AP phone records had resulted in a lengthy prison sentence, the PBS “NewsHour” did not devote a word to it. Perhaps the program could not find a few seconds to shave off the lengthy beach-ball interview that Judy Woodruff conducted with former President Clinton.

To the top echelons of quasi-journalistic enterprises that are bankrolled by corporate advertisers and underwriters, the disappearance of confidentiality—along with routine violations of the First and Fourth Amendments—might hardly matter. Official sources flood the media zone.

But the New York Times coverage should have given attentive readers indigestion over breakfast Tuesday: “A former F.B.I. agent has agreed to plead guilty to leaking classified
information to The Associated Press about a foiled bomb plot in Yemen last year … Federal investigators said they were able to identify the man, Donald Sachtleben, a former bomb technician, as a suspect in the leak case only after secretly obtaining AP reporters’ phone logs, a move that set off an uproar among journalists and members of Congress of both parties when it was disclosed in May.”

The Times added: “Sachtleben … has agreed to serve 43 months in prison for the leak, the Justice Department said. His case is the eighth leak-related prosecution under the Obama administration. Only three such cases were prosecuted under all previous presidents.”

How did the Justice Department catch Sachtleben in the first place? By seizing records of calls on more than 20 phone lines used by Associated Press reporters over a two-month period.

“This work is licensed under a Creative Commons Attribution-Share Alike 3.0 License

Norman Solomon is co-founder of RootsAction.org and founding director of the Institute for Public Accuracy. His books include “War Made Easy: How Presidents and Pundits Keep Spinning Us to Death” and “Made Love, Got War: Close En

“The Trials of Bradley Manning

His conviction on Espionage Act charges poses grave dangers for American journalism.”

Chase Madar


The subtitle in the no. of The Nation that I received is: “He’s a Convenient Scapegoat for a Decade of Foreign Policy Disasters, and He Has Been Treated Accordingly.” I strongly recommend the article, for it explains why the treatment of Manning has been reprehensible and why the case is so important to the future of US democracy.--
Chief prosecutor Maj. Ashden Fein in closing arguments. Seated behind him are defense attorney David Coombs, left, and Bradley Manning. Illustration: Clark Stoeckley, from his book *The United States vs. PFC Bradley Manning*.

[Madar criticizes the ACLU and other rights organizations for their feeble support of Manning. Here’s the passage:

“Although Manning does have some high-profile defenders—Michael Moore, Glenn Greenwald, Ron Paul, Dennis Kucinich, Code Pink—the field is not crowded. The reflexive willingness of most of the American right to bay for Manning’s scalp has been less remarkable than the silence of progressives. The *ACLU* once raised money for Daniel Ellsberg’s legal defense, and one might have expected its former president, liberal lion Norman Dorsen, to roar in support of Manning. But even as he condemned Manning’s prison treatment, Dorsen said, “We’ve got to be tough on the people in the government who are like Manning… how are you going to run the government if people are free to leak things to the world using their individual judgment?” In fact, the human rights industry, though it railed against Manning’s confinement, has had little to say about the charges. (The *ACLU* and Amnesty International mainly limited themselves to condemning the most serious charge of aiding the enemy.)”

Is the criticism justified? --Dick]
Albert Burrell spent thirteen years on death row for a murder he did not commit. Atlanta police killed 92-year-old Kathryn Johnston during a misguided raid on her home. After being released by Chicago prosecutors, Darryl Moore—drug dealer, hit man, and rapist—returned home to rape an eleven-year-old girl.

Such tragedies are consequences of snitching—police and prosecutors offering deals to criminal offenders in exchange for information. Although it is nearly invisible to the public, criminal snitching has invaded the American legal system in risky and sometimes shocking ways. This problematic practice, in which informant deals generate unreliable evidence, allow criminals to escape punishment, endanger the innocent, compromise the integrity of police work, and exacerbate tension between police and poor urban residents. Driven by dozens of real-life stories and debacles, the book exposes the social destruction that snitching can cause in high-crime African American neighborhoods, and how using criminal informants renders our entire penal process more secretive and less fair. Natapoff also uncovers the farreaching legal, political, and cultural significance of snitching: from the war on drugs to hip hop music, from the FBI’s mishandling of its murderous mafia informants to the new surge in white collar and terrorism informing. She explains how existing law functions and proposes new reforms. By delving into the secretive world of criminal informants, Snitching reveals deep and often disturbing truths about the way American justice really works.
How the Bush Administration is Using Terror Laws to Prosecute Nonviolent Environmental Activists

Green is the New Red  by WILL POTTER

[Fear and fear-mongers are a constant ever since the beginning of the Sovietphobic Cold War. This 2006 essay on the War on (of!) Terror remains relevant. The Red Scare was less about evidence than really great PR. Virulently, that it became a political albatross to hang around anyone's neck. The true meaning of the word fell by the wayside: communism became a fluid brand to slap on the enemy of the hour.]

Now, Green is the new Red.

The administration is slowly replacing communists lurking in every shadow with terrorists. The new charge of terrorism is even better brand than communism for demonizing dissent. In March, six green activists found themselves among the first victims of a new front in the War on Terror, and of an old PR game.

They were convicted on "animal enterprise terrorism" charges for campaigning to shut down an animal testing lab. On June 7, they will be sentenced: two defendants face up to a year in federal prison, and others likely face five to ten years in prison.
years.

Did their terrorist campaign involve anthrax? Pipe bombs? A plot to hijack an airplane? Nope. They ran a website. They posted news about the campaign — legal actions like protests and illegal actions like stealing animals from labs — and unabashedly supported all of it. Since the feds haven’t been able to catch them, they’re now cracking down on those in the spotlight. Think red baiting, with a green twist.

The activists work with Stop Huntingdon Animal Cruelty, an international organization dedicated to closing Huntingdon Life Sciences. HLS has labs in New Jersey and England, and five undercover investigations have shown workers punching beagle puppies in the face, dissecting live monkeys and falsifying scientific data.

SHAC brought the company to its knees, primarily through a website. The website schools activists in business savvy: primers on investors, market makers, and pink sheets. It also lists home and work addresses for anyone doing business with HLS, from bankers on down to toilet paper suppliers.

Activists take to the streets, the phones, and executives’ homes with bullhorns, phone blockades and plenty of smart-ass, aggressive rhetoric. Illegal actions have taken place as well, ranging from crude pranks to ominous threats. It all gets posted on the SHAC website.

It worked. The lab now teeters on the brink of economic collapse, after more than 160 companies, including Marsh Inc., UPS, and FedEx, have pulled out. The New York Stock Exchange dropped HLS in 2000, and the London Stock Exchange followed in 2001.

So how did the government do it? How was a landmark grassroots campaign turned into “terrorism”?

The government took the "you’re either with us or against us" rhetoric of the War on Terrorism, the same mentality as the Red Scare, and applied it to animal rights activists. If activists don’t prove they are "with us" by condemning sabotage, then they are clearly "against us" and one with the "terrorists."

SHAC never tried to be in the "with us" camp. The defendants posted news of illegal actions with tongue-in-cheek commentary (think Nelson from The Simpsons pointing and laughing). Posts include stink bombs in offices, and paint-stripping cars. They’re sometimes crude (calling a church and accusing a CEO that attends of fondling children) and often ominous (phrases like "we know where you live" appear in many communiqués).

SHAC put itself out on a limb by vigorously defending direct action, even as groups like the Humane Society of the United States and Sierra Club condemned underground actions to win political points. The F.B.I. then started sawing at the limb.

Take the testimony of F.B.I. Deputy Assistant Director John Lewis before a Senate committee last year. "SHAC’s overriding goal is to put HLS out of business, by whatever means necessary—even by violent means," he said. "SHAC has used a variety of tactics... including bombings, death threats, vandalism."

A few breaths later, though, he concedes "when these companies or individuals are threatened or attacked, it is not necessarily the work of SHAC itself." SHAC has never been accused of any crimes posted on the website, but Lewis implies guilt for simply not condemning the perpetrators. That’s a lot like placing Americans on blacklists for not condemning communism.

He says that while "the SHAC organization attempts to portray itself merely as an information service or media outlet, it is closely
aligned with these groups, as well as with the Animal Liberation Front. That’s another branding idea from the Red Scare toolbox: it’s risky not to condemn “eco-terrorism,” but vocally supporting it is downright suicidal.

The tactics SHAC supports don’t fit most Americans’ wholesome image of social change. The F.B.I. and biotech industries frequently note that and say something like, “It’s ok to protest, chant and leaflet, but it is inexcusable to advocate illegal actions.” Change the world, but play by the rules.

McCarthy and his cohorts would often say the same thing. They thought, though, that some ideas—like communism—weren’t up for consideration.

The courts, though, have consistently said that the First Amendment protects even the most unconventional, commie and inflammatory speech.

For instance, the SHAC website included a lot of posturing, but it didn’t go as far as civil rights activist Charles Evers when he urged a Mississippi crowd to boycott white businesses with the words, “If we catch any of you going in any of them racist stores, we’re gonna break your damn neck.” The Supreme Court found that speech constitutionally protected.

Speech has limits, of course. In 2002, a federal appeals court struck down the Nuremberg Files, which posted pictures of doctors who performed abortions with the names of three of them as they were killed. That’s a far cry from SHAC posting a communiqué from “Pirates for Animal Liberation,” claiming responsibility for a sunken yacht that belonged to a Bank of New York executive.

Those Pirates are in murky water when it comes to their connection to SHAC—perhaps murkier than Hollywood elite who philosophically supported communism, but didn’t advocate anything illegal. The pirates may have looked up an address on the website, or they may have used that old-fashioned listing of names and addresses: a phonebook.

Stratfor, a “global intelligence” company praised by Fortune Magazine for its research, explained it well. There are three legs to the SHAC campaign: illegal activists (the smallest group), legal activists (with signs and bullhorns) and passive sympathizers (opposed to animal cruelty, but not sure how to help). “Since there is no formal membership,” Stratfor says, “the numbers are in no way fixed — anyone can wake up tomorrow, read about SHAC on the Internet, and engage in an activity that propels them directly into the first tier.”

True, SHAC may inspire illegal activity, just like communists did. Stratfor notes, SHAC’s conviction may inspire even more. “Ultimately, the conviction may inspire more illegal activity, rather than less, and the trend could spread to involve larger numbers of groups and industries.” In that case, could U.S. Attorney Charles McKenna be held responsible for inciting angry environmental, antiwar and abortion rights activists?

Animal rights activists won’t be backing down from this witchhunt, and neither will Big Business. Corporations have been pushing the government to crack down on “eco-terrorists” since they lobbied to criminalize “animal enterprise terrorism” as part of the Animal Enterprise Protection Act of 1992. The SHAC case has only whetted their appetites. Underground activists have claimed credit for more than 1,200 criminal incidents since 1990, according to the F.B.I., and there are 150 pending “eco-terror” investigations. As David Martosko of the Center for Consumer Freedom, an industry lobby group, said after the conviction: “This is just the starting gun.” Corporations will keep the pressure on lawmakers and the F.B.I. to catch the saboteurs. And if the feds are either too lazy or too incompetent to score arrests of “eco-terrorists,” they’ll go after the next best thing—above-ground activists.
with the same goals, and the guts to say so. In this post-9/11 climate, "The War on Communism" operated under similar terms. If citizens didn’t name names, they were clearly "against us." Witchhunts will test the backbone of today’s social movements, just as they did 60 years ago.

It’s not enough to cowardly distance ourselves from the "eco-terrorists," as many did during the Red Scare. That won’t protect us. It’s up to progressive activists to stand with the defendants, and say loud and clear that "terrorism" can’t be batted around in political games. Speaking out against this government smear campaign doesn’t mean we’re balaclava-wearing animal liberationists: it means we know we could be the next communists.

I mean, terrorists.

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[Perhaps helps us identify the causes and measure the extent to which the US has become a tyranny. –Dick]

Written in 1939 and unpublished until 2000, Sebastian Haffner’s [Pretzel’s pseud.] memoir of the rise of Nazism in Germany offers a unique portrait of the lives of ordinary German citizens between the wars. Covering 1907 to 1933, his eyewitness account provides a portrait of a country in constant flux: from the rise of the First Corps, the right-wing voluntary military force set up in 1918 to suppress Communism and precursor to the Nazi storm troopers, to the Hitler Youth movement; from the apocalyptic year of 1923 when inflation crippled the country to Hitler’s rise to power. This fascinating personal history elucidates how the average German grappled with a rapidly changing society, while chronicling day-to-day changes in attitudes, beliefs, politics, and prejudices.
Celebrate December 15
Free Materials
Patriot Act vs. Civil Liberties
Bill of Rights Day 2008 and ACLU
Related Protections of Liberty:
Habeas Corpus
Posse Comitatus vs. Militarism

Contents #2 Dec. 15, 2009
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   ACLU and Civil Liberties
   BORDC
   Civil Liberties and Civil Rights
   For Students
   Several links on Bill of Rights and the Patriot Act

END BILL OF RIGHTS DAY DEC. 15, 2013 NEWSLETTER

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Dick Bennett

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