

John Ashcroft: Dangerous dinosaur

THE government that seized power in a contested election, crashed our economy, de-funded our schools and hospitals, gutted our environmental regulations, sent our soldiers off to kill and die in a quagmire of a war, and looted the federal treasury with a series of no-bid military contracts to friends and tax cuts for the rich, now wants to finish off their assault on the cornerstone of American society – our civil liberties. But they're acknowledging it's a hard sell.

Since the draconian and oxymoronically named "Patriot Act" was passed by the House and Senate in the wake of the 9/11 attacks (thanks in part to the yes-zombie votes of "liberals" Hillary Clinton and Charles Schumer along with the more predictable support of Bushmeister Jack Quinn), the Bush administration has had a hard sell convincing the American people that the emerging Soviet-style police state is somehow All-American.

To date, three states and 151 American cities, towns and counties have passed resolutions condemning the Patriot Act, promising, to varying degrees, not to cooperate with unconstitutional federal Patriot Act investigations in their communities. The revolt is nonpartisan, but all American, with Republicans joining in and sometimes even leading the fight against The Patriot Act.

It's as if a form of political amnesia has set in, with politicians forgetting how, in the political Tsunami after the 9/11 attacks, they voted to enact a 340-page piece of legislation that few of them read, and even fewer of them understood. With flags waving over the smoldering ruins of the Twin Towers, few politicians had the political backbone to oppose a bill nicknamed the "Patriot" Act, even though, in hindsight, it would have been

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the patriotic thing to do. The bill passed the Senate 98-1, opposed only by Wisconsin Senator Russ Feingold. George W. Bush signed it into law on October 26, 2001.

The Patriot Act expanded the federal government's ability to spy on American citizens by tapping our phones, examining our credit card records, and scrutinizing our reading lists by examining our bookstore purchases, library borrowing records and internet surfing habits. One provision of the bill gave Attorney General John Ashcroft the power to unilaterally certify non-citizens as "terrorist suspects," who could be detained indefinitely without charge and without the government presenting any evidence or holding a judicial review of the case.

One of the few voices in opposition to the act in 2001 was New York Representative Jerrold Nadler, who warned, "The Attorney General under this provision has carte blanche [to order] a suspect to stay in jail forever." The bill also allowed for "secret" detentions, in essence nullifying the habeas corpus (show us the body) provisions of American law. Since the act passed, Ashcroft's Justice Department has ordered scores of people secretly detained without charges as "material witnesses." The Department of Justice under Ashcroft has also prosecuted people in secret military tribunals where defendants are routinely denied independent counsel or communication with family members – in effect making a mockery of the American criminal justice system which was formerly a model for the world.

Freddy vs. John

The only saving grace of the Patriot Act is that the most odious provisions are set to expire in 2005. John Ashcroft, however, doesn't just want to breathe new life into the Patriot Act, extending it, much like the new detention policy it heralded, indefinitely – he wants to expand it with a new enhanced Patriot Act II (The Domestic Security Enhancement Act of 2003). Like the sequel to a B-grade Horror film, Patriot II will shred what remains of the constitution like a Patriot Missile tearing into a library live on Fox News.

Specifically, Patriot II will challenge the protections of the First (Freedom of Speech and Assembly), Fourth (Freedom from Unreasonable Searches and Seizures), Fifth (right to confront witnesses and right to a fair and speedy trial), Sixth (no excessive bail) and Fourteenth (Right to due process and equal protection) amendments to the U.S. Constitution. Ashcroft's bill will enhance the FBI's ability to spy on citizens without having to secure permission from a judge. Hence, the FBI will be able to target political opponents and then go fishing for charges. The original Patriot Act allowed the FBI to spy on domestic political opposition groups. The expanded powers sought under Patriot II will

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allow the FBI to continue this practice, but be exempt from having to explain themselves to a judge, hence anti-corporate globalization protesters, anti-war protesters, environmentalists, as well as anti-abortion and pro-choice protesters and gun owners' advocacy groups could all find themselves under FBI surveillance. In short, anyone patriotically exercising their duty to protest could be subject to FBI surveillance – a reality that will thwart democratic participation in our political discourse.

Where the Patriot Act allowed the government to detain non-citizens indefinitely, Patriot II allows Ashcroft's Justice Department to strip Americans of their US citizenship, and hence, of their constitutional rights. Under this provision, the ante for speaking out against the Bush junta will suddenly rise to astronomical levels, with ordinary Americans potentially facing indefinite detention without trial. This is the ultimate nightmare of Ashcroft's America – a nation that in no way resembles the America that existed at the turn of the millennium. Another proposed sequel to the Patriot Act, the Victory Act, applies a legal veneer to Orwellian language, reclassifying the sale of illegal drugs, as a "terrorist" offense created under a "narcoterrorism" provision. Hence, accused drug dealers can face the same threats to their due process as accused terrorists – all while the real fight against terrorism crashes and burns in a political quagmire with the FBI distracted by witch hunts draining both its resources and its moral imperative. Under this scenario the FBI could devolve into a Gestapo-esque organization that citizens would fear, rather than cooperate with.

The Ashcroft record – beat by a dead man

The entire Ashcroft assault on American values was quite predictable given John Ashcroft's political background. The voters of Missouri eventually tired of Ashcroft and decided they would rather be represented by a dead man than by John Ashcroft, voting for Mel Carnahan for Senator over Ashcroft after the former was killed in a small plane crash two weeks before the election. George W. Bush, however, quickly nominated the jilted Ashcroft as U.S. Attorney General – a nomination to which a quisling Democratic Party controlled Senate acquiesced.

Before his ascension to the throne of Attorney General, Ashcroft, as governor of Missouri, presided over and celebrated the resumption of that state's death penalty – this despite questions concerning racial bias in executions. He stuck to his hang-em-high mantra even as other Republicans abandoned support for the death penalty in face of mounting evidence documenting how wrongfully-convicted people are often executed. A gleeful Ashcroft oversaw Missouri's first execution in 24 years. As U.S. Attorney General, he has overridden the recommendations of federal prosecutors in at least 28 cases,

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forcing them to seek the death penalty despite their better judgment. His new Patriot Act will expand federal law to include 15 additional crimes punishable by execution.

Racial bias, whether in executions or any other aspect of American life, doesn't seem to be a problem for Ashcroft. As Missouri's Attorney General, he fought against that state's federally-ordered school desegregation program. In 1984, 20 years after the pitched battles of the civil right era, he was still stumping against desegregation, making his opposition to school desegregation an issue in his racially divisive campaign for governor of Missouri.

He's also an ardent opponent of affirmative action, cosponsoring a 1997 Senate bill that would have banned affirmative action-based hiring on federal contracts while not addressing the still present biases that gave rise to affirmative action in the first place. As a Senator, Ashcroft voted against expanding hate-crimes legislation and enhancing the Justice Department's ability to prosecute bias crimes. He also actively fought to exempt bias crimes directed against homosexuals from prosecution under existing hate crimes statutes.

It's no surprise that John Ashcroft came to power after losing his own election, riding the coattails of a stolen election. Ashcroft has a history of thwarting the democratic process. The Florida election was captured after, among other things, a company with ties to the Republican Party was hired by the Republican state Attorney General to "cleanse" the voter lists – ultimately removing enough legitimate black and Democratic voters from the rolls to throw the election irrespective of butterfly ballots and chads.

For Ashcroft, this is politics as usual. As governor of Missouri, he vetoed a bill, despite overwhelming support, which would have made it as easy to conduct voter registration drives in the predominantly black inner city of St. Louis, as it was in the suburbs, where elections commissioners could freely deputize volunteers to run registration drives – something that couldn't happen in the city. The result of this inequality was a 90% registration rate in the predominantly white and Republican suburbs and a 70% rate in the predominantly Democratic City of St. Louis. At the time, the executive director of the Missouri Citizen Education Fund said, "Mr. Ashcroft's vetoes show a disturbing commitment to maintaining separate and unequal access to voter registration for African-Americans." Today, Ashcroft is the main law enforcement officer responsible for protecting equal access to voting.

Church is State

As Attorney General, Ashcroft is also responsible for maintaining the constitutionally mandated separation of church and state – a suspicious task for an ardent supporter of

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bringing official sectarian prayer into public schools. Ashcroft, in fact, has made a mockery of this responsibility by turning the Justice Department into the most obvious violator of this separation, with the Attorney General leading daily sectarian prayer and bible study meetings on Justice Department property. The participants are Ashcroft's underlings, raising the specter of religious harassment in a work environment where a supervisor promotes his own religion.

The federal law that the Justice Department is supposed to be enforcing mandates that workplace supervisors should not create an environment where employees perceive any coercion to practice a particular religion, or any religion for that matter. In 1999, while speaking at the commencement exercise of the fundamentalist Bob Jones University, Ashcroft described America as "being godly and eternal, not being civic and temporal." He went on to explain that since America is eternal, "We have no king but Jesus." With an Attorney General anointing his own deity as the nation's one and only "king" while calling for school prayer, pluralism is in grave danger.

Ashcroft claims to be pro-family. However, in a society riddled by broken homes, where we should be seeking family wherever we can find it, Ashcroft is an outspoken opponent of gay marriage, domestic partnership, and any other legal convention that recognizes gay families. He's also an outspoken opponent of family planning, having supported the "Human Life Act" – a piece of anti-abortion legislation so virulent that it could also, according to critics, be interpreted to outlaw birth control pills and the I.U.D. While in Ashcroft's world, zygotes and fetuses have legal rights, children do not. Despite a 68% drop in juvenile crime during the 1990s, Ashcroft repeatedly sponsored legislation requiring states to try children 14-years-old and older, as adults, and to create new mandatory sentences for juvenile offenders – in effect replacing school with prison and all but guaranteeing that troubled children grow up into violent adults.

Ashcroft has always had a strange view of power and who should wield it. As a senator he supported eliminating the Federal Communications Commission's authority to regulate corporate mergers in the communications industry despite the anti-trust issues involved with corporations such as ClearChannel, a large Republican Party donor, monopolizing local broadcast markets. Yet, as Missouri Attorney General, he filed a bizarre anti-trust suit against the National Organization of Women in an unsuccessful attempt to thwart an organized boycott of states that wouldn't ratify the Equal Rights Amendment. He believes in giving police state powers to the FBI to snoop on political opponents of the Bush administration and their corporate overlords, yet he opposes a ban on assault weapons (in Ashcroft's America, gun ownership may be your last remaining right). As Attorney General, he gutted the Brady Bill, ordering the FBI to destroy all records of firearms

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transactions, including those related to assault and sniper rifle purchases. Ironically, this lost database could have provided the FBI with more tools for combating potential terrorism than would be gleaned in a million years of spying on Women in Black and other pacifist groups.

Dangerous dinosaur

This is another problem with John Ashcroft. Much of what he does and says makes little logical sense. Of all of daddy's friends who landed at the George Junior White House, Ashcroft, whether he's draping lady liberty's statue in velour or singing "Let the Eagles Soar" on national TV, is the weirdest. His actions often defy logic, but they always adhere to a draconian political dogma. It's this agenda that Ashcroft is hell-bent on imposing on America that makes him one of the most dangerous dinosaurs to return to Federal government. The U.S. Attorney General is charged with enforcing the provisions of the constitution and protecting the rights of the American People. Ashcroft, however, is a fervent opponent of the Bill of Rights and is using his office to attack the very American values he was empowered to protect. In doing so, he has frightened not only opponents on the left, but on the right as well. Hence, as he pushes ahead hawking a new, more frightening, more un-American Patriot Act, he is suddenly finding himself in political hot water.

True to form for a demagog, he's doing the only thing he knows how to do – turning up the heat. This week he's in deeper and hotter water after asking United States Attorneys to lobby local federal lawmakers in support of the new Patriot Act. This, according to Democratic members of Congress, is illegal. It also undermines the authority of U.S. Attorneys as supposedly impartial champions of the law while further polarizing the nation at a time when we need to be joining together.

Over his head in hot water and with both of his Patriot Bills on the line, John Ashcroft is taking his trip on the road, hitting 18 cities in what The Christian Science Monitor calls, "Ashcroft on tour, and unplugged." Unplugged and running out of juice as it may be, this Big Brother Road Show is coming to Buffalo on Monday, September 8th – with Ashcroft stumping for his new legislation at the Buffalo Hyatt at 8:00 A.M. Doomed as the new Patriot Act looks today, recent history has shown us that all it takes for spineless Democrats and subservient Republicans to pass draconian un-American legislation is one act of horror. In the cloud of a terrorists' bomb, democracy as we know it may be blown to hell. It's for this reason that people around the country are speaking out in defense of civil liberties and against John Ashcroft and his agenda. When he arrives in Buffalo, he'll be greeted, no doubt, like he has been in other cities, by patriotic protestors whose beliefs

span the political spectrum. With our democracy hanging in the balance, now is the time to exercise our rights and speak out for real American values.

Various local groups are organizing demonstrations to peacefully greet John Ashcroft when he comes to Buffalo on Monday morning. While details have not yet been finalized, people who want to protest in support of or against John Ashcroft should arrive early. Organizers will be working in cooperation with the Buffalo Police Department to accommodate peaceful protests. ●