

## It Has Happened Here—Paul Craig Roberts

*the police state is real*

The Bush regime's response to 9/11 and the Obama regime's validation of this response have destroyed accountable democratic government in the United States. So much unaccountable power has been concentrated in the executive branch that the US Constitution is no longer an operable document.

Whether a person believes the official story of 9/11 which rests on unproven government assertions or believes the documented evidence provided by a large number of scientists, first responders, and structural engineers and architects, the result is the same. 9/11 was used to create an open-ended "war on terror" and a police state. It is extraordinary that so many Americans believe that "it can't happen here" when it already has.

We have had a decade of highly visible evidence of the construction of a police state: the PATRIOT Act, illegal spying on Americans in violation of the Foreign Intelligence Surveillance Act, the initiation of wars of aggression—war crimes under the Nuremberg Standard—based on intentional lies, the Justice Department's concocted legal memos justifying the executive branch's violation of domestic and international laws against torture, the indefinite detention of US citizens in violation of the constitutionally protected rights of habeas corpus and due process, the use of secret evidence and secret "expert witnesses" who cannot be cross-examined against defendants in trials, the creation of military tribunals in order to evade federal courts, secret legal memos giving the president authority to launch preemptive cyber attacks on any country without providing evidence that the country constitutes a threat, and the Obama regime's murder of US citizens without evidence or due process.

As if this were not enough, the Obama regime now creates new presidential powers by crafting secret laws, refusing to disclose the legal reasoning on which the asserted power rests. In other words, laws now originate in secret executive branch memos and not in acts of Congress. Congress? We don't need no stinking Congress.

Despite laws protecting whistleblowers and the media and the US Military Code which requires soldiers to report war crimes, whistleblowers such as CIA agent John Kiriakou, media such as Julian Assange, and soldiers such as Bradley Manning are persecuted and prosecuted for revealing US government crimes.

<http://www.informationclearinghouse.info/article33804.htm> <sup>[1]</sup> The criminals go free, and those who report the crimes are punished.

The justification for the American police state is the "war on terror," a hoax kept alive by the FBI's "sting operations." Normally speaking, a sting operation is when a policewoman poses as a prostitute in order to ensnare a "John," or a police officer poses as a drug dealer or user in order to ensnare drug users or dealers. The FBI's "sting operation" goes beyond these victimless crimes that fill up US prisons.

The FBI's sting operations are different. They are just as victimless as no plot ever happens, but the FBI doesn't pose as bomb makers for terrorists who have a plot but lack the weapon. Instead, the FBI has the plot and looks for a hapless or demented person or group, or for a Muslim enraged over the latest Washington insult to him and/or his religion. When the FBI locates its victim, its agents approach the selected perpetrator pretending to be Al-Qaeda or some such and ply the selected perpetrator with money, the promise of fame, or threats until the victim signs on to the FBI's plot and is arrested.

Trevor Aaronson in his book, *The Terror Factory: Inside the FBI's War on Terrorism*, documents that the FBI has so far concocted 150 "terrorist plots" and that almost all of the other "terrorist cases" are cases unrelated to terrorism, such as immigration, with a terror charge tacked on. [http://www.youtube.com/watch?feature=player\\_embedded&v=LpTO3G9Q#!](http://www.youtube.com/watch?feature=player_embedded&v=LpTO3G9Q#!) <sup>[2]</sup>

The prostitute American media doesn't ask why, if there is so much real terrorism requiring an American war against it, the FBI has to invent and solicit terrorist plots.

Neither does the media inquire how the Taliban, which resists the US invasion and attempted occupation of Afghanistan, fighting the US superpower to a standstill after 11 years, came to be designated as terrorists. Nor does the US prostitute media want to know how tribesmen in remote regions of Pakistan came to be designated as "terrorists" deserving of US drone attacks on the citizens, schools and medical clinics of a country with which the US is not at war.

Instead the media protects and perpetrates the hoax that has given America the police state. The American media has become Leni Riefenstahl, as has Hollywood with the anti-Muslim propaganda film, *Zero Dark Thirty*. This propaganda film is a hate crime that spreads Islamophobia. Nevertheless, the film is likely to win awards and to sink Americans into both tyranny and a hundred-year war in the name of fighting the Muslim threat.

What I learned many years ago as a professor is that movies are important molders of Americans' attitudes.

Once, after giving a thorough explanation of the Russian Revolution that led to communist rule, a student raised his hand and said: "That's not the way it happened in the movie."

At first I thought he was making a witty joke, but then I realized that he thought that the truth resided in the movie, not in the professor who was well versed in the subject. Ever since I have been puzzled how the US has survived for so long, considering the ignorance of its population. Americans have lived in the power of the US economy. Now that this power is waning, sooner or later Americans will have to come to terms with reality.

It is a reality that will be unfamiliar to them.

Some Americans claim that we have had police states during other wartimes and that once the war on terror is won, the police state will be dismantled. Others claim that government will be judicious in its use of the power and that if you are doing nothing wrong you have nothing to fear.

These are reassurances from the deluded. The Bush/Obama police state is far more comprehensive than Lincoln's, Wilson's, or Roosevelt's, and the war on terror is open-ended and is already three times longer than World War II. The Police State is acquiring "squatter's rights."

Moreover, the government needs the police state in order to protect itself from accountability for its crimes, lies, and squandering of taxpayers' money. New precedents for executive power have been created in conjunction with the Federalist Society which, independent of the war on terror, advocates the "unitary executive" theory, which claims the president has powers not subject to check by Congress and the Judiciary. In other words, the president is a dictator if he prefers to be.

The Obama regime is taking advantage of this Republican theory. The regime has used the Republican desire for a strong executive outside the traditional checks and balances together with the fear factor to complete the creation of the Bush/Cheney police state.

As Lawrence M. Stratton and I documented in our book, *The Tyranny Of Good Intentions*, prior to 9/11 law as a shield of the people was already losing ground to law as a weapon in the hands of the government. If the government wanted to get you, there were few if any barriers to a defendant being framed and convicted, least of all a brainwashed jury fearful of crime.

I cannot say whether the US justice system has ever served justice better than it has served the ambition of prosecutors. Already in the 1930s and 1940s US Supreme Court Justice George Sutherland and US Attorney General Robert Jackson were warning against prosecutors who sacrifice "fair dealing to build up statistics of success." Certainly it is difficult to find in the ranks of federal prosecutors today Jackson's "prosecutor who tempers zeal with human kindness, who seeks truth and not victims, who serves the law and not factional purposes, and who approaches his task with humility."

Just consider the wrongful conviction of Alabama's Democratic governor, Don Siegelman by what apparently was a Karl Rove plot to rid the South of Democratic governors. The "Democratic" Obama regime has not investigated this false prosecution or given clemency to its innocent own. Remember how quickly Bush removed the prison sentence of Cheney's operative who revealed the name of a CIA undercover agent? The Democrats are a cowed and cowardly political party, fearful of justice, and as much a part of the corrupt police state as the Republicans.

Today the purpose of a prosecution is to serve the prosecutor's career and that of the party that appoints him or her. A prosecutor's career is served by high conviction rates, which require plea bargains in which the evidence against a defendant is never tested in court or before a jury, and by high profile cases, which can launch a prosecutor into a political career, as Rudy Giuliani achieved with his frame-up of Michael Milken.

Glenn Greenwald explained how Internet freedom advocate Aaron Swartz was driven to his death by the ambition of two federal prosecutors, US Attorney Carmen Ortiz and Assistant US Attorney Stephen Heymann, who had no aversion to destroying an innocent person with ridiculous and trumped-up charges in order to advance their careers. <http://www.guardian.co.uk/commentisfree/2013/jan/16/ortiz-heyman-swartz-accountability-abuse> [3]

It is rare for a prosecutor to suffer any consequence for bringing false charges, for consciously using and even paying for false evidence, and for lying to judge and jury. As prosecutors are rarely held accountable, they employ illegal and unethical methods and routinely abuse their power. As judges are mainly concerned with clearing their court dockets, justice is rarely served in America, which explains why the US has not only a larger *percentage* of its citizens in prison than any other country on earth, but also the largest *absolute number* of prisoners. *The US actually has more of its citizens in prison than "authoritarian" China which has a population four times larger than the US. The US, possibly the greatest human rights abuser in history, is constantly bringing human rights charges against China. Where are the human rights charges against Washington?*

In America the collapse of law has gone beyond corrupt prosecutors and their concocted false prosecutions. Unless it needs or desires a show trial, a police state does not need prosecutors and courts. By producing legal memos that the president can both throw people into prison without a trial and execute them without a trial simply by stating that some official in the executive branch thinks the person has a possible or potential

connection to terrorism, tyranny's friends in the Justice (sic) Department have dispensed with the need for courts, prosecutors and trials. The Bush/Obama regime has made the executive branch judge, juror, and executioner. All that is needed is an unproven assertion by some executive branch official. Here we have the epitome of evil.

Evidence is no longer required for the president of the US to imprison people for life or to deprive them of their life. A secret Justice Department memo has been leaked to NBC News that reveals the tyrannical reasoning that authorizes the executive branch to execute American citizens on the basis of belief alone without the requirement of evidence that they are terrorists or associated with terrorists.

<http://openchannel.nbcnews.com/news/2013/02/04/16843014-exclusive-justice-department-memo-reveals-legal-case-for-drone-strikes-on-americans?lite> [4]

*In "freedom and democracy" America, innocent until proven guilty is no longer the operative legal principle. If the government says you are guilty, you are. Period. No evidence required for your termination. Even Stalin pretended to have evidence.*

The United States government is working its way step by step toward the determination that any and every critic of the government is guilty of providing "aid and comfort" to Washington's "terrorist enemies," which includes the elected Hamas government in Gaza. The only critics exempted from this rule-in-the-making are the neoconservatives who criticize the US government for being too slow to throttle both its critics and "anti-semites," such as former US President Jimmy Carter, who criticize the Israeli government's illegal appropriation of Palestinian lands. Most of Palestine has been stolen by Israel with Washington acquiesce and aid. Therefore, nothing is left for a "two-state solution."

There is no doubt whatsoever that the Israeli government's theft of Palestine is illegal; yet, Washington, on which Israel is totally dependent, does nothing about law. Law, we don't need no stinking law." Washington has might. Might is right. Get used to it.

Not only for Palestinians has law ceased to exist, but also for Americans, and for Washington's NATO puppets in the UK and Europe, pitiful remnants of once great nations now complicit in Washington's crimes against humanity. The Open Society Justice Initiative, a NGO based in New York, has issued a report that documents that 54 governments are involved in Washington's rendition and torture program. Twenty-five of the governments that help Washington to kidnap, disappear, and torture people are European.

<http://www.guardian.co.uk/world/2013/feb/05/cia-rendition-report-uk-court> [5]

The opening decade of the 21st century has seen the destruction of all the law that was devised to protect the innocent and the vulnerable since the rise of the now defunct moral conscience of the West. The West's moral conscience never applied outside of itself. What happened to people in Europe's colonies and to native inhabitants of the US and Australia is a very different story.

Nevertheless, despite its lack of coverage to the powerless, the principle of the rule of law was a promising principle. Now America under Bush and Obama, two peas of the same pod, has abandoned the principle itself.

The Obama police state will be worse than the Bush/Cheney police state. Unlike conservatives who in times past were suspicious of government power, Obamabots believe that government power is a force for good if it is in the right hands. As Obama's supporters see him as a member of an oppressed minority, they are confident that Obama will not misuse his power. This belief is akin to the belief that, as Jews suffered so much at the hands of Hitler, Israel would be fair to the Palestinians.

Glenn Greenwald writes that "the most extremist power any political leader can assert is the power to target his own citizens for execution without any charges or due process, far from any battlefield. The Obama administration has not only asserted exactly that power in theory, but has exercised it in practice."

<http://www.informationclearinghouse.info/article33847.htm> [6]

This is the power of a dictator. That Saddam Hussein and Muammar Gaddafi were said to have this power was part of their demonization as "brutal dictators," a justification for overthrowing their governments and murdering the dictators and their supporters.

Ironic, isn't it, that the president of the United States now murders his political opponents just as Saddam Hussein murdered his. How long before critics move from the no-fly list to the extermination list?

Additional reading: The legal analysis in the URL below written by seasoned attorneys shows that Obama is a tyrant. The point made by the attorneys is too clear to be debatable.

[http://www.americanthinker.com/2013/02/assassin\\_in\\_chief.html](http://www.americanthinker.com/2013/02/assassin_in_chief.html)

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