
Campaign 2004: Where They Stand

Threat of Police-State, Rule by ‘Emergency’ Decree

The following is **Part 4** in a series of documentary comparisons of the views of the 2004 Democratic Presidential contenders. The topics are those raised by Lyndon LaRouche’s candidacy since Jan. 1, 2001, and therefore we place him first. The other candidates are listed in the order of the number of their itemized campaign contributions. (LaRouche is number two by this count.) **Part 1**, in EIR Dec. 12, 2003, dealt with the Iraq War and the Cheney neo-conservative coup; **Part 2**, in EIR Dec. 26, 2003, was on economic policy; **Part 3**, in EIR Jan. 16, 2004, was on military policy.

Lyndon H. LaRouche, Jr.



1. *The Ashcroft Appointment and Threat of Rule by Emergency Orders*

On **Jan. 3, 2001**, when President George Bush had announced his intention to appoint former Sen. John Ashcroft as his Attorney General, Lyndon LaRouche responded to a question from a member of the Congressional Black Caucus, about what to do. LaRouche, who was addressing a public symposium at the time, answered as follows:

“First of all, when Bush put Ashcroft in, as a nomination for the Justice Department, he made it clear, the Ku Klux Klan was riding again. That’s clear. Now, maybe Bush didn’t know what he was doing. But somebody in the Bush team did. And a lot of them had the voice to say something about it. Ashcroft was an insult to the Congress. If the Democrats in the Congress, capitulate to the Ashcroft nomination, the Congress is finished.

“This is pretty much like the same thing that Germany did, in Feb. 28, 1933, when the famous *Notverordnung* [emergency decree] was established. Just remember, after the Reichstag burning, the Reichstag fire, that Göring, who commanded at that time, Prussia—he was the Minister-President of Prussia at the time—set into motion an operation. As part of this, operating under the rules of Carl Schmitt, a famous pro-Nazi jurist of Germany, they passed this act called the *Notverordnung*, the emergency act, which gave the state the power, according to Schmitt’s doctrine, to designate which

part of his own population were enemies, and to imprison them, freely. And to eliminate them. This was the dictatorship. . . .”

In the days following this webcast, LaRouche mobilized his supporters to campaign for a Senate filibuster against Ashcroft’s confirmation.

On **Jan. 16, 2001**, testimony in opposition to the appointment of John Ashcroft as Attorney General, was presented to the Senate Judiciary Committee, for the written record, on behalf of LaRouche, by Dr. Debra Freeman, LaRouche’s campaign spokesperson. LaRouche was quoted:

“My opposition to Mr. Ashcroft’s confirmation is shaped by two considerations that go beyond the normal factors that one would weigh, in considering a candidate for the top law enforcement post in the U.S. Federal Executive Branch.

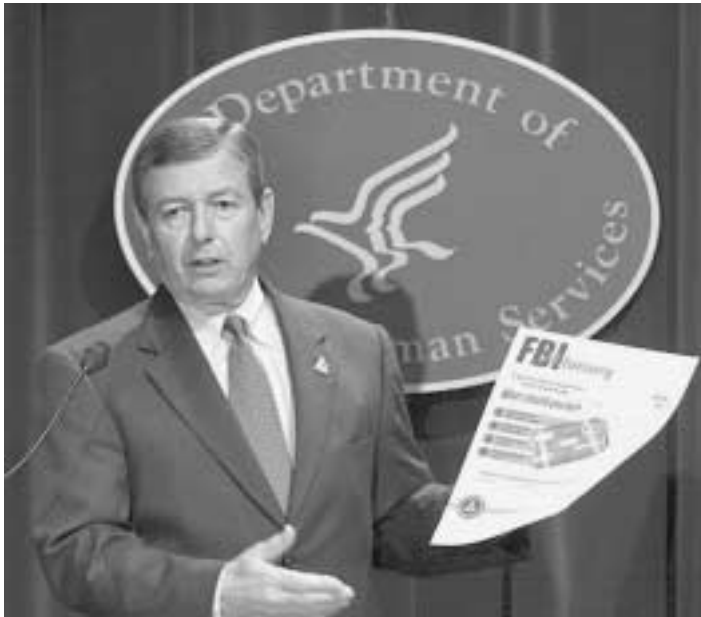
“The first of those factors is the extraordinary global financial and monetary crisis that will be the first and overriding order of business confronting the incoming Bush Administration, as even President-elect Bush and Vice President-elect Richard Cheney have limitedly acknowledged in public statements. . . .”

“The second factor, in this context, is the role that the next Attorney General will play, as a leading member of the Executive Branch crisis team, dealing with the global financial and monetary crisis, and the other consequent regional and domestic crises, that will arise from these extraordinary circumstances. As the chief law enforcement official of the Federal Executive Branch, the next Attorney General will have responsibilities in this broader crisis-management team setting, that will often supercede his more immediate role within the Justice Department and subsumed Federal law enforcement agencies, proper. . . .”

While LaRouche’s campaign helped generate sufficient opposition to get 42 Senators to vote against Ashcroft’s confirmation, Senate Majority Leader Tom Daschle refused to permit a filibuster, which would have blocked Ashcroft’s appointment.

2. *The 9/11 Attack and How To Provide for Security*

In his campaign document *Zbigniew Brzezinski and September 11th*, written **Dec. 23, 2001**, LaRouche reiterated his judgment that the Sept. 11 attack was not organized by al-



Lyndon LaRouche warned, in opposition to the nomination of John Ashcroft (left) as Attorney General in January 2001, that Ashcroft would seek a pretext for unconstitutional rule by emergency decree, just as the Nazis did after the Reichstag Fire of Feb. 28, 1933. Months later, the terror attacks of Sept. 11, 2001 provided that pretext.

Qaeda/Arab terrorists, but was an attempted coup d'état, with the indispensable role being played by forces inside the United States. He wrote:

“For those who are able and willing to accept the way in which history actually works, the evidence provided by the U.S. events of Sept. 11th permitted but one concise conclusion: The crucial developments inside the U.S.A., between the bookends of approximately 08:45 and 11:00 h EDT, were a reflection of an attempted military coup d'état against the U.S. government of President George W. Bush.

“I first reached that conclusion early during the first hour of that interval, while I was being interviewed in a nearly two-hour, live radio broadcast. My broadcast remarks during that interval have become an important integral part of those developments themselves, not only inside the U.S.A., but in their radiating effects throughout much of the world besides.

“For those who would debate the matter, there were only two available, competent choices among possible alternative explanations, for even the mere possibility of the known sequence of the relevant events which had been reported widely during that interval:

“**The first, most ominous possibility**, was that the relevant, pre-established security safeguards, which had been instituted earlier against such types of contingencies, had, previously, simply been allowed to deteriorate to virtual non-relevance, that itself a very dangerous state of national security,

“or,

“**The second, more likely possibility**, was that some top-ranking U.S. military personnel ‘at the switch,’ turned off a significant part of those standing security pre-arrangements which would have been sufficient, at a minimum, to defeat, at the least, the attack upon the Pentagon itself.”

This evaluation of the source of the Sept. 11 attack led LaRouche to oppose measures of expanded police-state controls, such as the proposal for the establishment of a U.S. Army Northern Command. In a statement issued on **May 17, 2002**, “The Northern Command Crosses the Rubicon,” LaRouche warned, “The proposal for the probably unlawful, U.S. Army Northern Command (‘USNORTHCOM’), when taken in its current strategic-policy-setting, is clearly a proposal to ‘cross the Rubicon,’ a preparation to create a Caesarian military dictatorship over both the North American continent and the Caribbean, in imitation of the 49 B.C. action of Julius Caesar’s setting off that civil war among Roman military forces which led to 31 B.C. establishment of the Empire of Augustus Caesar. In today’s world, it is a preparation for the Pentagon to cross the Potomac one morning, to place the U.S. Attorney-General and his minions in power, reducing the President himself to a ceremonial, or even lesser figure in the configuration.”

On **Feb. 26, 2003**, LaRouche demanded that President Bush fire Ashcroft, due to the Attorney General’s misuse of his powers, under the Patriot Act and other executive decisions.

3. *The Patriot Act and "Patriot II"*

In **Fall 2001**, at the time of passage of the Patriot Act, LaRouche launched a public education drive, to make clear the danger to the nation posed by elements within the Administration, including the Ashcroft Justice Department, who were positioned and disposed to use the threat of terrorist attack against the United States to impose a pre-existing fascist agenda. In his Special Report on *How to Defeat Global Strategic Irregular Warfare*, he called for measures against drug-money laundering, and other such sources of funding of terrorism, and measures of collaboration with other sovereign governments.

On **Feb. 17, 2002**, LaRouche stressed how to fight the danger, by identifying the real nature of the enemy: "The enemy is an agency, an agency of evil. People have been talking about 'axes of evil,' and this and that—there is an agency of evil; that evil on this planet, by certain forces, to establish a regime, a caricature of the Roman Empire, which is universal fascism.

"Our job is to expose the character of that movement for universal fascism, and to destroy the power of that movement, by mobilization of the people of the world." To understand it, he said, look for example, at the U.S. backing for the murderous policies of Israeli Prime Minister Ariel Sharon. All this "is an injustice which has *taken control* of the U.S. government. And we have to free this government from the control by that injustice. The way we do that is, essentially, moral and political, by educating people as to the nature of the danger."

In **May 2002**, when commenting on the Patriot Act, LaRouche said:

"Such measures are 'in the wind' at this time, and do constitute the greatest threat to our nation's civil liberties since the victory at Yorktown."

When in **February 2003**, a new "Patriot II" draft Act was revealed, LaRouche called it the "Heinrich Himmler II" Bill.

On **March 16, 2003**, LaRouche issued a press release, "Stop Ashcroft's 'Heinrich Himmler II' Bill—While You Still Can," opening by asking the citizen to imagine a scenario in which threats of terrorism and war are cited by the President and Administration as reasons why Congress is to rush through a new "Domestic Security Enhancement Act of 2003," giving the Federal government emergency powers, as the modern-day version of the *Notverordnung* doctrine delivered for Hitler on Feb. 28, 1933, by the Nazi jurist Carl Schmitt. LaRouche pointed out: "The connection is not accidental. Attorney General Ashcroft was indoctrinated in this by disciples of Chicago University professor Leo Strauss, who owed his own career to that same Carl Schmitt. Ashcroft, like Vice President Dick Cheney, uses the exact same, Leo Strauss-copied arguments of Carl Schmitt, the same arguments which transformed Hitler into a dictator on Feb. 28, 1933. . . ."

LaRouche said of the scenario, "None of the above is

fiction; it is real, and ready to go. For months, staffers in John Ashcroft's Justice Department have been drafting and putting the finishing touches on a sequel to the 2001 'USA/Patriot Act'—which has become known as 'Patriot II,' or better named 'Heinrich Himmler II'"

Howard Dean

1. *The Ashcroft Appointment and Threat of Rule by Emergency Orders*

Dean criticizes Attorney General Ashcroft in terms of prejudices and violation of civil rights, but not in terms of the danger he represents in the midst of the current global financial crisis. The Dean campaign website lists ten action commitments—including equal rights for same sex couples, a Federal ban on anti-gay violence, defense of a woman's right-to-choose, an end to racial profiling, and others, and then this appears as the sixth point: "I will appoint an Attorney General who sees our constitution not as a document to be manipulated, ignored, and violated, but who recognizes and respects it as the fabric that binds the American community together."



2. *The 9/11 Attack and How To Provide for Security*

"Fighting Terrorism Does Not Mean Compromising Our Freedoms," is the title of an undated item on the Dean website, referring to the aftermath of 9/11, stating, ". . . as we fight the war on terror, we must be vigilant in protecting civil rights and liberties. The rule of law and due process must continue to be the hallmarks of our judicial system. . . . The Administration has unnecessarily compromised our freedoms in the name of fighting terrorism. President Bush and Attorney General Ashcroft have adopted a series of anti-terror tactics that erode the rights of average Americans and cannot be justified on national security grounds. Reports of the Department of Justice Inspector General and numerous watchdog groups document a troubling pattern of hostility to civil rights and liberties since September 11. . . . And recently the Justice Department's Inspector General identified credible allegations that detainees have suffered physical abuse in custody." Other wrongful detention practices are also cited.

Yet, from all statements available, Dean buys into the official line that the Sept. 11 terrorists were a force deployed from outside, against the United States.

On how to provide for domestic security, the Dean website provides a section on "Homeland Security," in which three points are stressed: 1) to ensure resources for first-responders; 2) "a circle of protection to defend our critical infrastructure and borders"; 3) "a circle of prevention, in cooperation with Russia and our allies," to reduce chances for weapons of mass destruction (WMD) to fall into terrorist

hands, and to reduce social ills that can lead to fostering terrorism. These points are elaborated in detail. For example, Dean calls for transferring \$5 billion from the Homeland Defense Trust Fund to the states to fund urgent first-responder needs.

On intelligence functions, Dean calls for strengthening “our military and intelligence capabilities.” Dean has stated his belief that “America should have been better prepared for the terrorist attacks of September 11, 2001. Bi-partisan reports warning of the imminent threat had been largely ignored.”

3. *The Patriot Act and “Patriot II”*

Under “Fighting Terrorism Does Not Mean Compromising Our Freedoms,” Dean’s campaign website gives this summary view: “Now the Attorney General is seeking to supplement the Patriot Act with Patriot Act II, included in the Administration’s so-called ‘Victory Act’ proposal. Rather than expanding the Patriot Act, we should reconsider the wisdom of the original bill.”

One of Dean’s ten “action commitments,” is: “I will oppose expansion of the Patriot Act, efforts to remove sunset clauses included in the act, and I will seek to repeal the portions of the Patriot Act that are unconstitutional.”

Elsewhere on the website, Dean states, “I am also deeply troubled by some provisions in the USA Patriot Act, which was enacted in the wake of 9/11 without meaningful debate. The Act gives overly broad investigative and surveillance powers to the government and strips federal courts of their traditional authority to curb abuses of power by the executive branch. Many of the Act’s provisions have little or nothing to do with combating terrorism; in fact some had been previously rejected by Congress. But the Ashcroft Justice Department took advantage of the climate of fear following the attacks to make fundamental changes in law enforcement procedures.” Dean identifies five specific provisions he opposes.

John Kerry

1. *The Ashcroft Appointment and Threat of Rule by Emergency Orders*

On **Feb. 1, 2001**, Senator Kerry voted among the other 41 Senators against the confirmation of John Ashcroft as Attorney General.

On **Jan. 7, 2001**, Kerry appeared on NBC’s “Meet the Press,” stressing that Ashcroft has a record as “a man who opposed voluntary desegregation in his state, a man who has been on the fringe of a number of different issues that really challenge the very community and communities in general, minority communities.”

After the Iraq War, Kerry’s criticism of Ashcroft and the Administration broadened, for example, on the issue of Ash-



croft’s role in covering up the lie that Iraq attempted to obtain fissile supplies from Niger.

On **Sept. 29, 2003**, Kerry called for a Special Counsel to investigate the leak of the identity of CIA covert operative Valerie Plame, the wife of former Amb. Joe Wilson, who had exposed Dick Cheney’s lie about Iraq and Niger nuclear supplies; thus, Kerry called for the investigation to be taken outside the hands of John Ashcroft and the Justice Department.

On **Dec. 1, 2003**, Kerry gave a lecture at Iowa State University, referencing the aftermath of 9/11, titled, “Ending the Era of John Ashcroft.” In it he criticized “ideologues in the Administration,” saying, “In the name of the War on Terror, they are attempting to diminish the very rights that define us. . . . After September 11th, this Administration gathered and used broad new powers to investigate the private lives of people in this country. The powers were supposed to be used to fight the War on Terror. But George Bush and John Ashcroft have gone far beyond that.”

Kerry indicated measures he would take as President, beginning with installing a competent Attorney General. Among the measures cited: to put “an end to ‘sneak-and-peak’ searches which permit law enforcement to conduct a secret search and seize evidence without notification,” and also, to “eliminate the potential of fishing expeditions into people’s library and business records,” and other proposals. “We will provide Americans with protections from wiretaps, prevent local police officers from spying on innocent people,” and at the same time, help law enforcement, firefighters, and others “on the front lines,” with access to critical data.

2. *The 9/11 Attack, and How To Provide for Security*

There has been no indication that Senator Kerry understands the 9/11 attack as an attempted coup d’état involving forces inside the United States. He has concentrated instead on particular domestic security measures. As of **Dec. 21, 2003**, at the time Homeland Security Secretary Tom Ridge issued a Code Orange threat warning, the Kerry campaign website presented a Five-Point Plan for domestic security. The points are:

- Orange Alert Fund. This is to reimburse localities for additional costs during threat alerts.
- Citizen Preparedness Initiative. The website item states: “There would also be more effective local alert systems to notify the public in the event of a threat or attack. John Kerry’s National Service Initiative [a civilian corps] includes a new Community Defense Service, which would put in place hundreds of thousands of service captains to assure our communities are ready to respond to a crisis, complementing, but not supplanting, the work done by police, fire fighters, and other first defenders.”
- More Targetted Alert System. To share intelligence on a focussed, local basis, and delimit alerts accordingly.
- Improve Airport Security. Screen all air-cargo. Add

explosives detection screening at airports.

- Homeland Security Corps. Give local communities resources to hire 5,000 additional law enforcement officials for local assistance.

Kerry's website offers additional facets of domestic security, including, "A National Homeland Health Initiative" and "Reforming Domestic Intelligence," where the FBI's role is questioned ("their fundamental role is to catch and prosecute criminals"), and likewise, "the Bush Administration's proposed terrorist threat integration center (TTIC) would not be able to do the job," and other points.

Kerry continues to refrain from naming names or networks in positions in Washington agencies, known to him from his several key Senate investigations of counterintelligence matters, including into the scandal over the Bank of Credit and Commerce International (BCCI), as well as Iran-Contra.

3. *The Patriot Act and "Patriot II"*

Senator Kerry voted for the Patriot Act. In his **Dec. 1, 2003** Iowa State University speech, he said: "I voted for the Patriot Act right after September 11th—convinced that—with a sunset clause—it was the right decision to make. . . . But George Bush and John Ashcroft abused the spirit of national action after the terrorist attacks. They used the Patriot Act in ways that were never intended and for reasons that have nothing to do with terrorism.

"That's why, as President, I will propose new anti-terrorism laws that advance the War on Terror while ending the assault on our basic rights."

On **June 17, 2003**, in an interview with MoveOn.org, Kerry said, "I am alarmed by what has been reported to be part of 'Patriot Act II' and I will very carefully review any new proposal and fight to ensure that it does not violate civil liberties."

John Edwards

1. *The Ashcroft Appointment and Threat of Rule by Emergency Orders*

Edwards opposed the Ashcroft nomination. In a speech on the Senate floor on **Feb. 1, 2001**, he called the nominee a "polarizing and divisive figure," at a time, after a divisive election, when we have a responsibility to unite the country. He cited the example of Ashcroft's opposition to the nomination of an African-American, Ronnie White, to the Missouri Supreme Court, "for what appear to be simply political reasons." Ashcroft once called a U.S. Supreme Court ruling "illegitimate," Edwards said, and this shows "a fundamental disrespect for the rule of law which we believe is so critical in this country."

At the **May 3, 2003** Democratic Party debate in Columbia,



South Carolina, Edwards said, "John Ashcroft, in the name of protecting America, in the name of fighting a war on terrorism, is eroding our right to privacy, eroding our civil liberties, eroding the very heart and soul of what makes this country great. It's all around the edges. It's creeping. But we have to be so careful and so vigilant to make sure that America does not lose what makes America great."

2. *The 9/11 Attack and How To Provide for Security*

In **early 2003**, Senator Edwards introduced legislation that would create a Homeland Intelligence Agency, that would track terrorist operatives in the United States and coordinate with law enforcement and other functions. Edwards has faulted the FBI and CIA for not following leads and taking other actions prior to Sept. 11, 2001, that might have uncovered the plot. Edwards does not indicate recognition of any threat from corrupt figures and networks in power *inside* the United States, as being behind Sept. 11-style terror.

On **Sept. 25, 2003**, at a Pace University debate in Manhattan, Edwards said of the aftermath of 9/11: "I know the American people are worried about their safety and security. But we can't ever forget what it is we're supposed to be fighting for. And in this effort to protect ourselves and fight our war on terrorism, we cannot allow people like John Ashcroft to take away our rights, our freedom, and our liberties. Those things are under assault. After Sept. 11, it's much harder to stand up for those things."

Edwards has made a proposal to establish a new intelligence agency as the centerpiece of a number of security proposals, outlined on his campaign website: "Securing Our Infrastructure," "Supporting Our First Responders," "Tighten Our Border Security," and others.

3. *The Patriot Act and "Patriot II"*

Senator Edwards voted for the Patriot Act. By late in 2003, he began to criticize it and call for it to be revised.

On **Sept. 8, 2003**, Edwards gave an address, whose prepared remarks on his website stated that the Patriot Act should be changed to 1) Protect the basic rights of U.S. citizens. No American should be detained forever without a chance to argue before a judge that he is innocent; 2) Repeal provisions of the act that don't work, such as getting a person's records from a library or business if the attorney general tells a judge these are related to a terrorism investigation. The law should require the Justice Department to prove to a judge that there is a real justification; 3) Make sure the public has enough information about how the Patriot Act is working, such as more disclosure of the number of wiretaps used under the Foreign Intelligence Surveillance Act, as amended by the Patriot Act.

On **Oct. 27, 2003**, at the Detroit candidates debate, a reporter pointed out that Edwards had voted for the Patriot Act. Edwards replied that there are some good things in the Act that get no attention, such as allowing us to go after money laundering, and measures to allow information-sharing, some

of the problems that existed before 9/11. But “the problem with the Patriot Act and the reason we need to make changes is because it gave entirely too much discretion to an attorney general who does not deserve it. . . . He has abused his discretion. . . . It’s not just the Patriot Act. You know, they are—they have a policy that allows them to arrest American citizens on American soil, put them in prison, keep them there indefinitely. They never see a lawyer, they never see a judge. This is not the America that we believe in.”

In the **May 3, 2003** debate in Columbia, South Carolina, Edwards said: “The problem with the Patriot Act is not the law itself. It’s the way it’s being administered, particularly by Attorney General Ashcroft. . . . It is why I have proposed taking away from the FBI the responsibility of fighting terrorism and simultaneously setting up an independent watchdog group to make sure that none of us are losing our civil liberties.”

Joe Lieberman

1. *The Ashcroft Appointment and Threat of Rule by Emergency Orders*

On **Feb. 1, 2001**, Sen. Lieberman was among the 42 Senators who voted against confirmation of Ashcroft as Attorney General. In his speech that day, Lieberman gave an extremely mild explanation, first dissimulating by making the point that “many prominent figures” in history, have been voted down for high office; and, secondly, on Ashcroft in particular, “Suffice it to say that on issues ranging from civil rights to privacy rights, Senator Ashcroft has repeatedly taken positions considerably outside of the mainstream of American thinking . . . he has spoken and written words that have particularly led many in the African American community to question his sensitivity to their rights and their concerns.” He ended his remarks, “I admire Senator Ashcroft for his private and public adherence to his faith. . . .”

Lieberman has deployed aggressively in support of the Clash of Civilizations policy against the Muslim World, and for war against Iraq, which Sept. 11 and Ashcroft’s measures were geared to facilitate and further.

From 2001 on, Lieberman deployed intensively for the creation of a new, powerful domestic emergency agency—pilot ideas for what became Homeland Security; and he continues to the present day. The following are representative actions of his mobilization:

- In **December 2001**, a Senate amendment was introduced by Lieberman and John McCain (R-Ariz.)—Lieberman’s cohort in demanding war on Iraq—to establish a National Commission on Terrorist Attacks Upon the United States. This initiative was in line with the Democratic Leadership Council’s demand at that time for the creation of a U.S. domestic “Interior Ministry.”



- On **May 21, 2002**, Lieberman addressed the New Democratic Network, of which he is the founder and former chairman, speaking of a “bipartisan effort” for “safeguarding American security.” He said, “Senator John McCain and I have called for a bipartisan, non-political, independent, blue ribbon commission . . . composed of citizens, not office holders” to investigate 9/11 terrorism; and he announced, “Tomorrow, the Senate Governmental Affairs Committee I chair, will mark up a bipartisan proposal I helped author that would do just that—the National Homeland Security and Combating Terrorism Act.”

- On **Aug. 29, 2002**, Lieberman sent a letter to his Congressional colleagues, in which he spelled out more elements of transforming the Homeland Security Department into an Interior Ministry for rule by decree. He listed five points, of which one called for creation within the Department of an “Undersecretary for Intelligence,” to whose office all formerly standing functions (CIA, FBI, etc.) would be subsumed, even that of the Presidency. That is, unless there was a specific Presidential order to the contrary, all intelligence agencies were to refer unanalyzed intelligence, through means that would protect sources and methods, to the Secretary for Homeland Security.

In point 5, Lieberman called in vague language for the creation of a “National Office for Combating Terrorism” within the Department of Homeland Security.

2. *The 9/11 Attack and How To Provide for Security*

After 9/11, Senator Lieberman was a leading proponent of war against Muslim nations, such as Iraq, for their alleged responsibility for these actions. He also endorsed police-state measures.

Soon after 9/11, an association founded in 1995 by a grouping including Lieberman; Lynne Cheney, the wife of the Vice President; William Bennett; and other neo-cons, titled the American Council of Trustees and Alumni (ACTA), released a blacklist of 117 professors and students, whose statements were deemed by ACTA as evincing “hatred for the American ideals of freedom”—a McCarthy-style action typifying the outlook and deployment of Lieberman. The report was titled, “Defending Civilization: How Our Universities Are Failing America,” and termed subversive, such a statement as, “We have to learn to use courage for peace instead of war.” ACTA-related individuals continued this campaign into 2002. Among those targeted, by name, was Rep. Dennis Kucinich.

On **May 3, 2003**, in the Democratic Party debate in Columbia, South Carolina, when Kucinich said that the President gives “ever-changing reasons” for war, which are “not justified by evidence,” Lieberman replied, “I’d say, how can we win this election if we send a message of weakness on defense and security after Sept. 11, 2001?”

To Lieberman, “weakness” means questioning the official blaming of Osama bin Laden and “Muslims” for terrorism for 9/11. Do that, and you are suspect.

3. *The Patriot Act and "Patriot II"*

Senator Lieberman voted for the Patriot Act. Not until **Sept. 10, 2003**, did Lieberman issue a three-paragraph statement of mild criticism of Bush's request for new powers for the Justice Department, saying, "All over America, I hear deep concerns about the Bush Administration abusing the USA-Patriot Act and other powers they already have. Is the government snooping through people's library records. Inappropriately searching people's belongings? . . . This Administration's 'don't ask, don't tell' approach to governance should make every American leery of handing over new authority to John Ashcroft before we know how he's using the power he already has."

Wesley Clark



1. *The Ashcroft Appointment and Threat of Rule by Emergency Orders*

Clark has criticized Ashcroft's conduct in office, and criticized senior officials in the White House, and the Pentagon, for hyping intelligence and overreaching their authority—notably with respect to the Patriot Act—but he does not locate this in the strategic context of a threat to the nation by a faction prepared to impose fascism at time of economic breakdown. Clark's formulation is that there are threats to "civil liberties" from the ill-conduct of people, most of whom, save for Ashcroft, Clark does not name.

2. *The 9/11 Attack and How to Provide for Security*

On **June 15, 2003**, on NBC's "Meet the Press," Clark discussed how, around the 9/11 attack, there was a hyping of intelligence about Iraq. He said, "There was a concerted effort during the Fall of 2001, starting immediately after 9/11, to pin 9/11 and the terrorism problem on Saddam Hussein."

"It came from people around the White House," Clark said. "I got a call on 9/11—I was on CNN, and I got a call at my home saying, 'You've got to say this is connected—this is state-sponsored terrorism. This has to be connected to Saddam Hussein.' And I said, 'but I'm willing to say it, but what's [the] evidence?' And I never got any evidence. And these were people who were Middle East think-tanks and people like this. I mean, there was a lot of pressure to connect this, and there were a lot of assumptions made. But I never personally saw the evidence, and didn't talk to anybody who had the evidence to make that connection."

Subsequently, Clark has indicated his discomfort with the targetting of numerous Mideast countries in the name of fighting terrorism, but has left it at being "deeply concerned."

On **March 23, 2003**, Clark made a general reference to the domestic impact of making war on terror. In an interview on Salon.com with Jake Tapper, Clark said, "One of the things about the war on terror that I am disturbed about is that we've

essentially suspended habeas corpus. Which is something that's only been done once in American history and then only for a very brief period. . . ."

Clark has stated that had he been President after 9/11, he would have set up an international tribunal right after the terror attacks.

On **Oct. 3, 2003** in Manchester, New Hampshire, according to AP, Clark said that international trials should be arranged for the 660 Guantanamo detainees. He said they should have lawyers and be tried in an international venue.

Clark's national security proposal on his campaign website, is for the creation of a Homeland and Economic Security Fund (\$40 billion over two years), to "protect our country and provide a jump-start for job creation." There is no indication of where the money would come from.

3. *The Patriot Act and "Patriot II"*

The Clark website carries a section on "Civil Liberties and the Patriot Act," which states: "The USA Patriot Act was jammed through Congress in a matter of weeks, when the country was still in shock from the horrific attacks of September 11th. It wasn't carefully drafted and it wasn't fully debated. More troubling is that, in just two years, the Act has grown the tentacles that many feared. Last month, a Justice Department report admitted that John Ashcroft has actually expanded the substantial reach of the Act, using it to snoop in secrecy for evidence of crimes that have nothing to do with terrorism.

"Now Ashcroft is proposing the Protect Act. . . . I am concerned that the USA Patriot Act goes too far in expanding the authority of government investigators, and that it does so without sufficient oversight. . . ."

In his **March 23, 2003** Salon.com interview, Clark said, "When I go back and think about the atmosphere in which the Patriot Act was passed, it begs for a reconsideration and review."

On **June 19, 2003**, in an interview on WBUR Public Radio, Clark said, "The Patriot Act ought to be pulled out and given a full sunshine review. You're not going to win the war on terrorism if you destroy who we are as Americans and take away our rights and liberties."

Dennis Kucinich

1. *The Ashcroft Appointment and Threat of Rule by Emergency Orders*

Kucinich has criticized Ashcroft's actions in office, and also exposed the misconduct of other figures whom he names, in terms of making war on Iraq, but also in terms of operating in secret domestically, destroying "Constitutional principles," and "compromising civil liberties."

On **Feb. 17, 2002**, in a speech to the Southern California



Americans for Democratic Action, in Los Angeles, Kucinich singled out many actions by Ashcroft for criticism, including, “We cannot justify giving the Attorney General the ability to designate domestic terror groups.” Kucinich spoke of the “great fear” after 9/11, under which condition, “the Attorney General declared a nationwide terror alert.”

On **Sept. 9, 2003**, in the Congressional Black Caucus debate, Kucinich called for the repeal of the Patriot Act.

2. *The 9/11 Attack and How To Provide for Security*

On **Aug. 1, 2003**, on his campaign website, Kucinich refers to how the 9/11 attack was used as a pretext. He says, “We must challenge the rationale of the Patriot Act. The American jurisprudence system is the envy of the free world with its emphasis on due process. We cannot justify widespread wiretaps and Internet surveillance [and other similar intrusions]. . . . We cannot justify a government that takes from the people the right to privacy and then assumes for its own operations a right to total secrecy. We should not let the actions of terrorists cause us to reject our American system of justice. The ultimate terror in a democracy is the destruction of constitutional principles.”

Under “National Security” on the Kucinich website: “The current administration’s national security doctrine, with its reliance on preventive war as a standard instrument of policy, is making the world more dangerous. . . . National security policy must contribute to broader foreign policy objectives, and complement our domestic priorities. . . . My vision of national security ties together not only military but diplomatic, economic, and human rights policies, and views the use of military force as a last resort. Building the link between domestic and defense issues, I believe that this country is more secure when the largest possible number of its citizens have a stake in its success, when decent education, health care, and housing contribute to productive lives for everyone.”

3. *The Patriot Act and “Patriot II”*

Kucinich points out on his website, “I am the only candidate who voted against the ironically-named USA Patriot Act.”

On **Sept. 24, 2003**, he and several co-sponsors announced the introduction of legislation to repeal the most egregious portions of the USA Patriot Act.

Kucinich’s bill, which is labelled the “Benjamin Franklin

True Patriot Act,” would repeal those sections of the Act that authorize warrantless sneak and peek searches; warrantless library, medical, and financial record searches; and the detention and deportation of non-citizens without meaningful judicial review.

Al Sharpton



1. *The Ashcroft Appointment and Threat of Rule by Emergency Orders*

On **Oct. 27, 2003**, at the Detroit candidates debate, Sharpton spoke of Ashcroft targetting people. He said that it is very dangerous, on the second anniversary of the Patriot Act, to empower this Attorney General in any way that can target people. He boasted that he, Robert Kennedy, Jr., and labor leader Dennis Rivera went to jail over protesting the Navy bases in Vieques before the Patriot Act. “This administration wants to stifle and stop dissent.” He cited the case of people of color who rise to power, like Philadelphia Mayor John Street, “and what they’ve tried to do to Kwame Kilpatrick here in Detroit.”

2. *The 9/11 Attack and How To Provide for Security*

On **Jan. 1, 2002**, in “Al on America,” Sharpton said, “The military budget has increased by 30% in 2002. Most of the expenses had nothing to do with terrorism but were things they were trying to push through for years. Bush called for even more money to be pumped into the military, but the majority of that money will never see its way down to the soldiers; it will not dramatically increase their pay and benefits or protect them. Meanwhile, schools, Social Security, and other domestic needs are getting a budget cut.”

On **Nov. 5, 2003**, on the CNN “Rock the Vote” Democratic Party debate, Sharpton said, on security from terrorism: “First of all, I think we’ve got to start at the beginning. We were told we had to go to Iraq because we were in imminent danger. That was not true. If we go to the UN, if we go to the world community and we say to them, ‘We are not in charge. We will submit to a world body, Kofi Annan is in charge. We will be part of a partnership.’ The world can then come forward.”

3. *The Patriot Act and “Patriot II”*

On **June 17, 2003**, in an interview on MoveOn.org, Sharpton replied to a question about whether he would revise or repeal the Patriot Act: “I would definitely revisit them. They seem to be a throw-back to the Cointelpro days of J. Edgar Hoover, Dr. Martin Luther King, Jr., and the Black Panthers—making legal today, what was illegal then. These ‘Patriot Acts’ appear to be using the legitimate fear of 9/11 to pass illegitimate legislation. This legislation is unpatriotic in the most patriotic sense.”

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