

The Animal Enterprise Terrorism Act: New, Improved, and ACLU Approved*

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“Global terrorism means traditional civil liberty arguments are not so much wrong as just made for another age.” Tony Blair, August 2006

In the wake of 9/11, the US has entered a neo-McCarthyist period rooted in witch-hunts and political persecution. The evil Other of Communism has been superseded by the new threat of Terrorism, as embodied by militant Islamic jihadists who have declared a holy war against the West. In addition to the “*foreign* terrorist” menace whose frightful powers shocked the world on 9/11, the US corporate-state complex identified a growing “*domestic* terrorist” danger that, it believes, emerges from radical environmental and animal rights activists, and, ultimately, includes anti-patriotism and dissent of any kind.

In the dark days of post-9/11, in that poisoned and paranoid atmosphere that fertilized the metastasizing police state created by Cheney-Bush, and amidst shifting political grounds spawning new political forces, the Red Scare of communism has morphed into the “Green Scare” of “ecoterrorism.” The repressive powers of the FBI, CIA, and sundry other police forces are unleashed not against the “communist,” but rather against the animal right and environmental activist.^[1] Indeed, in a nightmare replay of the 1950s, activists of all kinds today are surveilled, hassled, threatened, jailed, and stripped of their rights (such as they tenuously have been and remain in corporate-dominated US society). As before, the state conjures up dangerous enemies in our midst and instills fear in the public so that people willingly forfeit liberties for an alleged security, thus facilitating the construction of a garrison society shrouded in secrecy, surveillance, and centralized power.

The dreadful days of COINTELPRO have returned with a vengeance. Between 1956 and 1971, the FBI operated a secret counter-intelligence program (COINTELPRO) whose purpose was to infiltrate, disrupt, and neutralize social justice movements and protest groups by any means necessary; their hard-ball tactics included phone taps, frame-ups, violence, and assassination.^[2] Despite the condemnation of FBI and CIA policies in the Church Committee Report in 1976, these rogue agencies continued their war against dissent and it escalated dramatically after 9/11.

Hour by hour, day by day, our First and Forth Amendment rights (among others) are hemorrhaging and bleeding away into the sinkhole of the military-corporate-state tyranny. The issue goes beyond Republicans vs. Democrats, as the latter hardly distinguished themselves on civil liberties since 9/11; Senator Dianne Feinstein (D-CA), for instance, co-sponsored the ominous Animal Enterprise Terrorism Act (discussed below).^[3] Given they are no less beholden to military and corporate powers than Republicans, we can expect

little improvement from Democrats in the future, even if they control the executive and legislative branches of government.

Indeed, in the post-9/11 era there has been a *sea-change* in political culture. In the *age of terror* Western states – the US and UK in particular – inculcate fear in the public of constant threats to their safety posed by Islamic jihadists, and exploit tensions to create an authoritarian society where people are neither secure nor free.^[4] As evident most clearly in the UK and US state reaction to the growing influence of the animal liberation movement, dissent of any kind is now branded as “terrorist,” and thus is stigmatized and criminalized. A profound case in point of the current assault on civil liberties is how the corporate-state complex pushed through new laws to criminalize a broad range of animal rights protest activities, such as resulted in the imprisonment of the “SHAC 7” activists. Unfortunately, human rights organizations – who do not understand or sympathize with animal rights in principle – have missed the broad significance of the new draconian laws unleashed by the state against “ecoterrorism.”

The Politics of Fear

[If this were a dictatorship, it would be a heck of a lot easier...just so long as I'm the dictator.](#)” George W. Bush, “joking” at the Capitol, December 18, 2000

A tragedy for America, 9/11 was a blessing for the neoconservative agenda of the Bush administration, for it provided the perfect pretext to impose tyranny at home and pursue Empire abroad.^[5] A motley crew of cold-war hawks, oil barons, evangelical Christians, and dogmatic neocons, the Bush team seized advantage of the new climate of fear, intensified it in every way they could (through lies, hyperbole, false threats, and manufactured incidents) , and declared a phony “war on terrorism” against amorphous enemies. In the name of Homeland Security, the government patched together existing laws with new statutes to create the legal framework – and greatest Orwellian acronym ever – for the “Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act,” or, the “USA PATRIOT Act.”^[6] The PATRIOT Act endowed government and police with unprecedented powers to surveil citizens, to access records and information, and to arrest and detain.

Just a month after 9/11, the PATRIOT Act, a 342-page tome was rammed through Congress. In the urgency of the moment, few politicians read it and fewer still dared to challenge it, fearful of being labeled as weak or unpatriotic in dire times – intimidation policies still in effect. Democrats caved in and handed Bush a political blank check. The mass media, compliant and uncritical, peddled propaganda, spread fear, and championed an ill-conceived and illicit war that incomprehensibly – except from the premise that corporations and neo-cons sought access to oil and territory – morphed from battling the Taliban in Afghanistan to overthrowing Saddam Hussein in Iraq. From then to now, the Bush team has done everything in their power to confound the facts and to manipulate the public into believing that Iraq, not Al Qaeda, attacked America, and that the epicenter of the war against terror was in Bagdad and surrounding cities, not Kabul, Afghanistan, Pakistan, and elsewhere.

Signaling the tyranny to come, Bush proclaimed to the nation and world at large that, “If you’re not with us, you’re against us.” Before the rubble of the World Trade Centers had

been cleared, the US took a qualitative leap toward becoming a police state whose enforcers had virtually unlimited powers matched by zero degrees of accountability. No one was spared. Thousands of foreigners were rounded up, jailed, and/or deported without evidence of wrongdoing. Thousands more abroad were corralled and herded into compounds such as Guantanamo Bay where they languished in legal limbo.^[7] Courtesy of Attorney General Alfred Gonzalez, torture policies were drafted, approved, and implemented, as the CIA captured hundreds of “enemy combatants” – a nifty new label which stripped captives of all rights– and detained them in secret torture camps throughout Europe, where many were killed or disappeared altogether.^[8] International treaties like the Geneva Convention were flouted.^[9] In October 2006, the Bush administration cajoled the Republican-dominated Congress to pass the Military Commissions Act, which gave the government unlimited powers to detain and torture suspect non-citizens without a fair trial and habeas corpus rights.^[10]

Laws and agencies used to monitor suspected foreign spies and criminals (e.g., the Foreign Intelligence Surveillance Act) were redeployed for domestic policing. The government built massive surveillance systems to monitor the communications of every citizen, as Big Business fully cooperated with Big Brother.^[11] Bush rejected even the most minimal review laws as obstacles to catching terrorists, and ordered illegal, warrantless wiretaps on countless phone and email communications.^[12] Demonstrators and activists of all kinds became targets of surveillance and persecution, and dissent in many forms was criminalized (see below). While demanding open access to citizens, the government also cloaked itself in secrecy, by withdrawing presidential papers and historical records from the public domain and restricting citizen use of the Freedom of Information Act.

Recent documents obtained by NBC News, the American Civil Liberties Union (ACLU), and other organizations, for example, show that the Defense Department, the FBI Joint Terrorism Task Force, the Department of Homeland Security, and local police forces surveilled a broad spectrum of protest groups, including anti-war activists, environmentalists, animal rights advocates, and even vegetarians.^[13] Whether in the streets, military recruiting centers, classrooms, or churches, the state monitored a broad scope of legal political activity. FBI and police followed and harassed peaceful citizens, wrote down names and license plates, and entered volumes of information into massive databases, all organized under the rubric of national security threats.^[14]

The state moved aggressively, in particular, against active underground, sabotage-oriented groups, by placing the Animal Liberation Front (ALF) and the Earth Liberation Front (ELF) at the top of its “domestic terrorism” list for tactics of property destruction that inflicted hundreds of millions of dollars in damages to targets such as research laboratories and logging companies. While the ALF and ELF employ illegal tactics and therefore are legitimate marks for the FBI, elevating them to the nation’s top domestic terrorist threats is illogical and betrays the hidden agenda of the corporate-state complex, and raises two points.^[15]

First, these groups attack property, never people, and consider themselves to be non-violent. The inclusion of property destruction in the definition of domestic terrorism problematic and controversial.^[16] The ALF and ELF see themselves as freedom fighters, and argue that corporations and governments which kill billions of animals and destroy the

earth are the real terrorists. The ALF attacks “*species terrorism*,” whereby humans confine, torture, and kill billions of animals each year in slaughterhouses, fur farms, vivisection laboratories, and elsewhere.^[17] The ELF argues that if sabotage against corporate property is ecoterrorism, then the far larger ecoterrorist crime is the corporate destruction of the earth. Both movements underscore the mind-boggling hypocrisy that vilifies acts of property destruction as terrorism and sanctifies industries that kill billions of animals and destroy ecosystems.

Second, how is it that the ALF and ELF can be singled out as the leading domestic terrorist threats in a nation harboring far right-wing hate groups such as white supremacists, armed militia movements, neo-Nazis, and anti-abortion militants, all with a lengthy track record of violence and murder and armed to the teeth? Neo-Nazi Timothy McVeigh, not the ALF or ELF, blew up the Oklahoma City federal building in 1995, killing 168 people. Since then, radical right-wingers have killed as many, and police have uncovered dozens of plots to assassinate judges, bomb synagogues, and destroy mosques.^[18] Members of the Christian Right and Aryan Nations are responsible for murder, fire bombings, death threats, bank robbery, hate crimes, and the manufacture of biological agents to murder police officers. Right wing extremism, racism, and anti-Semitism is on the rise.^[19]

There is only one way to explain the irrationality whereby groups that are not armed, never attack people, oppose hate, and espouse democratic values are treated as a greater threat to society than violent hate groups. There is only one way to explain why convicted saboteurs receive longer prison sentences than many rapists, violent criminals, and murderers. Unlike right-wing extremists and neo-Nazis, vegan, animal rights, and environmental groups threaten the profits of agriculture, timber, and pharmaceutical industries – all vital to the growth of global capitalism. Taking advantage of their considerable power and influence in Congress, these industries have fought back against activists by setting government priorities, shaping official definitions of terrorism, and creating new anti-terrorist laws that protect their own interests by branding their opponents as terrorists and criminalizing dissent.^[20] Let’s turn to a significant case in point of how corporations appropriate the legal system to shield themselves from protest.

The Animal Enterprise Protection Act

In 1992, a decade before the passage of the USA PATRIOT Act, groups such as the National Association for Biomedical Research successfully lobbied Congress to pass a federal law called the Animal Enterprise Protection Act (AEPA). This legislation created the new crime of “animal enterprise terrorism” and laid out hefty sentences and fines for any infringement of its fiat. The law applies to anyone who “intentionally damages or causes the loss of any property” of an “animal enterprise” (research facilities, pet stores, breeders, zoos, rodeos, circuses, furriers, animal shelters, and the like), or who causes an *economic loss* of any kind. The AEPA defines an “animal rights or ecological terrorist organization” as “two or more persons organized for the purpose of supporting any politically motivated activity intended to obstruct or deter any person from participating in any activity involving animals or an activity involving natural resources.”^[21] The act criminalizes actions that obstruct “any lawful activity involving the use of natural resources with an economic value.”

Like the PATRIOT Act’s notion of “domestic terrorism,” the AEPA strategically exploits

semantic vagueness in order to subsume virtually every form of protest and demonstration against exploitative industries to a criminal – specifically, *terrorist* – act. Thus, the actions of two or more people can be labeled as “terrorist” if they leaflet a circus, protest an experimental lab, block a road to protect a forest, do a tree-sit, block the doors of a fur store, or, even organize an effective boycott.^[22] On the sweeping interpretations of such legislation, one imagines that Martin Luther King Jr., Mohandas Gandhi, and Cesar Chavez could today be vilified and imprisoned as terrorists, since the intent of their principled boycott campaigns was precisely to cause economic damage to unethical businesses.

There already are laws against sabotage and property destruction, so isn't the AEPA a redundant piece of legislation? The answer is no – not once one understands its hidden intent to cripple civil liberties. The real purpose of the AEPA is to protect animal and earth exploitation industries from protest and criticism, not property destruction and “terrorism.” The AEPA redefines vandalism as ecoterrorism, petty lawbreakers as societal menaces, protestors and demonstrators as domestic terrorists, and threats to their profits as a menace to national security. Wielded by powerful forces such as the biomedical industry, it AETA is designed to intimidate anyone even contemplating protest against them, and, should protestors challenge their legal right to kill animals and devastate the earth, to dispatch their opponents to prison. As a sign of changing conditions defined by the *politics of nature* – whereby political dynamics shift from (but don't exclude) challenging the hierarchy of human over human to that of humans over animals and the environment – the AEPA is an attempt of the corporate-state complex to single out animal/earth liberationists as a unique threat apart from other social movements.

Free Speech on Trial: The SHAC 7

Hovering over activists' heads like the sword of Damocles for over a decade, the AEPA dropped in March 2006, with the persecution and conviction of seven (eventually six) members of a direct action group dedicated to closing down one of the world's largest animal-testing company, Huntingdon Life Sciences (HLS) notorious for extreme animal abuse (torturing and killing 500 animals a day) and manipulated research data.^[23] Activists from the Stop Huntingdon Animal Cruelty (SHAC) campaign ran a legal and highly effective direct action campaign against HLS, driving them to the brink of bankruptcy.^[24]

From email and phone blockades to raucous home demonstrations, SHAC attacked HLS and pressured over 100 companies to abandon financial ties to the vivisection firm. By 2001, the SHAC movement drove down HLS stock values from \$15/share to less than \$1/share. Investment banking firm Stephens Inc. stepped in to save HLS from bankruptcy, but eventually withdrew in response to activist pressure. SHAC even kept HLS off the New York Stock Exchange, a bold action that responded in charges of economic terrorism in a full page advertisement in *The New York Times*.^[25]

Growing increasingly powerful through high-pressure tactics that take the fight to HLS and their supporters rather than to corrupt legislatures, the SHAC movement emerged as a major danger to animal exploitation industries and the state that serves them. Alarmed indeed by the new form of animal rights militancy, HLS and the biomedical research lobby commanded special sessions with Congress to ban SHAC campaigns. It was thus no coincidence that on May 26, 2004, a police dragnet rounded up seven animal rights

activists in New Jersey, New York, Washington, and California. Using the AEPA, HLS and the state successfully prosecuted the “SHAC 7,” all of whom currently are serving prison sentences up to six years.

After the SHAC 7 conviction, David Martosko, the research director of the Center for Consumer Freedom (a corporate front group) and a fierce opponent of animal rights, joyously declared: “This is just the starting gun.”^[26] Indeed, the Center for Consumer [read: Corporate] Freedom has led a McCarthyesque witchhunt against all opposition groups – not only underground groups but also aboveground, legal, and also mainstream groups such as People for the Ethical Treatment of Animals and the Humane Society of the United States, HSUS, tarring all opposition to animal cruelty with the same eco-terrorist brush. In a 2005 Congressional hearing on ecoterrorism, Martosko accused PETA and HSUS as being “front groups” for the ALF and SHAC, and urged Congress and the FBI to treat them all as one terrorist entity. In the post-9/11 environment, corporations and legislators continue to press for increasingly stringent laws against animal rights and environmental activism, while the Bush administration engulfs the entire citizenry within a vast web of fear, surveillance, intimidation, and oppression.^[27]

Repression Escalates

In September 2006, the US senate unanimously passed a new version of the AEPA (S3990), strategically renamed as the “Animal Enterprise *Terrorism* Act” (AETA). To prevent critical discussion of this repressive bill, the Senate fast-tracked it without hearings or debate, and delayed a vote just before adjourning for the Congressional election recess. In November 2006, the House approved the bill (HR 4239) and President Bush obligingly signed it into law.^[28] Beyond the portentous change in name, the revised version extends the range of legal prosecution of activists, updates the law to cover Internet protest campaigns, and enforces stiffer penalties for “terrorist” actions. Created to stop the effectiveness of SHAC-style tactics that biomedical companies habitually complained about to Congress, the AETA makes it a criminal offense to interfere not only with so-called “animal enterprises” directly, but also with affiliated parties such as insurance companies, law firms, and investment houses that do business with them.

Thus, the Senate version of the bill expands the law to include “any property of a person or entity having a connection to, relationship with, or transactions with an animal enterprise.” As journalist Will Potter notes, “The clause broadens the scope of legislation that is already overly broad.”^[29] This problem is compounded further with additional vague concepts such as criminalize actions that create “reasonable fear” in the targets of protest, making actions like peaceful home demonstrations likely candidates for “ecoterrorism.”

Updated and fortified, the purpose of the AETA – reaffirmed and bolstered – is to make it a terrorist crime to cause any “animal enterprise” (and its supporting companies) to suffer a loss of profit, whether through sabotage (“property damage”) or by legal activities such as peaceful protests, consumer boycotts, and media campaigns. AETA sentences first time violators up to six months in jail and \$10,000 in fines, and a second offense may earn one up to 18 months in prison and a \$25,000 fine. Seems non-violent, civil disobedience can be quite costly these days, earning burdensome fines, prison time, and the stigma of “terrorism.” The penalties escalate for acts that produce a “reasonable fear” of bodily harm or yield actual physical harm, even though the use of violence is unprecedented in the US

animal rights movement.

"It's depressing to know that, just because of our beliefs involving animals, we are going to be branded terrorists if we protest," remarks Lori Nitzel, a Madison attorney and executive director of Alliance for Animals, a statewide group that pledges nonviolence.^[30] As the Equal Justice Alliance aptly summarizes the main problems with the AETA:

- It is excessively broad and vague.
- It imposes disproportionately harsh penalties.
- It effectively brands animal advocates as 'terrorists' and denies them equal protection.
- It effectively brands civil disobedience as 'terrorism' and imposes severe penalties.
- It has a chilling effect on all forms of protest by endangering free speech and assembly.
- It interferes with investigation of animal enterprises that violate federal laws.
- It detracts from prosecution of real terrorism against the American people.^[31]

As a sign of post-9/11 politics and exploiting the semantic promiscuity of the T-word to thwart dissent, in December 2006, a Portland, Oregon fur store owner urged the state to use the AETA against protestors who "terrorized" him and threatened the high profit margins he earns from the blood of murdered animals.^[32]

An Army of One

A sole voice of dissent in Congress, Representative Dennis Kucinich (D-Ohio), stated that the AETA compromises civil rights and threatens to "chill" free speech. Alone in Congress for considering the victims rather than the victimizers, Kucinich said: "Just as we need to protect people's right to conduct their work without fear of assault, so too this Congress has yet to address some fundamental ethical principles with respect to animals. How should animals be treated humanely? This is a debate that hasn't come here."^[33]

In response to Kucinich's concerns, Congressman F. James Sensenbrenner (R-WI) stated that subsection (e) in the Senate bill, "rules of construction," was added to protect First Amendment rights of peaceful protest. Kucinich failed to point out, however, that this minor clause hardly counters the overwhelming emphasis of the bill which criminalizes actions that cause "loss of profits" to any type of "animal enterprise."

One finds a more trenchant critique in Potter's analysis of the AETA, which underscores numerous evasions, disingenuous clauses, and logical inconsistencies. Addressing Sensenbrenner's attempt to silence Kucinich on the question of First Amendment protections, Potter unravels the semantic chicanery and points out that:

[S]ome lawmakers adamantly maintained that "damages" means physical damage to physical property, and not the "loss of profits," as defined by "economic damage." If that's the case, why does the penalty section spell out sentences for "non-violent physical obstruction," and for a crime that "does not instill in another the reasonable fear of serious bodily injury or death" and "results in *no* economic damage or bodily injury"? If this bill only targets property destruction and violence, which by definition would have to cause economic damage or instill fear, how does the penalty section include sentences

for crimes that do neither? ...Lawmakers could spell out the definition of “damage,” and note that `economic damage’ (including the loss of profits) only applies to the penalty section of the legislation. In other words, spell out that the offense must include physically damaging property, but penalties for that can take into account the amount of impact that property destruction had on a corporation’s “loss of profits.” [34]

The ultimate intent of the law, in other words, is to stop *legal* not only illegal actions, to protect industry profits more than property, and to quell dissent in general.

ACLU Betrayal

One of the most unfortunate aspects of the AETA’s passing was the failure of the American Civil Liberties Union (ACLU) to challenge it firmly and in moral principle. The ACLU did indeed write a letter to Congress about the passing of the AETA in order to caution against conflating illegal and legal protests, but it failed to dispute the *real* terrorism perpetuated by animal and earth exploitation industries, and it ultimately consented to the validity of the speciesist and anthropocentric worldview.

In an October 30, 2006 letter to Chairman of the House Judiciary Committee F. James Sensenbrenner and Ranking Member John Conyers, the ACLU writes that it “does not oppose this bill, but believes that these minor changes are necessary to make the bill less likely to chill or threaten freedom of speech.” Beyond proposed semantic clarifications, the ACLU mainly warns against broadening the law to include legal activities such as boycotts: “Legitimate expressive activity may result in economic damage.... Care must therefore be taken in penalizing economic damage to avoid infringing upon legitimate activity.” [35]

Thus, unlike dozens of animal protection groups who adamantly rejected the AETA *in toto*, the ACLU failed to challenge its speciesist assumptions and principles. [36] In agreement with corporate interests, the ACLU assures the government it “does not condone violence or threats.” Not surprisingly for a mainstream organization, the ACLU uncritically accepts (1) the corporate-state definition of “violence” as intentional harm to *property*, (2) the legal definition of animals as “property,” and (3) the use of the T-word to demonize animal liberationists rather than animal exploiters. By consequence, if not intent, the ACLU sides with the government against activists involved in illegal forms of liberation or sabotage, a problematic alliance in times of global ecocide. The implications of their failure to issue a deeper challenge of the law in defense of *animal rights and freedoms*, and not only human rights and freedoms, leads them toward supporting *the property rights* of industries to torture and slaughter billions of animals over the *moral rights* of animals to bodily integrity and a life free from human exploitation and violence. [37]

Does the ACLU really think that their proposed modifications would be adequate to guarantee that the AETA doesn’t trample on legal rights to protest? Are they ignorant and indifferent to the fact that the AETA was used to send the SHAC 7 to jail for the “terrorist crime” of protesting fraudulent research and heinous killing? And just where was the ACLU during the SHAC 7 trial, one of the most significant First Amendment cases in recent history? Why does the ACLU focus on violations of the Constitution only against human rights advocates? Do they not recognize that tyrannical measures used against animal

activists today will be used against all citizens tomorrow? How can the world's premier civil rights institution be so blatantly speciesist and bigoted toward animals and their defenders? *Why will they rally to the defense of the Ku Klux Klan but not the SHAC 7?*

ACLU silence in the face of persecution of animal rights activists unfortunately is typical of most civil rights organizations in the UK, US, and elsewhere that are too speciesist and morally myopic to grasp the rights of animals and the implications of state repression of animal rights activists for human rights activists and dissent as a whole.

Dispatches from a Police State

“America is safer than it has been ... we're doing everything in our power to protect you.” George Bush, August 2006

In the “home of the brave, land of the free,” activists are followed by federal agents, their phone conversations and computer activity is monitored, their homes are raided, they are forced to testify before grand juries and pressured to “name names,” they are targets of federal round ups, they are jailed for exercising constitutionally protected rights and liberties. This applies not just to the ALF and ELF, but also to legal groups like Food Not Bombs, student groups, anti-war demonstrators, and even vegan outreach organizations. In the post-9/11 climate, where the PATRIOT Act is the law of the land, activists are demonized as terrorists, and citizens are advised to accustom themselves to the “new normalcy” of a post-civil rights, security-oriented garrison society.

Political repression has a long history in the US. From the Sedition Act of 1798 to the Red Scare during WWI, from McCarthyism to COINTELPRO, the US government has systematically violated the rights and liberties of its citizens.^[38] The AETA thus takes its place alongside other forms of state repression, and as it *broadens* the attack to incorporate the newest – and for some time now, the most bold and dynamic – social movements to mount a challenge to corporate power: the animal rights and environmental movements. The growing effectiveness of these movements on numerous fronts inevitably brings a retaliatory response by the corporate-state complex, moving it to crack down on civil liberties, to keep pushing legal actions into the illegal and criminal – and now “terrorist” – zone, and crush serious opposition by any means necessary.

Corporate exploiters, Congress, and the courts have taken the nation down a perilous slippery slope, where a momentum that conflates lines between illegal and legal forms of dissent, between civil disobedience and terrorism, between PETA and Al Qaeda, and between liberating chickens from a factory farm and flying passenger planes into skyscrapers.^[39] Politicians promote the corporate powers who pull their purse strings and stuff their pockets with favors and cash, the courts obligingly do their bidding, and police forces gleefully enforce the codes of corruption.

In post-9/11 America, the Constitution and the Bill of Rights are historical relics with little meaning to Bush's cabinet, Congress, and the courts – and apparently also for the apathetic herds and pro-“security” zealots among the citizenry – and the PATRIOT Act is the new law of the land.^[40] Time and time again, Bush has flouted the law – both national and international – to position himself as above and outside of it. Bush has subverted the Constitution's mandate for a separation of powers, by arrogating political authority to the

Executive branch alone.^[41] The words of James Madison are relevant here: “The accumulation of all powers, legislative, executive, and judiciary, in the same hands may justly be pronounced the very definition of tyranny.”^[42]

With Big Lies, manufactured data on Iraq’s alleged nuclear threat, and cynical manipulation of post-9/11 paranoia, the Bush administration has exploited the threat of terrorism in order to conjure up a nightmarish Hobbesian environment engulfed by a “war of all against all.”^[43] From meaningless color-coded signs to warn the public they are in constant danger and their arrests of “dangerous terrorists” who were later released for lack of evidence (the fear-mongering accomplished nonetheless) to staging phony bomb threats (such as paralyzed the NYC subway in 2006), the Bush team has worked to keep fear alive and to convince the public they are safe only under the rule of the Republican Party.^[44] Within this constructed, hyperreal environment thick with propaganda and disinformation, spewed with the assistance of a largely compliant media, Bush emerges as the Leviathan of bleak global landscape, exercising dictatorial powers over Congress, the courts, citizens, and the world at large.

This is terrorism, the *terrorism of “anti-terrorism,”* the willful spreading of fear and exploitation of a climate of fear, the intimidation and harassment of citizens, and the torture or murder of political prisoners throughout the world. Given that police states such as the UK and US function best when their citizens are fearful, Islamic extremists are Bush’s best ally in the War on Democracy. Just as Bin Laden suited Bush’s purposes, so Bush plays right into the hands of Bin Laden and other jihadists, as Bush’s war on Iraq and insults to Muslim culture were exactly the response to 9/11 jihadists wanted in order to foment resistance to the West and breed thousands of new suicide bombers and martyrs. Moreover, Bush and the Far Right are carrying out another key goal of Muslim extremists by trying to destroy the last remaining vestiges of Western democracy, liberalism, and secularism.

The current geopolitical conflict is not a “class of civilizations,” as Samuel Huntington argues, but rather, as Tariq Ali suggests, *a clash of fundamentalisms.*^[45] Whereas Bush constructs mythic binary opposites of Good vs. Evil, and Civilization vs. Barbarism, there are more similarities than differences between the Radical Right and radical Islam: both are grounded in fundamentalist religious views; both are authoritarian; and both seek to subvert modern Enlightenment, the democratic process, and the separation between Church and State. The best heritage of modernity – Enlightenment norms, democracy, civil liberties, and secular culture – is now threatened from both sides, such that Bush and the Christian Right pose as much a danger as Bin Laden and the Taliban. The Bush and Blair administrations, along with sundry contemporary authoritarians (such as paraded across the screen of FOX News), disdain defenders of democracy as “civil liberties absolutists” and people who “just don’t get it” – namely, that we live in dangerous and menacing times where security must trump liberty, where liberty is security.^[46]

The “clash of fundamentalisms” position transcends the obvious differences between Islam and the Christian West to delve into their fundamental similarities. Moreover, it reveals that in Bush’s America Christian fundamentalists – as dogmatic and zealous (short of martyrdom through suicide) as any Islamic jihadist – have waged their own fatwa against Enlightenment, science, secularism, liberalism, the separation of church and state, and the

last shreds of democracy. Often left out of the “clash of fundamentalisms” analysis, however, is recognition of the extent to which Islamic radicals have embraced Western culture. As John Gray emphasizes, they employ Western technologies such as cell phones, computers, and the Internet to organize their holy war; they mobilize the modern invention of revolutionary terror to advance an Enlightenment goal of remaking humanity, as they draw on the counter-Enlightenment rejection of reason; and they exploit for their purposes a global criminal economy organized around drugs and guns.^[47] Moreover, Islamic militants have pumped wealthy Saudi oil barons for cash to fund their jihadist cause. We must also emphasize another link with modernity, namely that to a significant degree Islamic radicalism is a hostile reaction to modern secularization dynamics and is a product of the impoverishment and desecularization promoted by globalization and modernity.^[48]

Yet Ali and others also mystify the ultimate causes of current crises and conflicts by focusing on the titanic “clash” of Islamic and Christian Gods apart from *the underlying economic dynamics* driving transnational corporations, their supporting state elites, and CIA funding of Islamic militants as US political pawns. As Takis Fotopoulos rightfully insists, the “war on terror” waged by the Bush administration, European elites, and the coerced “coalition of the willing” is a smokescreen that clouds the true motivations of the US, the G8 in general, and transnational corporations.^[49] In unbroken continuity with the colonialist agenda advancing inexorably since the fifteenth century, transnational capital and its neoliberal champions today seek to spread the market economy throughout the globe, and thereby to subdue all nations and peoples, and to commandeer all vital resources (such as oil) that are necessary to power the machines of economic growth/ecological destruction.

The “war on terror” is in fact *a terrorist war* in which the West, the US above all, unleashes “shock and awe” intensities of violence and genocidal weapons of mass destruction to impose the will of transnational capital onto the entire world by any means necessary, and to oppose any opposition to its agenda, whether domestic or foreign, as “terrorism.” The very term “war” betrays a violent, imperialist, misguided policy that deals with conflicts through violence and force rather than diplomacy and dialogue. Driven by neoconservatives, Carl “Bush’s Brain” Rove, and the demonic Dick Cheney, all working their marionette George Bush behind the scenes, the “war on terror” is a rhetorical mask for US policy of *total war*. The dismal irony of Bush’s claim that the “war on terror” has brought greater safety to America and the world is that his policies have exacerbated hostilities to the West that has resulted in more terrorism and greater insecurity and instability.^[50]

The US invasion and occupation of Iraq – on the surface insane and irrational given that (quite likely) Al Qaeda not Saddam Hussein engineered the 9/11 attacks and Iraq was a secular country that had long opposed Islamic fundamentalism – has a compelling sense and ruthless logic in the context of neoliberal utopianism, the geopolitical ambitions of the world’s sole Empire (clearly staggering toward a thunderous downfall), and the inexorable forces of market growth. To this, of course, we must also add the US goal to gain control over oil resources throughout the Middle East. Quite obviously, the Bush administration seized advantage of 9/11 and spread a relentless disinformation campaign about Iraq’s alleged possession of “weapons of mass destruction,” proclaimed a “war on terror,” and attacked and occupied Iraq as part of its ongoing efforts to gain economic and political in

the Middle East. [\[51\]](#)

Islamic militants are driven not from contempt for Western values and “freedoms,” as Bush and the Right insist, but rather by aggressive US policies, which include the militarization of Saudi Arabia and backing of its oligarchic and corrupt dictatorship, unqualified support for Israel in its war against Palestine, and the ravaging effects of globalization that breed swarms of discontent from which jihadists can recruit the next generations of suicide bombers. Indeed, it is little understood that the so-called “clash of civilizations” is in large part a specific conflict between the US government and a mutant group of violent jihadists who claim authentic allegiance to the Koran. This alleged titanic “clash” is the *blowback* to US imperialism that appeared in stunning form on 9/11. It resulted from decades of US government funding and organizing of radical Islamic groups for their own political purposes in the Middle East, North Africa, Central and South Asia, and elsewhere (as, for example, the US funded and mobilized Bin Laden and Al Qaeda for a proxy war against the Soviet Union in Afghanistan in the 1970s), thereby playing an ignorant, short-sighted, and reckless game that created an Islamic Frankenstein now coming after its deranged creator. [\[52\]](#)

Bypassing, ignoring, misunderstanding, and exacerbating the real sources of foreign attacks on the US, Bush’s “war on terrorism” is a tragic farce, as evident with the cut and run strategy in Afghanistan (which allowed the resurgence of Al Qaeda) and the obsessive focus on Iraq rather than actual jihadist networks that lie elsewhere. [\[53\]](#) The massive police resources of the US state are being mobilized far more to thwart domestic dissent than to improve homeland insecurity. While the FBI and NSA surveil and shadow the citizenry, the airlines, railways, subways, city centers, and nuclear power plants remain completely vulnerable to attack. [\[54\]](#)

The “war on terror” is a Trojan horse containing dirty bombs to drop on democracy and to unveil smoke and mirrors that distract from urgent social and environmental problems. While governments have a legitimate right and duty to protect their citizens from terrorist attacks, it is clear that Bush’s “war on terror” has focused more on stifling citizen dissent and protest. The *real goals* of the Bush administration, the far-right, and transnational corporations are not to make the world a safer place for its people, but rather to advance the neoconservative drive for Empire, to super-size corporate-state tyranny, to demonize and destroy democracy and dissent, and to divert attention from an ongoing war against the middle and lower classes.

To the extent that the new animal liberation movement threatens the profits and influence of corporations who thrive off animal suffering and death, they too will be branded as an enemy of the people and begin to feel the force of a corporate-state-system that stifles critical thinking, quells dissent, destroys opposition and stops at nothing to advance its growth, power, and profit imperatives. Like the backlash against other social movements such as feminism and black liberation, the counter to animal liberation is well-underway. But this is a sign of maturity, an indicator that the struggle against *human* supremacism has emerged as a serious challenger to the dominator culture. Fierce resistance to its moral message and political power is to be expected, and it is the Rubicon that the animal liberation ultimately must cross if it is to achieve its abolitionist goals.

* This paper is partly based on the author's article "[Dispatches from a Police State: Animal Rights in the Crosshairs of State Repression](#)" [*IJID*, Vol. 3, No. 1 (January 2007)] but in effect constitutes a new paper.

[1] On the Green Scare and general documentation of state repression, see Steven Best, "It's War! The Escalating Battle Between Activists and the Corporate State-Complex," in Steven Best and Anthony J. Nocella III (eds.), *Terrorists or Freedom Fighters? Reflections on the Liberation of Animals* (New York: Lantern Books, 2001, pp. 300-339, 2001.). Also see Will Potter's blog at: [Greenisthenewred.com](#), and the "Greenscare" site at: <http://www.greenscare.org/>. For political rhetorical analysis and critical comparisons between anti-terrorism and anti-communism, see Rosemary Foot, "Human Rights and Counterterrorism in Global Governance: Reputation and Resistance," in *Global Governance*, July-September 2005, Vol. 11 Issue 3, pp. 291-310; Robert L. Ivie, "Evil Enemy Versus Agonistic Other: Rhetorical Constructions of Terrorism," *Review of Education, Pedagogy & Cultural Studies*, July 2003, Vol. 25 Issue 3, pp. 181-200; and Edward S. Herman, *The Real Terror Network: Terrorism in Fact and Propaganda* (Boston: South End Press, 1982).

[2] On the history of the FBI's war against democracy, civil rights, and social movements, see Robert Goldstein, *Political Repression in Modern America: 1870 to the Present* (Cambridge, MA: Schenkman Books, 1978); Ward Churchill and Jim Vander Wall, *Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement* (Boston: South End Press, 1988); Ward Churchill and Jim Vander Wall, *Documents from the FBI's Secret Wars Against Dissent in the United States* (Boston: South End Press, 2002); and Athan Theoharis, *The FBI & American Democracy: A Brief Critical History* (Lawrence, Kansas: University of Kansas Press, 2004). There is a good collection of resources on the COINTELPRO operations at: <http://en.wikipedia.org/wiki/COINTELPRO>.

[3] For Feinstein's capitulation to the Green Scare and her sordid alliance with neo-McCarthyite Senator James "Global Warming is a Myth" Inhofe (R-Okla.), see her press release at: <http://epw.senate.gov/pressitem.cfm?party=rep&id=262681>.

[4] On the tenuous status of rights in the post-9/11 world, see Aryah Neier, "[Did the Era of Rights End on September 11?](#)".

[5] On the global ambitions motivating the "war on terror," see Michel Chossudovsky, "[America's War for Global Domination](#)". See also Amnesty International's monitoring of how nation states throughout the world are using the "war on terror" as a cover to suppress rights: "[The War on Terrorism](#)".

[6] On October, 2001, the PATRIOT Act passed in the [Senate](#) by a vote of [98 to 1](#), and in the [House](#) by a margin of [357 to 66](#). The Act had a [sunset clause](#) to ensure that Congress would need to reauthorize it, especially sections pertinent to the protection of civil liberties. It was renewed for another four years on March 2, 2006 with a vote of 89 to 11 in the Senate and on March 7 280 to 138 in the House, and subsequently signed into law by President Bush on March 9, 2006. Congress thereby extended some of the PATRIOT Act's most controversial provisions, such as which authorize roving wiretaps, secret warrants for books bought or checked out of libraries, and acquiring individuals' private records from schools, business, hospitals, and elsewhere. After Bush signed the reauthorization of the Act in a public ceremony n March 9, 2006, he then privately issued a "[signing statement](#)" (one among many he wrote) that freed him from complying with the Constitution if it conflicted with "security" concerns. [The PATRIOT Act is available online](#). For a detailed overview of the PATRIOT Act, see: <http://www.answers.com/topic/patriot-act>. For critical analysis of the PATRIOT Act in terms of its violation of the Constitution and threats to civil liberties, see David Cole and James Dempsey, *Terrorism and the Constitution: Sacrificing Liberties in the Name of National Security* (New York: W. W. Norton & Company, 2002); Nat Hentoff, *The War on the Bill of Rights and the Gathering Resistance* (New York: Seven Stories Press, 2003); and Nancy Chang: *Silencing Political Dissent: How Post-September 11 Anti-Terrorism Measures Threaten Our Civil Liberties* (New York:

Seven Stories Press, 2002). For online resources, see the [Electronic Freedom Foundation](#), the [Center for Constitutional Rights](#), and the [Bill of Rights Defense Committee](#).

[7] On the US government's treatment of non-citizens, see "[A Deliberate Strategy of Disruption: Massive, Secretive Detention Effort Aimed Mainly at Preventing More Terror](#)," November 4, 2001, *The Washington Post*. Also see David Cole, *Enemy Aliens: Double Standards and Constitutional Freedoms in the War on Terrorism* (New York: New Press, 2005). An illustrative case in point of how the "enemy combatant" label works is the appalling treatment of Jose Padilla. A US citizen, Padilla was arrested in 2002 and charged with involvement in a terrorist plot to set off a dirty bomb in a major US city. Padilla was detained in a military brig without hearing charges against him and deprived of legal counsel. In April 2007, the government continued its prosecution against him, but dropped the enemy combatant charges for lack of evidence..

[8] On the Bush administration's secret prisons and use of torture tactics as part of the CIA's "extraordinary rendition" program, see "[Bush: CIA holds terror suspects in secret prisons](#)"; "[United States of America: Below the radar: Secret flights to torture and 'disappearance'](#)", and [Amnesty International background reports](#). Also see the ACLU's "[Documentation of Deaths](#)" report. Trevor Paglen and A.C. Thompson have written a book-length study on recent CIA torture tactics in *Torture Taxi: On the Trail of the CIA's Rendition Flights* (Hoboken, NJ: Melville House Publishing, 2006). In his article, "[American Prison Planet: The Bush Administration as Global Jailer](#)," Nick Turse reports, "[U.S. intelligence officials](#) estimated that 70-90% of prisoners detained in Iraq 'had been arrested by mistake.' That was also 2004. The next year, it was revealed that, of the large majority of RNC arrest cases that had run their course, 91% of the arrests were dismissed or ended in acquittals". Similarly, Washington DC reporter, Justin Rodd, notes that while the National Security Association "sifts through millions of phone records, and the FBI runs down tens of thousands of mostly useless tips, federal prosecutors have only fielded a few hundred cases since 9/11. And even those are mostly chump change: Of 510 cases brought by the Feds in the past five years, they've won only four convictions on terror charges, [according](#) to one study" (December 12, "Is the Bush Administration Ignoring War on Terror?," at: <http://www.tpmuckraker.com/mt/mt-search.cgi?search=domestic+terrorism&SearchCutoff=365>).

[9] On the Bush administration's contempt for the Geneva Conventions, see the Human Rights Watch report, "[Questions and Answers: U.S. Detainees Disappeared into Secret Prisons: Illegal under Domestic and International Law](#)," December 9, 2005. Also see Kenneth Roth, "[Human Rights, the Bush Administration, and the Fight against Terrorism: The Need for a Positive Vision](#),".

[10] The Military Commissions Act denies habeas corpus rights – which protect against unlawful imprisonment – to all non-citizens suspected of being threats to national security. This act is part and parcel of the Bush administrations' attempt to flout the Geneva Convention and to give to itself the right to torture those whom they detain. Whereas the Military Commissions Act targets non-citizens, many legal experts believe that it also targets American citizens, authorizing the president to seize American citizens, declare them "enemy combatants," strip them of all legal rights, and thrown them into a military prison. According to the *Washington Post* reports, "The Bush administration is developing a parallel legal system in which terrorism suspects – U.S. citizens and non-citizens alike – may be investigated, jailed, interrogated, tried and punished without legal protections guaranteed by the ordinary system, lawyers inside and outside the government say" (Charles Lane, "In Terror War, 2nd Track for Suspects: Those Designated 'Combatants' Lose Legal Protections," *The Washington Post*, Sunday December 1, 2002, page A1).

[11] On the cooperation of major phone and internet companies with the government's surveillance program, see Eric Lichtblau and James Risen, "[Spy Agency Mined Vast Data Trove, Officials Report](#)," *The New York Times*, December 24, 2005. The state also worked with airlines to compile passenger information and placing many citizens on a "no fly" list. On the government's creation of a Terrorist Identity List with the cooperation of the major airlines, see William J. Krouse, "[Terrorist Identification, Screening, and Tracking Under Homeland Security Presidential Directive](#)".

[12] For a wealth of resources on Bush's use of illegal (warrantless) wiretaps and government surveillance on the whole, see: <http://www.bordc.org/threats/spying.php>. See especially the fact sheet at: <http://www.bordc.org/threats/nsamyths.php>. Also see the American Bar Association's

critique of Bush's systematic attack on the Constitution at: <http://www.informationclearinghouse.info/article12294.htm>.

[13] In December 2005, NBC News revealed details from a 400-page Department of Defense database document on domestic "threats" to its installations, detailing 1,500 "suspicious incidents" from a 10-month period (see Lisa Myers et. al, "[Is the Pentagon Spying on Americans?](#)," December 14, 2005. Dozens of peace groups were on the list, with a special focus on military counter-recruitment activities. According to NBC News, the database "includes nearly four dozen antiwar meetings or protests, including some that have taken place far from any military installation, post or recruitment center." Though hundreds of incidents were discounted as a threat, their names and details remained in the database. Similarly, the ACLU has obtained numerous documents showing government surveillance of innocent Americans (see: <http://www.aclu.org/spyfiles>). The Pentagon documents obtained by the ACLU reveal that "counterterrorism resources were used to monitor American groups opposed to the war in Iraq and military recruitment." The Pentagon's Threat and Local Observation Notice (TALON) database describe as "threats" planned demonstrations at military recruitment stations (see: <http://www.aclu.org/safefree/spying/27459gl20061121.html>). For additional information on government surveillance of citizens, see: "[Documents Reveal Widespread Domestic Surveillance of Political Groups](#)," and The Bill of Rights Defense Committee reports at: <http://www.bordc.org/threats/spying-protesters.php>. Astonishingly, in June 2007, the CIA released its "family jewel" internal reports that secretly documented their surveillance tactics on social movements and progressives (the documents are available on the CIA website, at: <https://www.cia.gov/>).

[14] For examples of how the PATRIOT Act has been used against law-abiding citizens, see Steve Watson, "[Patriot Act Use Against US Citizens Extended](#)".

[15] On the ALF and ELF, see Steven Best and Anthony J. Nocella II, *Terrorists or Freedom Fighters?: Reflections of the Liberation of Animals* (Lantern Books, 2004), and Best and Nocella, *Igniting a Revolution: Voices in Defense of the Earth* (AK Press, 2006).

[16] See the Introduction to *Terrorists or Freedom Fighters*. Justin Rood and staff at Congressional Quarterly reported the ironies of elevating the ALF and ELF to the greatest domestic terrorist threat in their article, "[Animal Rights Groups and Ecology Militants Make DHS Terrorist List, Right-Wing Vigilantes Omitted](#)". For an article on the capture of a truckload of deadly weapons possessed by one Aryan hate-group, see: Carol Robinson, et. al, "[Militia raid targets weapons](#)," *The Birmingham News*, April 27, 2007. On the government's tolerance of right-wing violence in relation to their hysteria and fervent prosecution of "eco-terrorism," see "[A Different Kind of Terrorism](#)," discussed in *The Carpetbagger Report* blog. Note also that right-wing extremists such as G. Gordon Liddy, Pat Robertson, and Ann Coulter can routinely advocate violence and assignation tactics against their paranoically-perceived enemies of the US, but the government seeks to put Rod Coronado in prison for years for an impromptu demonstration of how to make a firebomb.

[17] See "Defining Terrorism," in Best and Nocella, *Terrorists or Freedom Fighters*, pp. 361-377.

[18] See Andrew Blegwas et. al., "[Terror from the Far Right](#)".

[19] For rise of the radical right and neo-Nazism in US politics and culture, see Sara Diamond, *Roads to Dominion: Right-Wing Movements and Political Power in the United States* (New York: Guildford Press, 1995); Chip Berlet and Matthew N. Lyons, *Right-Wing Populism in America: Too Close for Comfort* (New York: Guildford Press, 200); and Chris Hedges, *American Fascists: The Christian Right and the War on America* (New York: Free Press, 2007). Also see Michelle Goldberg, "[Tyranny of the Christian Right](#)".

[20] Corporations, of course, determine social policy and law through funneling full-time lobbying of politicians, campaign donations, and outright bribes (see, for example, William Greider, *Who will tell the People: The Betrayal of American Democracy* [New York: Simon & Schuster, 1992]). The passage from corporations to the political and legal system occurs through a revolving door, where corporate heads create legislation and politicians and judges move up into the corporation world. A case in point is that before the arrest of the SHAC 7, a phalanx of corporate interests including pharmaceutical companies, researchers, and broad corporate front groups commanded the ear of

Congress during a special session' see Steven Best and Richard Kahn, "[Trial By Fire: The SHAC 7, Globalization, and the Future of Democracy](#)," *Institute for Critical Animal Studies Journal*, Volume II, Issue 2, 2004. For a detailed list of examples of the porous boundary between corporations and the state, see SourceWatch's excellent study, "[Government-Industry Revolving Door](#)". On the revolving door between energy, coal, and oil companies such as ExxonMobil and the Bush administration, see Tim Dickinson, "Six Years of Deceit," *Rolling Stone*, Issue 1029, June 28, 2007, pp. 54-59. Before being hired as the Chief of Staff for the White House Council on Environmental Quality (where his job was to censor reports on climate change), for instance, Phil Cooney worked for the American Petroleum Institute; upon leaving the White House once his censorship techniques were revealed, Cooney took on the position of corporate issues manager for ExxonMobil.

[21] The text of the "[Animal Enterprise Protection Act of 1992](#)" is available at:

[22] In states such as Oregon and California, related legislation has already passed which declares it a felony terrorist offense to enter any animal facility with a camera or video recorder "with the intent to defame the facility or facility's owner." See Steven Best, "It's War: The Escalating Battle Between Activists and the Corporate-State Complex," in Best and Nocella, *Terrorists or Freedom Fighters*, pp. 300-339.

[23] For an overview of SHAC and the controversy surrounding HLS (including numerous undercover video exposes of lawbreaking, extreme animal cruelty, and bogus research), see: http://en.wikipedia.org/wiki/Stop_Huntingdon_Animal_Cruelty#External_links. For video documentation of HLS and details of the SHAC campaign, see: <http://www.shac.net/>. The SHAC 7 case was not the first time corporations and the state used the AEP(A) against animal activists (e.g., in 1999, Justin Samuel and Peter Young were prosecuted with it for a mink release), but it was the first major, concerted, and highly-publicized application of the law. For an example of a scientist calling for more aggressive use of the AEP(T)A, see Edward J. Walsh, "[The Animal Enterprise Protection Act: A Scientist's Perspective Brings the Law into Focus](#)".

[24] For a more detailed analysis of the SHAC struggle in the context of globalization and political economy, see Best and Kahn, "Trial By Fire: The SHAC 7, Globalization, and the Future of Democracy."

[25] See John Cook, "[Thugs for Puppies](#)". The SHAC movement and other animal liberation militants have abandoned the effort to change vivisection practices given the economic importance of the pharmaceutical-research industry (the third leading contributor to the UK economy), its powerful lobbying influence, and the strong support it receives by governments; see Best and Kahn, "Trial By Fire: The SHAC 7, Globalization, and the Future of Democracy."

[26] Martosko cited in "[U.S. terror hunt targets animal activists](#)," *Toronto Star*, March 13, 2006.

[27] For an example of a scientist calling for more aggressive use of the AEP(T)A, see Edward J. Walsh, "[The Animal Enterprise Protection Act: A Scientist's Perspective Brings the Law into Focus](#)".

[28] For the text of S3880, the final bill that passed in both houses, see: <http://noaeta.org/bill.htm>

[29] Will Potter, "[Analysis of Animal Enterprise Terrorism Act](#)".

[30] Lori Nitzel, cited in Steve Watson, "[Endemic: The Move to Label All Civil Disobedience `Terrorism'](#)", Friday December 1, 2006.

[31] "[Why Oppose AETA](#)".

[32] "[Struggling Fur Salon Owner Says `Eco-terrorism' Legislation Should Be Used Against Protests](#)".

[33] Kucinich cited in <http://newstandardnews.net/content/index.cfm/items/3887>. Kucinich also challenged the AETA as being redundant and created a "specific classification" to repress legitimate dissent.

[34] Will Potter, "[Analysis of Animal Enterprise Terrorism Act](#)". For Potter's testimony before the House Committee on the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security see: <http://www.greenisthenewred.com/blog/congressional-testimony>

[35] The ACLU letter to Congress is available at:

<http://www.aclu.org/freespeech/gen/25620leg20060306.html>

[36] For a list of animal advocacy groups opposed to the AETA, see:

<http://www.stopaeta.org/>

[37] On the semantics of “violence” in relation to property destruction, and the debates surrounding the controversial tactic of economic sabotage, see the Introduction to Best and Nocella, *Terrorists or Freedom Fighters?*, pp. 9-63.

[38] See Robert Goldstein, *Political Repression in Modern America: 1870 to the Present*.

[39] On the promiscuous use of the T-word, such as the Department of Homeland Security employed to characterize activist tactics of flyer distribution and tying up phone lines, see Will Potter, “[DHS Helps Corporations Fight Terrorism Like ... `Flyer Distribution`?”](#)”.

[40] While it is true that an 18th century document (the Constitution) written by elite white men does not hold all the answers for the complex times of the 21st century, we must not allow governments to use 9/11 to justify an evisceration of the enduring importance of the Bill of Rights. See Mark Graber, “Operating an Eighteenth Century Constitution in a Twenty-First Century World,” May 7, 2007, at: <http://balkin.blogspot.com/>. Not to paint too bleak or totalizing a picture of government power, there are of course some significant voices of dissent within the citizenry, such as mobilized against the PATRIOT Act in cities and towns across the nation; see the Bill of Rights Defense Committee website at: <http://www.bordc.org/>.

[41] Having won the battle for control of Congress in the 2007 elections, Democrats are trying to defend basic rights, assert their authority against executive power, hold Gonzalez and others countable, and challenge Bush and his war policies, possibly bringing about a Constitutional crisis and showdown before Bush leaves office. At the same time, the party has failed to use its power to cut off funding for the war on Iraq and many democrats like Hilary Clinton have demonstrated their own hawkish tendencies. The “sea-change” in US politics extends beyond the Republican Party and may last for some time.

[42] James Madison, “[47th Federalist Paper](#)”.

[43] In September 2006, the Senate Intelligence Committee released a four hundred page report that found no connections between Saddam Hussein and Al Qaeda, thereby contradicting the main justification the Bush administration used to invade Iraq and unleash a “war on terror” at home and abroad. See Adam Brookes, “[Iraq was Justifications Laid Bare](#),” *BBC News*, September 9, 2006. For the Senate report, see: <http://intelligence.senate.gov/phaseiiaccuracy.pdf>.

[44] Whenever Bush’s is credibility ratings were sagging or Democrats had gained in the polls, you could count on manufactured, phony terrorist threats, such as the baseless fabrication that paralyzed the NYC subway in 2006. In July 2005, House Republican leadership exploited the London subway bombings to ram through the House version of the USA PATRIOT Act reauthorization bill (HR 3199), and to reject several amendments allegedly to strengthen for civil liberties protections. In August 2006, with impending mid-term elections and polls showing Republicans in danger of losing control over both Houses of Congress, the government shamelessly exploited the capture of an alleged terrorist cell in London in order to keep fear alive and convince the public they are safe only under the rule of the Republican Party. There is an uncanny relation – whether one of regular association or cause and effect – between the Bush campaign being down in some way, and terror alerts rising along with police raids of alleged targeted areas and arrest of “terrorist” cells. Perhaps coincidence, perhaps deftly managed propaganda and shameless exploitation of fear and the 9/11 tragedy. On Oct. 12, Keith Olbermann of MSNBC ran a story listing instances of the administration announcing possible terrorist attacks every time it experienced trouble (for video and transcripts, see: David Edwards, “[Olbermann: `The Nexus of Politics and Terror`”](#)”. On how Bush manipulates terror threats, see David Walsh, “[The US media and the London terror scare](#)”; Barry Grey, “[The politics of the latest terror scare](#)”; and Barry Grey, “[Plan to attack New York tunnels: Yet another dubious `terror plot`”](#)”.

[45] Samuel Huntington, *The Clash of Civilizations and the Remaking of the World Order* (London: Simon & Schuster, 1997); Tariq Ali, *The Clash of Fundamentalisms: Crusades, Jihads and Modernity* (London: Verso, 2002).

[46] “Blair was not trying to buck us up and steel our resolve by saying that we’re at war and that we’ll have to pitch in and sacrifice our liberties for a while. He was saying that war has shown many of our liberties to be illusory. The ‘civil liberties’ we know do not bubble up from natural law or from something timeless and universal in the human character. They may be significant accomplishments, but they are temporal ones, bound to certain stages of technology or to certain styles of social organization. Maybe there was something like an Age of Civil Liberties, Blair was telling us, but it is over.” Christopher Caldwell, [“The Post-8/10 World.”](#)

[47] See John Gray, *Al Qaeda and What It Means to Be Modern* (London and New York: The New Press, 2003).

[48] See Jurgen Habermas’ analysis in Giovanna Borradori (ed.), *Philosophy in a Time of Terror: Dialogues with Jurgen Habermas and Jacques Derrida* (Chicago: The University of Chicago Press, 2003).

[49] Takis Fotopoulos, [“The Myth of the Clash of Fundamentalisms,”](#) *The Inclusive Democracy Journal’s Newsletter*, #2, October 23, 2004. As he states the main point of his argument, views such as Ali’s “are not only completely false and misleading, constituting part of the ‘progressive’ liberal ideology supported by both the centre-left (in the framework of today’s social-liberal consensus), and the reformist Left ...but also bear no relation to an antisystemic problematic on this crucial issue. The common denominator of such views is that today’s social resistance movements should turn against these two fundamentalisms rather than against the system of the capitalist market economy itself and its political complement, representative ‘democracy’.”

[50] According to the London-based International Institute for Strategic Studies report, "Beyond Terror: The Truth About The Real Threats To Our World," the US invasion of Iraq in 2003 has turned the state into a jihadist training camp, spurred new terror in the region, and heightened the risk of further terrorist attacks on the scale of September 11, 2001. See, [“Al-Qaeda 'spurred on' by Iraq war,”](#) *BBS News*, May 25, 2004. As the BBC article notes, “The report also addresses the broader issue of relations between Islam and the West, saying the Bush administration did not fully appreciate that the 11 September attacks were a “violent reaction to America’s pre-eminence.” As I write this in early July, 2007, evidence is surfacing that – incredibly, after the debacle of the invasion of Iran and intense domestic and global opposition to its policies – the aggression of the Bush administration is growing rather than receding, as the CIA is conducting a dangerous secret war against Iran through support of Jundullah, a Pakistani militant group involved in kidnappings, bombings, and assassinations of Iraqi soldiers and officials. See the ABC News report, [“The Secret War Against Iran”](#).”

[51] See Courtenay Barnett, [“Oil, Conflict and the Future Of Global Energy Supplies,”](#) January 3, 2006, in CounterCurrents.Org. As Barrett states, “There is a geography of oil related global conflicts and there are complementary policies that aggressively support US strategic steps for domination (if not direct control over) the world’s oil reserves. The US has 5% of the world’s population, consumes 26% of the world’s oil, but has only 2% of the world’s oil reserves within its boundaries. US foreign policy therefore focuses both politically and militarily on dominating sources of supply (e.g. invasion of Iraq) and controlling via petrodollars the world’s trading of oil (e.g. opposition to the advancing Iranian oil bourse) ... Iraq has the second largest supply of oil on the planet. It is with a focus on oil that consideration of primary US foreign policy motives in Iraq therefore has to begin and from there one can then better grasp the related problem of US.”

[52] For a historical analysis of how the US mobilized dangerous Islamic radical groups for its political purposes, see Robert Dreyfus, *Devil’s Game: How the United States Helped Unleash Fundamentalist Islam* (New York: Owl Books, 2006). As Dreyfus writes, “The United States spent decades cultivating Islamists, manipulating and double-crossing them, cynically using and misusing them as Cold War allies, only to find that it spawned a force that turned against its sponsor, and with a vengeance. That is the mutant ideology that the United States encouraged, supported, organized, or funded.”

[53] For detailed accounts of the failures of the Bush administration’s abominable failure to take warnings of an immanent attack on the US seriously, while instead focusing on plans to invade Iraq,

see Richard Clark, *Against All Enemies* (New York: Free Press, 2004).

[54] In the current climate of administratively managed fear, we must all pause and gain a critical perspective. Radical jihadists are a “security threat,” but they are not our greatest concern. Since 9/11, as many Americans have been killed by terrorists as have been killed by lightning, accident-causing deer, or severe allergic reaction to peanuts. Sprawl, car accidents, chemical spills, and environmentally influenced cancers are bigger threats to the lives of average Americans than terrorism (see policy report). Certainly hunger, poverty, and environmental degradation cause far more death, suffering, chaos, and economic costs in the world than any terrorist could. According to scientific reports, far more people have lost their lives from the direct and indirect effects of climate change than terrorism (see articles). While politicians and the media perpetuate and pander to the politics of fear, crucial social issues are ignored. We need a *broad holistic concept of security*, one that recognizes the risks posed not only by weapons of mass destruction and terrorism, but also poverty, underdevelopment, national debt, militarization, and environmental problems such as global warming. See the Cato Institute (a conservative think tank) report, “[A False Sense of Insecurity?](#)”.