

## Homeland Defense: The Pentagon Declares War on America

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**The "PATRIOT Act" is a repressive "coordination" of the entities of force and deception, the police, intelligence and the military. It broadens, centralizes and combines the surveillance, arrest and harassment capabilities of the police and intelligence apparatus. Homeland defense is, in essence, a form of state terrorism directed against the American people and democracy itself. It is the Pentagon Inc. declaring war on America.**

The "domestic war on terrorism" hinges upon the Pentagon's doctrine of homeland defense. Mountains of repressive legislation are being enacted in the name of internal security. So called "homeland security", originally set within the Pentagon's "operations other than war", is actually a case in which the Pentagon has declared war on America. Shaping up as the new battleground, this proliferating military "doctrine" seeks to justify new roles and missions for the Pentagon within America. Vast "legal" authority and funds to spy on the dissenting public, reconfigured as terrorist threats, is being lavished upon the defense, intelligence and law enforcement "community."

All this is taking place amidst an increasingly perfected "fusion" of the police and military functions both within the US and abroad, where the phenomena is referred to as "peacekeeping", or the "policization of the military". Here in America, all distinction between the military and police functions is about to be forever expunged with the looming repeal of the Posse Comitatus Act. The latter, was passed after the Civil War to rein in the military. It bars federal troops from doing police work within United States borders, although strictly speaking, the Act refers only to the Army and the Air Force, not to the Marines or the National Guard in "state status." According to the New York Times:

"the Bush administration has directed lawyers in the Department of Justice and Defense to review the Posse Comitatus Act of 1878 and any other laws that sharply restrict the military's ability to participate in domestic law enforcement."

The Washington Post (7/21/02) put it a bit more starkly, stating that the Bush administration:

"has called on Congress to thoroughly review the law that bans the Army, Navy, Air Force and Marines from participating in arrests, searches, seizure of evidence and other police-type activity on US soil."

In other words, the "New World Law and Order" based on the repeal of the Posse Comitatus Act, requires a system of domestic and global counterinsurgency led by the Pentagon.

The first requirement of this counterinsurgency, which is directed at all forms of social dissent is the "collection", "retention" and "dissemination" of information, information on anyone who resists, whether through violent means or otherwise. Recall, that the protests in Seattle and numerous other cities in recent years were more often than not classified within official DoD and FEMA documents as "terrorist events". The objective is to centralize all intelligence gathering under one roof, the Department of Homeland Security and to widely cast the net over all of us, making certain that we all fall in line with the Pentagon Inc. agenda.

To this end the myriad modes of intelligence gathering or "collection" have been beefed up: From CALEA (Communications Assistance for Law Enforcement Act) to Carnivore (e-mail spying), from the NSA's Echelon (global listening device), to spy satellite imagery, from FBI "roving wiretaps", to CIA access to grand juries and secret FISA "foreign intelligence" courts, the means, legal sanctions and technology of social control proliferate, are sanctioned, are demanded by a paranoid public. Homeland security requires manufactured insecurity. A bit of anthrax to keep em on their toes and minding their p's and q's...

### **Terrorism Information and Prevention System (TIPS)**

Typical of the need for "tactical (on the ground) intelligence" is the creation of TIPS or the Terrorism Information and Prevention System. Set up in January 2002 by Ashcroft's Justice Department, TIPS is described as a "national system for concerned workers to report suspicious activity". In fact, TIPS is a hotline to the National White Collar Crime Center, a Justice Department organization that deals with "economic crime" and cyberattack. For a little under a million bucks they plan to register all "suspicious, publicly observable activity that could be related to terrorism" and forward it to law enforcement and other agencies "opting to receive TIPS information." These agencies "would be responsible for determining how to respond to the tips they receive."

The "workers" that TIPS is willing to offer its hotline service are those in the transportation, trucking, shipping, maritime, and mass transit industries. The truckers, for their part, are jumping in with both feet. The trucker magazine FleetOwner recently noted (6/1/02) that:

"attempting to stay ahead of Federal regulators charged with securing US transportation networks from terrorist attacks, the American Trucking Assns. has readied a 'Neighborhood Watch' program for the nation's highways."

The ATA's "Anti-Terrorism Action Plan", geared to keeping the "wheels of commerce" rolling, envision a plan in which "a potential 3 million professional truck drivers will be trained to spot and report any suspicious activities that might have terrorism or national security implications." As if truckers don't have enough on their minds, although it might be wise for them to keep their eyes wide open.

It seems that the Bush administration concern for workers knows no bounds. According to the New York Times (8/14/02) President Bush wants to exempt all homeland security coordinated agencies "from collective bargaining requirements if (he) were to determine that our national security demands it." Little known to the public, the president is seeking not only to "exempt agency employees from federal labor relations rules and prohibit them from joining unions", but he's also prepared to force them to work, under the conditions he chooses, if "national security demands it". The "flexibility" that Bush is calling for, a "fast moving homeland security department unfettered by work rules and red tape" is sure to result in a lot less "flexibility" on the part of workers who may soon be confronted with a form of involuntary employment during "times of war", all set out in Department of Defense directives.

## **Financing Homeland Defense**

TIPS, which is an integral part of the CitizenCorps/FreedomCorps/AmeriCorps axis of patriotic, police loving do-gooders, is buttressed with funds from the Corporation for National and Community Service (CNCS). In the wake of 9/11, CNCS was fully integrated into "homeland defense efforts". In March 2002, the Corporation issued a "notice of availability of funds to strengthen communities and organizations in using service and volunteers to support homeland security." With an emphasis on "public safety" and "freeing up police time", the grants offered under the announcement "are to assist communities in getting involved in the war against terrorism on the home front." In the area of "public safety" the grants "will help provide members to support police departments...in tasks and other functions that can be performed by non-sworn officers." Now mind you, the volunteers "are not armed, nor can they make arrests, but they carry out vital tasks including organizing neighborhood watch groups..." They also "organize communities to identify and respond to crime and disorder problems..."

In July 2002, Homeland Security Director Tom Ridge announced, while sitting in a Washington DC police station, the first round of CNCS homeland security grants totaling \$10.3 million, an "initiative" that is to involve some 37,000 volunteers nationwide. One recipient of a \$484,000 Corporation grant, based in NYC, is the Center for Court Innovation. Linked to the NYC Public Safety Corps, the grant "will enhance homeland security by assisting criminal justice officials (police, probation officers, judges) as they perform their duties...(while) 40 full time AmeriCorps members will...free up police...to address conditions of disorder that if left unchecked create a climate where crime would flourish."

In NYC, ground zero for the attack, homeland defense equates to the same old thing, cracking down on "disorder" (protest) and "quality of life crimes", which is a racist police code for arresting and jailing more poor people.

The euphemism of "homeland defense", codified within the halls of the Pentagon as early as the mid-1990's, long before 9/11, buttressed with various Presidential Decision Directives and Executive Orders, includes, within the doctrinal rubric of "operations other than war", continual training to suppress dissent, or as it is conveniently phrased, to put down "civil disturbance." The decades old "Garden Plot" operation, which is the Pentagon's stand alone "civil disturbance" plan, has become generalized in the "homeland defense" concept and it's focus on the "asymmetric threat". With the creation of the Department of Homeland Defense, Homeland Security Council etc. the Bush administration is seeking to institutionalize it's "permanent war" against "terrorism", dovetailed with it's ongoing war against dissent.

So while Garden Plot directives, geared for domestic use, are exported to "peacekeeping" troops abroad, "homeland defense" tightens the grip at home. The recent appointment of General Ralph E. Eberhart and the creation of a Northern Command within the Pentagon reflect the depth of commitment the elite have to maintaining "full spectrum dominance" at home.

With "the PATRIOT Act" and other legal monstrosities foisted upon the people, what emerges is a repressive "coordination" (as the Nazis used to call it) of the entities of force and deception, the police, intelligence and the military, in the interests of a "permanent" counterinsurgency, by way of the centralization and broadening of surveillance capabilities, arrest capabilities, and harassment capabilities, which target anyone corporate America doesn't like. Homeland defense is, in essence, a form of state terrorism directed against the American people and democracy itself. It is the Pentagon Inc. declaring war on America.

## **Global Counterinsurgency**

The "war on terrorism" is a global counterinsurgency whose aim is to wipe out any and all resistance to US global hegemony and corporate domination. Utilizing "operations other than war" (OOTW), corporate America and it's military are taking a more direct, hands on approach to the needs and requirements of corporate globalization. OOTW, with its host of new missions (e.g. peacekeeping and civil disturbance operations), is based on a pre-emptive doctrine. In this new war, which relies on both standard means of killing along with so-called non-lethal weapons, so-called "non-combatants" (i.e. civilians) become the primary target. And in so doing, the military, via its OOTW doctrine, is violating one of the sacred tenets of the so-called "laws of war", namely, that militaries not target civilian populations. But after all, as Defense Secretary Rumsfeld noted in a (12/12/01) statement to the Senate Armed Services Committee, the "enemy" "hides in caves abroad", and more importantly, "among us here at home."

Now, despite the fact that both the Presidential and military directives target "non-United States citizens" (as if that's not bad enough), in June 2002, the Bush administration jailed a New York City man of Puerto Rican descent, Jose Padilla - or as he now calls himself - Abdullah al Muhajir, and is holding him in a military brig in South Carolina. He has yet to be charged with any crime. Like the hundreds of Muslim immigrants still being held in detention since September 11, he is considered a "material witness" to the investigation of the attack. And yet, rather than have him subject to the discretion of Federal courts, he was handed over to the military as an "enemy combatant" after Ashcroft and the Pentagon talked it over. At that moment, Padilla was taken out of his New York prison cell and transferred to a US Navy brig in South Carolina. His attorney, Donna Newman of NYC was not informed of his transfer and has been denied access to her client. Even the Washington Post, which has backed virtually all of the repressive measures of the Bush administration since September 11, wrote at the time of Padilla's jailing that:

"the governments actions in this latest case cut against basic elements of life under the rule of law" and that "if its positions are correct, nothing would prevent the president - even in the absence of a formal declaration of war - from designating any American as an enemy combatant...If that's the case, nobody's constitutional rights are safe."

This "chilling legal precedent" is but the tip of the iceberg of the complete subsuming of normal judicial processes to the growing militarization of law enforcement and jurisprudence.

"Homeland defense", as we experience it today, has been percolating in the bowels of the Pentagon and corporate think tanks like the Center for Strategic and International Studies, and the Council on Foreign Relations, along with their Congressional counterparts, for nearly a decade. What it required was an emergency situation. The "homeland security" apparatus presently being constructed is modeled roughly after the military's "combatant command structure" and is --in the wake of 9/11-- set within the context of the "laws and customs of war", hence the introduction of military courts and the shifting of jurisdictions for so-called "crimes associated with terrorism". The Northern Command, based at Peterson Air Force Base, Colorado, whose job as of October 1st is to patrol America, will head up this homeland defense "command structure".

Concurrent with the round-up of over a thousand people following the September 11 attack, many of whom have been held in solitary confinement, with no charges being filed, President Bush signed in November 2991 order, establishing military "tribunals" for those non-citizens accused, anywhere, of "terrorist related crimes". According to the National Legal Aid & Defender Association, the order violates the constitutional separation of powers:

"[It] has not been authorized by the Congress and is outside the President's constitutional powers"... the order strips away a variety of checks and balances on governmental power and the reliability and integrity of criminal judgments... [T]he order undermines the rule of law worldwide, and invites reciprocal treatment of US nationals by hostile nations utilizing secret trials, a single entity as prosecutor, judge and jury, no judicial review and summary executions."

Department of Defense Military Commission Order No.1, issued March 21, 2002, is concerned with "procedures for trials by military commissions of certain non-United States citizens in the War Against Terrorism." The "commissions", according to the order, "shall have jurisdiction over violations of the laws of war and all other offenses triable by military commission." Overseen by a "military officer" who will "admit or exclude evidence at trial", the "prosecutor" would be a "special trial counsel of the Department of Justice." On the defense side, well, one could opt to go with the DoD's version of the public defender, namely another "military officer", or one could secure an attorney. Although "the Accused may also retain the services of a civilian attorney of the Accused's own choosing...at no expense to the United States Government", this would only be possible once it "has been determined" that the civilian attorney is "eligible for access to information classified at the level of SECRET or higher..." In other words, to get any kind of impartial and efficient legal representation in Mr.Rumsfeld's court, your attorney has to be cleared by the Pentagon.

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