

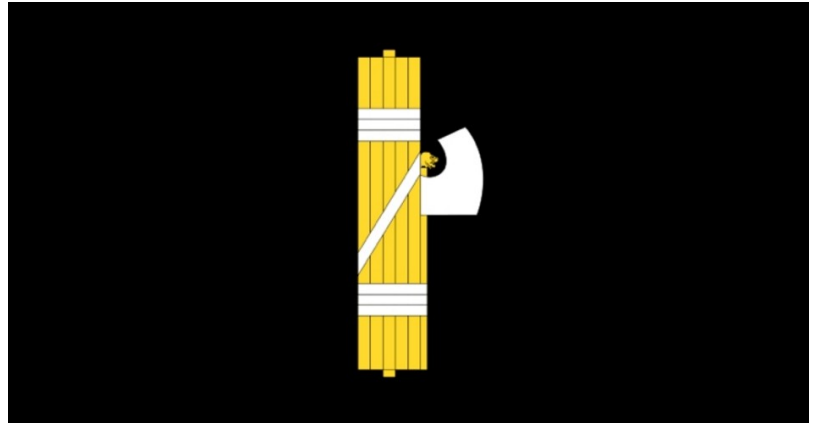


Written by [Joe Wolverton, II, J.D.](#) on October 18, 2012

## Warrantless Wiretapping Worse Under Obama; Fascism on the Rise

On January 20, 2009, America's liberals rejoiced that the days of Bush-era fascism were over. As [an article in Reason magazine reports](#):

Back then, liberals were raising the alarm about impending fascism because of post-9/11 policies such as warrantless wiretapping, wars of choice, military commissions, indefinite detention and so on.



Warrantless surveillance, for instance, drew intense scrutiny and saturation media coverage from the time it was discovered until approximately 12:05 p.m. EST January 20, 2009. Interest then dropped off markedly. After all, Barack Obama had promised “no more illegal wiretapping of American citizens.” So, problem solved.

Except it wasn't. In fact, it got worse.

[Much worse.](#)

As late as last week, [the Supreme Court denied review of an appeal court ruling](#) upholding the constitutionality of the Federal Information Securities Amendments Act (FISA).

The FISA Amendments Act was signed into law by President George W. Bush on July 10, 2008 after being overwhelmingly [passed 293 to 129 in the House](#) and [69-28 in the Senate](#). Just a couple of days prior to its being enacted, Representative Ron Paul and a coalition of Internet activists united to create a political action committee, [Accountability Now, and conduct a money bomb](#) in order to raise money to purchase ad buys to alert voters to the names of those congressmen (Republican and Democratic) who voted in favor of the act.

George W. Bush's signature was but the public pronouncement of the ersatz legality of the wiretapping that was otherwise revealed to the public in a *New York Times* article published on December 16, 2005. That article, entitled “[Bush Lets U.S. Spy on Callers Without Courts](#),” described the brief history of the “anti-terrorist” program:

Months after the Sept. 11 attacks, President Bush secretly authorized the National Security Agency to eavesdrop on Americans and others inside the United States to search for evidence of terrorist activity without the court-approved warrants ordinarily required for domestic spying, according to government officials.

Basically, the Supreme Court upheld the concept of legal immunity from prosecution for telecommunications companies that assisted federal agencies in monitoring the electronic communications — cellphones and Internet — of Americans not charged with any crime.

The official disregard of the fundamental principle of due process is the result of a bipartisan effort to codify the *de facto* repeal of the Constitution's requirement of reasonableness and warrants before searches are conducted. As [recounted by Daily Tech](#):



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The two parties worked hand in hand to grant cooperating telecoms immunity from lawsuits via [“Protect America Act”](#) of 2007 ([Pub.L. 110-55, S. 1927](#)).

Both Democratic President Barack Obama and Republican challenger Mitt Romney support throwing out due process (warrants) in cases where national security is viewed to be at risk — a policy first put in place by Republican President George W. Bush (with bipartisan support from America’s two ruling parties) in the wake of the 9/11 terrorist attacks.

Proving that electing a Republican to replace a Democrat in the White House is akin to switching deck chairs on the *Titanic*, Mitt Romney expressed his support for shredding the Constitution and using the kindling to fuel the fires of despotism threatening to engulf our Republic. In [a debate response, Romney said](#):

If it means we have to go into a mosque to wiretap or a church, then that’s exactly where we are gonna go, because we are going to do whatever it takes to protect the American people. And I hear from time to time people say, “Hey, wait a sec, we have civil liberties to worry about,” but don’t forget ... the most important civil liberty I expect from my government is my right to be kept alive.

Compare this shocking statement to one of similar [sentiment expressed by President Obama](#) after the Supreme Court’s decision defending warrantless wiretapping:

Electronic surveillance for law enforcement and intelligence purposes depends in great part on the cooperation of the private companies that operate the nation’s telecommunication system.

If litigation were allowed to proceed against those who allegedly assisted in such activities, the private sector might be unwilling to cooperate with lawful government requests in the future, and the possible reduction in intelligence that might result is simply unacceptable for the safety of our nation.

National security is so often the facade behind which the construction of fascism is concealed. “Fascist” is a word that was regularly used by “progressives” to describe the post-9/11 policies pursued by the George W. Bush administration. Today, that same pejorative is applied to Barack Obama, particularly evident in his persecution of federal whistleblowers, his expansion of the surveillance state’s apparatus, his signing of the National Defense Authorization Act giving himself power to indefinitely detain American citizens on no more authority than his own suspicion of their threat to national safety (a power embraced and lauded by Mitt Romney), and finally, his compiling of a kill list composed of names of yet more enemies that are targeted for summary execution.

This is strong evidence in the case of fascism against the current president and his Republican challenger, but what does fascism mean, and does it have legitimate historical application to today’s political situation?

Fascism is a political system defined by the *Random House Dictionary* as “a governmental system led by a dictator having complete power, forcibly suppressing opposition and criticism, regimenting all industry, commerce, etc., and emphasizing an aggressive nationalism and often racism.”

If one breaks that definition down into its component phrases, the definition becomes a frighteningly accurate description of the Age of Obama. A quick glance at headlines since January 2009 reveals the dictatorial bent of this administration; the attempt to silence critics; the assumption of control over some of the largest segments of industry (auto manufacturers, banks, insurance, health care); and an overt re-casting of what it means to be a “true American.” All there. All the parts present and



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contributing to the whole of American fascism in the making.

The word “fascism” has etymological roots in the political/social system of ancient Rome. In Rome, the *fasces* consisted of a bundle of rods about five feet long made of elm or birch wood together with a single-headed axe. The *fasces* were bound together by red strips of leather and were carried by *lictors*.

The purpose of the *fasces* was to be the outward manifestation of the magisterial authority and therefore symbolic of the legitimacy of the magistrate’s power and the unifying role he was meant to play in the complex Roman government. As the leather strips bound the rods and axe together, so the magistrate (consul, proconsul, praetor, etc.) was to wield his power in the binding together of the citizens, subjects, and leaders of Rome.

The analogy to today’s political leaders is imprecise, perhaps, but illuminating. Many of those on the right side of the political spectrum have taken to referring to those on the other end as “progressives.” This preference seems to have been initiated by talk-show host Glenn Beck and spread virally by his followers and admirers.

In truth, those so denominated by Beck are not progressive, but are regressive. That is to say, their opinions and world view are so dated and have been so often proven ineffectual to the government of a free people, that to call them progressive is to endow them with vision they don’t possess.

These regressives fancy themselves the gnostics of our day. They claim to have special access to a knowledge of the higher purpose of government that is unattainable by the benighted many over whom they are duty-bound to rule.

The principal plank of the regressives’ absolutist platform is what renowned Austrian economist Friedrich Hayek called the “fatal conceit.” This brand of hubris occurs when a person assumes that if the boundaries of his power were extended indefinitely then he could make perfect order of his dominion. He issues fiats and executive orders that haughtily and purposely bypass other elected officials in order that accomplishment of his perfect plan of government might progress unimpeded.

While the tedious work of carrying out this leader’s vision will be left to the nameless bureaucrats who toil in the myriad agencies created to facilitate the rapid expansion of his control, the regressives of today prefer an attractive, often boyish face to represent the glory that comes with adherence to his often radical policies. This leader will draw thousands and millions to his side through words, gestures, and photos all artfully manipulated to disguise the egotism and servitude that underly the peaceful surface.

Under this version of fascism, the formerly free society is divided into rods (black, white, workers, managers, young, old, etc.). These several sticks are then bound together by the confining (unifying) strap of governmental control. Left to their own devices, so the saying goes, these various factions would destroy one another and cause their own mutual destruction. Thanks to the bureaucracy, they are held peacefully in check and all are thus able to contribute to the stability and growth of the state.

The axe, of course, is, as it was in the Roman Republic, the symbol of the punishment meted out to all who work against the unity of the state. The axe in today’s American Republic is generally some form of social marginalization followed by economic enslavement. The politically ostracized are then easily watched by an enormous and technologically sophisticated surveillance state that can immediately detect and destroy all pockets of resistance, no matter how small or how far flung from the centers of power.



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Politicians of both major political parties must be disabused of the notion that they are above the law. The house of cards they have erected as palaces of power must be razed and their dominions laid desolate. The American people are sovereign in this Republic and as such we have the exclusive right to reform our government according to the timeless principles promulgated by our Founding Fathers in the Constitution of 1787.

We must assert our natural dominion and resist tyranny in all its forms lest we finally be bound together with unbreakable straps of regressivist statism and tossed one and all into the furnace of fascism.

*Image: flag of the Fascist National Party (Partito Nazionale Fascista) of Italy during the 1930s and 1940s*



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