

# The Twilight of Democracy in the United States. Architecture of a Totalitarian Police State

By [Donald Monaco](#)

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*The United States has erected the legal and institutional architecture of a totalitarian police state.*

*Institutionally, the national security autocracy has merged with the military, law enforcement and a vast private intelligence network to create a massive physical apparatus of repression that possesses panoptic powers.*

Legally, an extensive framework of legislation threatens individual freedoms in the name of providing security for the American people.

Slowly, methodically and deliberately an apparatus of legal repression has been erected that abolishes significant constitutional protections guaranteed by the Bill of Rights, rendering genuine civil liberties into a set of arbitrary privileges to be withdrawn at the will of the state.

A network of Orwellian surveillance has been put in place to monitor political and social dissent. The legal apparatus of repression has evolved to such an extent that only a presidential decree of martial law in a time of crisis is needed to begin implementation of absolutist rule in America.

Although it has taken over a century to construct, the legal architecture of repression is always expanded during times of war for the purpose of neutralizing opposition and suppressing protest. World War I, World War II, the Korean War, Vietnam War, Gulf War, War in Afghanistan and the Iraq War have all been attenuated by attacks on civil liberties.

To understand the magnitude of these attacks, the history of [political repression](#) in the United States should be studied with care. It is a history that mirrors [foreign intervention](#) as the repressive apparatus protects a global empire. The U.S. government has not only intervened to prevent successful challenges to the economic and social relations of capitalism abroad, it has done so repeatedly at home for the same purpose.

At the core of American's institutional apparatus of repression is the national security autocracy led by the Central Intelligence Agency (CIA), Federal Bureau of Investigation (FBI), National Security Agency (NSA) and Department of Homeland Security (DHS).

Throughout its history, the national security autocracy has conducted innumerable covert operations to repress popular movements and governments internationally. Several of the most notorious were CIA operations [Ajax](#) in Iran (1953), [Success](#) in Guatemala (1954), [Mongoose](#) in Cuba (1961), [Phoenix](#) in Vietnam (1967) and [Condor](#) in Chile (1975).

Within the United States the autocracy perpetrated [CIA MK-Ultra \(1953\)](#), [CIA Mockingbird \(1953\)](#), [CIA Chaos \(1968\)](#), [FBI Cointelpro \(1958\)](#) and [NSA Prism \(2017\)](#).

The autocracy has unleashed a torrent of murderous repression that involves dimensions of mass tyranny too terrible to contemplate. But the contemplation of these crimes is imperative if an understanding of the autocracy's capacity for mass violence is to be attained.

A devastating conclusion can be drawn by probing this history. In that the U.S. power elite directed the autocracy to impose fascist dictatorship in far-away countries like Chile, Argentina, Brazil, South Korea, South Vietnam and Indonesia by training, arming and unleashing military and police forces to torture and murder hundreds of thousands of struggling peoples, it is apparent that it would not hesitate to inflict a similar dictatorship within the United States if the interests of capital were threatened in the "homeland," to use a fascist term.



Many of the covert operations conducted by the national security autocracy have been made public through dramatic revelations by courageous insiders such as former CIA operatives including [Philip Agee](#), [John Stockwell](#) and [Victor Marchetti](#), former FBI agent [Wesley Swearingen](#) and former NSA employees [William Binney](#) and [Edward Snowden](#).

Intrepid opponents of imperialism have exposed the crimes of empire. Journalists [Gary Webb](#), [Seymour Hersh](#) and [John Pilger](#), intellectuals and political activists [Noam Chomsky](#), [William Blum](#) and [Michael Parenti](#) and social justice advocates [Sister Diana Ortiz](#) and [Mumia Abu Jamal](#) have contributed to a critical oppositional narrative.

It is a rich and well documented critique that is kept hidden in plain sight from a majority of the American people who are diverted from political realism by a political and media establishment addicted to political theatre. Yet, reality has a way of contradicting the most deeply entrenched fabrications.

The foundation for a legal architecture of political repression in the United States was laid during the first half of the 20<sup>th</sup> century. The [Espionage Act of 1917](#), [Sedition Act of 1918](#), [Smith Act of 1940](#) and the [McCarren Act of 1950](#) are monuments to state subversion of democratic rights. The laws made it a crime to speak out in opposition to war, express disloyal opinions or advocate the desirability of overthrowing the U.S. government during World War I and II.

These statutes are not legal artifacts gathering dust on books safely stored in the country's law libraries. Although it is over 100 years old, the Espionage Act was used by Barack

Obama to indict more [whistleblowers](#) than all prior presidents combined.

Among those indicted were Edward Snowden who revealed NSA illegal mass surveillance, former intelligence officer John Kiriakou who exposed CIA torture during Bush's 'war on terror' and Chelsea Manning who unmasked U.S. war crimes in Iraq via Wikileaks. Wikileaks founder Julian Assange sits in Belmarsh prison in the United Kingdom awaiting extradition to the United States. He faces multiple charges of violating the Espionage Act.

The legal edifice of political repression in contemporary America was dramatically extended during the 'war on terrorism', a policy that should properly be termed a 'war of terrorism' as it is yet another pretext used to justify U.S. military intervention.

The 'war on terrorism' has replaced the 'war on communism' as the major paradigm used to justify foreign intervention and domestic repression. The terrorism paradigm functions both as a direct and ideological method of social control. The ideological dimensions of terrorism are used to frighten the population into willingly surrendering civil liberties for illusory security. For those who engage in dissent, more direct means of coercive social control are used.

An expanded legal structure for [enhanced state authority](#) is provided by the [Anti-Terrorism and Effective Death Penalty Act \(1996\)](#), the [USA Patriot Act \(2001\)](#), [Homeland Security Act \(2002\)](#), [Military Commissions Act \(2006\)](#), [John Warner Defense Authorization Act Section 1076 \(2007\)](#), [National Defense Authorization Act Section 1021 \(2012\)](#) and the [USA Freedom Act \(2015\)](#).

This legislation coupled with [National Security and Homeland Security Presidential Directive Number 51 \(2009\)](#) effectively strips the 1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 8<sup>th</sup> amendments to the U.S. Constitution of their procedural and substantive validity, rendering them dead letters and sets the stage for martial law in America.

The Patriot Act broadened the definition of domestic terrorism by providing the government with the ability to criminalize any act of political protest or civil disobedience, crippling First amendment freedoms of speech, assembly and by extension, association.

Fourth amendment privacy rights are eroded by legislation that permits the FBI to investigate the political activity of American citizens and monitor the organizations they belong to, people they associate with, books they read, websites they visit and phone calls they make by alleging the inquiry is related to national security.

Fourth amendment privacy rights are also violated daily at the nation's airports by the Transportation Security Administration under the jurisdiction of the Department of Homeland Security as the use of millimeter-wave body scanners and pat-downs constitute unreasonable searches, not to mention affronts to human dignity.

Fifth amendment due process rights of citizens and non-citizens and Sixth amendment rights to a public jury trial and an attorney have been restricted by anti-terror legislation that makes it a crime to provide "material support" for a terrorist organization including advice, advocacy or assistance for "non-violent purposes." The legislation criminalizes political speech.

The U.S. government now has authority to label an accused terrorist an "enemy combatant"

allowing for that person to be held indefinitely in a military prison without access to counsel. George W. Bush's Attorney General John Ashcroft performed this act in 2002. An American citizen, [Jose Padilla](#), was arrested after being detained at Chicago's O'hare airport when returning from the Middle East. Padilla was accused of being associated with Al Qaeda and held in a military prison for four years before eventually being transferred to a civilian court where he was convicted of conspiracy to commit terrorism. President Obama codified indefinite detention by signing the National Defense Authorization Act Section 1021 into law in 2012.

It is now a crime to support any organization labeled 'terrorist' by the State Department, preventing international solidarity. It should be recalled that the Irish Republican Army (IRA), African National Congress (ANC) and Palestine Liberation Organization (PLO) were once considered terrorist organizations by the U.S. government.

Immigrants can be deported based upon undisclosed evidence if the government alleges they are engaged in "terrorist activity" or provide "material support" for terrorism. The definition of material support is so broad that it can include humanitarian aid.

Muslim charities that provided medical support for Palestine such as the [Holy Land Foundation](#) were shut down and their leaders imprisoned under the pretext of providing "material support" for Hamas, a resistance organization that defends the Palestinian people against Zionist aggression.

The prohibition against providing "material support" for "terrorist activity" also impacts the Sixth amendment right to legal counsel.

The late civil rights attorney [Lynn Stewart](#) was sent to federal prison for advocating on behalf of her client, the blind Sheikh Omar Abdel-Rahman, an Egyptian nationalist who fought the Mubarak dictatorship. Stewart's 'crime' was to announce in a public news conference that the Sheikh did not support a cease fire between the Muslim Brotherhood and the Egyptian government. For openly articulating her client's political views, she was sentenced to federal prison for 10 years.

Eighth amendment protections against cruel and unusual punishment are routinely violated by officially sanctioned torture, drone assassination, death penalty execution and police murder.

[Presidential directives](#) have given the president authority to declare [martial law](#) in the United States. Autocratic rule can be imposed during a "national emergency" or a "catastrophic event" and U.S. troops from the [Northern Command](#) (Northcom) can be deployed domestically. The president has authority to take command of the National Guard by superseding the control of state governors.

Complimenting anti-terrorism legislation is the Clinton administration's [Violent Crime Control and Law Enforcement Act \(1994\)](#) that set the stage for mass incarceration and militarization of police forces.

Not to be outdone by any of its predecessors, the [Trump administration](#) has worked assiduously to attack civil and human rights in a concerted effort to enhance executive power.

What we are witnessing in the United States is a bi-partisan attempt by the U.S. power elite

to expand law enforcement and converge criminal with foreign intelligence law at home while waging perpetual war abroad. The reason is clear. The American plutocracy must impose systemic political repression to neutralize domestic and international opposition to its predatory global empire.

Escalation of political repression under the guise of fighting terrorism and crime is the genuine aim of the state, particularly as anti-war sentiment and social unrest increase within the population of the United States and struggles for national sovereignty and self-determination accelerate outside of its borders.

The evisceration of democratic protections and human rights by state power includes the abolition of habeas corpus and due process of law, extensive use of warrantless electronic surveillance, monitoring of political activism, imposing indefinite detention without trial, conducting secret deportations, creating secret detention facilities, practicing extraordinary rendition, torture and drone assassination, establishing military commissions, effecting preparations for mass internment, imposing mass incarceration and perpetrating systemic police violence.

Draconian measures are being taken in the service of corporate capitalism, a system that relies on perpetual exploitation and war for perpetual profit. Critical analysis of political repression illustrates its true purpose and dramatizes the need to repeal repressive legislation, restrict executive power and abolish the national security autocracy to restore the rule of law.

It should be noted that the United States has not yet adopted domestic totalitarian rule. It is, however, moving rapidly in that direction. This trajectory can be halted and reversed if a popular struggle is waged to restore, defend and extend civil and constitutional liberties and human rights.

When confronting the ideological matrix of political repression, the wise counsel of [Benjamin Franklin](#) should be remembered. "Those who would give up essential liberty to purchase a little temporary safety deserve neither liberty or safety."

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*Donald Monaco is a political analyst who lives in Brooklyn, New York. He received his Master's Degree in Education from the State University of New York at Buffalo in 1979 and was radicalized by the Vietnam War. He writes from an anti-imperialist, anti-capitalist perspective. His recent book is titled, [The Politics of Terrorism](#), and is available at [amazon.com](#)*

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