CHAPTER 10

Current Changes and Concluding Thoughts

Current Changes: Positive and Negative

The war against terrorism therefore structures the two exercises of imperial power: hegemony and domination. It is the context for the new agreements in judicial and police cooperation between the United States and the European Union. These agreements allow the American executive power to force other states to recognize the powers of exception that it arrogates to itself.

PAYE 2007: 197

Are there any developing signs that might indicate a possible return to legality on the part of the present institutions, especially in North America? Have any of the movements and protests transformed, or at least improved forms of the ongoing structural illegalities and violence? The answer appears to be both equivocal. On one side, it is becoming increasingly clear that CIA drones freely kill civilians under pretext of the “war on terror”:

Military bases, universities and companies involved in Barack Obama’s drones programme are to be targeted in a month-long series of protests by activists keen to build on the renewed public focus on the president’s controversial policy.

HARRIS 2013

In Pakistan, one of the nations most hit by drone strikes, “366 strikes have killed up to 3581 people, with 884 being innocent civilians” (Harris 2013). This is one of the recent efforts to stop the unchecked proliferation of drone strikes. In fact, a recent legal challenge attempts to restore legality to a program that appears to be nothing more than a series of racially motivated random attacks:

The ACLU and the Center for Constitutional Rights this morning filed a lawsuit in federal court against several Obama officials, including Defense Secretary Leon Panetta and CIA Director David Petraeus. The suit is brought on behalf of the survivors of three American citizens killed in Yemen by the US government, killed specifically by the CIA and the
Pentagon’s Joint Special Operations Command, with no due process and far from any battlefield: Anwar Awlaki and Samir Khan (killed together in a drone strike), and Awlaki’s teenaged son Abdulrahman (killed two weeks later).

Greenwald 2012c

At least two considerations are worth noting here. First, no one claims that there was a war against Yemen. Second, judgments by the executive branch do not represent “due process”: the secrecy in which the “kill list” has been and is currently developed, indicates no transparency or any checks on a novel presidential power. It is instructive to note that the planned 2013 protests will acknowledge the close ties between business and US government, as they will take place at the White House, at the Hancock Air National Guard Base, but also where corporations that build drones are based.

In response to protests, several US states (including Florida and Virginia) and cities are deciding to discontinue the use of drones, while leaders of the “faith-based community” urged US Senate to reject John Brennan’s nomination, while the National Black Church Initiative (NBCI), a coalition of 34,000 people, spoke out against Obama’s policy. Finally, the Senate Judiciary Committee has charged the Constitutional subcommittee “to hold a hearing on April 16 on the constitutional and statutory authority for targeted killings, the scope of the battlefield and who could be targeted as a combatant” (Benjamin and Mir 2013). It is too soon to tell whether the situation will change, but at least there is some substantive movement towards a legal and democratic critique of drone attacks.

As a comparative attack on religious groups that is non-military, the criminalization of free speech is rampant, both in the US and in Canada. An even more worrying aspect of the prevailing racism is the ongoing FBI tactic of taking a criminally convicted Muslim, then instead of sentencing him, paying him to infiltrate a mosque, find some young and impressionable man there, in order to get him to say and/or do things that may be interpreted in a way that will get him condemned as a “terrorist”:

The DOJ takes those inflammatory political statements and combines them with evidence of commitment to Islam to depict the target as a dangerous jihadist. They use the same small set of government loyal “terrorism expert,” who earn an ample living testifying for the government and telling juries that unremarkable indicia of Islam are “typical of terrorists.”

Greenwald 2013: 3