

THE HOME OF THE FREE GOT FORECLOSED

On Wednesday's Gitmo anniversary, Jonathan Turley had a WaPo column listing 10 reasons why the US was no longer the "land of the free." I thoroughly endorse his list:

- Assassination of US citizens
- Indefinite detention
- Arbitrary justice
- Warrantless searches
- Secret evidence
- War crimes (impunity for torture)
- Secret court
- Immunity from judicial review
- Continual monitoring of citizens
- Extraordinary renditions

But I do think the list skews (not surprisingly, given that it was a Gitmo anniversary piece) to ways the war on terror have circumscribed our civil rights and rule of law generally.

It's worth noting that the same things have been happening domestically, with at best only a tangential tie to "security." For example, where Turley describes renditions and indefinite detention, he might as well have included the immigration deportation system, which like the terrorism one operates with a great deal of arbitrariness, but which also rounds up more American citizens. Turley discusses surveillance generally, but we should note that some of that war on terror surveillance—National Security Letters and drones, for example—are being used increasingly in criminal law enforcement. Add in the increasing militarization of the police—some of which came directly from the drug war, some of which has been reapplied generally in the

name of national security.

And then there's the courts. Even putting the defunding of legal aid aside, even putting aside the broad push to force consumers and employees into privatized arbitration rather than courts, even our legal system itself is showing signs of failure. Most spectacularly, that failure shows in efforts to let banks steal homes so as to pass all the losses of the banks' own failures onto homeowners.

Turley is right that the war on terror has chipped away at fundamental freedoms. But so has increased corporate power and related efforts to coerce the 99%.

It's not just that Al Qaeda bombed the land of the brave; so, too, did America's own corporations foreclose on the home of the free.