Leonard Weinglass on The Patriot Act

The pages that follow are taken from Seth Tobocman’s new graphic biography of the radical lawyer Leonard Weinglass, *Len: A Lawyer in History* (AK Press). This particular section is based on a transcript of a talk that Len Weinglass gave at the 2002 Left Forum on the relationship between Nixon-era encroachments on civil liberties and the Patriot Act.

The combination of Weinglass’s informed critique and Tobocman’s striking visuals provides an unusually effective example of political cartooning. As it happens, this is not the first time that *New Politics* has featured artwork by Seth Tobocman: The Winter 2007 issue included six of his pages on the impact of Katrina and neoliberal public policy on the people of New Orleans. In addition to *Len*, Tobocman’s books include *Understanding the Crash* (2010), *Disaster and Resistance* (2008), and *War in the Neighborhood* (2000), which is about to appear in a new edition. He is also a founding editor and regular contributor to *World War 3 Illustrated*.

KENT WORCESTER
In 2002, Leonard Weinglass explained:

**THE PATRIOT ACT**

The Beginning of the End?

What it actually was in the main was a compilation of various discredited proposals that had been rejected by Congress for violating fundamental rights.

To fully understand what's happening, we have to go back to 1972. At that time, Nixon sought permission from the Supreme Court to wire-tap Americans without a warrant on the grounds of national security.

The court didn't buy it.
But the court made one exception: it authorized the executive to engage in electronic surveillance of foreign intelligence.

In 1978 Congress passed the Foreign Intelligence Surveillance Act that authorized surveillance in only those cases deemed to involve such foreign intelligence.

The FISA Court receives applications from the government seeking authority to spy on people in the U.S. It does not meet in open court but instead in an obscure office with guards at the door.

Justice department attorneys appear in the proceedings without opposition. Of the first 10,000 applications FISA received, not one was rejected.

Foreign intelligence turns out to be a very flexible and expansive concept. In the 1980s FISA authorized wire taps of the committee in solidarity with the people of El Salvador (USFES), a group involved in legal political advocacy.

Anything that smacks of "foreign" qualifies.
A married couple with children. Kurt worked for a labor union. Theressa worked as a lawyer for the Pentagon. The FBI falsely suspected them of being spies.

For 530 days, the FBI taped every telephone conversation planted microphones in their bedroom, even spied on sessions with therapists.

But they found no evidence of wrongdoing.
They had a team of psychologists study the tapes.

They determined that the wire was suffering from depression. Her sister had just committed suicide. And that Theresa had just had a devastating breakup with her lover.

They say, 'You will never reach that place. They say, 'You are that place.'

The FBI took the liberty of writing a letter back to her from the Department of Justice, promising her signature and suggesting she meet with his representative in New York.

The representative was an FBI agent who had been instructed by psychologists as to the most effective way to convince her to turn over secret government documents.

They intercepted a letter she had sent to an official in the government of South Africa, expressing her opposition against apartheid.

Theresa had been entrapped.
THEY ARE THE PRISONERS OF WAR Sought in 1972.

There is no proof that the Justice Department was involved in the investigation of crimes that had occurred. Their new mission is to prevent crimes before they are committed:

- Searching for potential wrongdoers
- Such as activities of the immigration community

This means an expansion of the general population.
Moreover, the loss of basic freedoms to an abusive and encroaching Big Brother cannot help but build the movement.

Footnotes