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Under the guise of fighting “terrorism”, the U.S. Supreme Court put another nail into the coffin of the first amendment guarantee of free speech and association on Monday, June 21, 2010. The case is [Holder v. Humanitarian Law Project , No. 08-1498](#) . The U.S. war of terror against the world has been used by both the Bush regime and the Obama administration as an excuse to erode civil liberties and other constitutional protections for the last ten years. This latest case criminalizing free speech is one more illustration of how far the imperialist rulers have institutionalized their fascist agenda in the last decade.

The Monday ruling found a federal law that criminalizes the provision of “material support” to alleged terrorist organizations to be constitutional, even if the assistance should take the form of training or counsel for peacefully resolving conflicts.

Chief Supreme Court Justice John Roberts wrote the majority opinion in the 6-to-3 decision. He argued that Congressional intent to prohibit intangible assistance to groups designated by the State Department as terrorist groups does not violate First Amendment rights of free speech and association.

The "material support" law was originally signed by President Bill Clinton in 1996. After 9/11 it was expanded in the USA Patriot Act that President George W. Bush signed in 2001. Since the law's enactment, the Department of Injustice has charged approximately 150 individuals with violating the law, with about half of those so far being convicted.

But this law not only adversely impacts these defendants, it also intends to intimidate all those who seek to stand up to U.S. imperialism or even those who seek solutions other than the U.S. global war of terrorism to solve political and other problems. The so-called material-support law prohibits not only such tangible aid such as cash, weapons and other material objects, but also “training,” “personnel” “service” and “expert advice or assistance.”

Dissenting Justice Stephen Breyer stated that the majority opinion's logic amounts to “a rule of law that, contrary to the Constitution's text and First Amendment precedent, would automatically forbid the teaching of any subject in a case where national security interests conflict with the First Amendment.” Breyer in his vigorous dissent stated that the actions in dispute “involve the communication and advocacy of political ideas and lawful means of achieving political ends.” He further argued that “this speech and association for political purposes is the kind of activity to which the First Amendment ordinarily offers its strongest protection.”

But there is nothing ordinary about the actions of U.S. imperialism in its unrelenting war of terror. This reactionary law has been critical to not only the Bush regime, but also the Bush

regime's successor in crime, the Obama administration. Obama's Solicitor General Elena Kagan argued the Obama administration case before the Supreme Court. She has also argued other cases defending the national security state before the Court. As a reward for her service to U.S. imperialism, Obama nominated her to the Court where she can continue her loyalty to the national security state.

Kagan had notorious company in her arguments to uphold the law. One of the amicus briefs that urged the court to uphold the constitutionality of the law had John Yoo listed as amicus counsel.

Like Yoo, Kagan argued for an expansive view of governmental authority to ban free speech. In her arguments defending the law, she urged the Supreme Court to interpret the law in such a way as to allow prosecution of a U.S. citizen who filed a legal brief on behalf of a "terrorist" organization. She stated to the court that "What Congress decided is that when you help Hezbollah build homes, you are also helping Hezbollah build bombs."

Among the plaintiffs challenging the material support law was civil rights activist Ralph Fertig. Fertig claimed he wished to assist the Turkish Kurdistan Workers' Party to use peaceful ways to achieve its political goals. The Party is on the State Department terrorist list and the law would prevent Fertig from providing advice to the Party regarding peaceful alternatives to armed struggle. A doctor and six domestic organizations were the remaining plaintiffs. Under the ruling even training regarding how to utilize international law to resolve disputes is now forbidden. But then U.S. imperialism does not care too much about international law to begin with.

David D. Cole, a lawyer for the plaintiffs with the Center for Constitutional Rights stated, "According to today's Supreme Court decision, advocating for human rights and peace can be prosecuted as a 'terrorist' crime, punishable by 15 years in prison.

That is the intent of the government. Human rights, peace, etc. are no longer acceptable. In the unending U.S. global war of terror the nation must mobilize behind the national security state and its leaders. Dissent from this view is no longer permissible or safe. It is now criminal activity. That is why the Obama administration fought so hard for its expansive view of government authority. You are now expected to accept perpetual war, governmental assassination, massive spying, rendition, torture, indefinite incarceration without due process, and so many other crimes committed by your government. If you don't like it, keep your mouth shut or expect that the government will shut the metal doors with bars behind you. This is the new normal we are supposed to accept.

Is this the world you want to live in? We have a choice to accept reactionary governmental authority where billions suffer or to politically fight back with millions of others. You must decide now! The world can't wait any longer!