

Speculative Realms

WEDNESDAY, JUNE 16, 2010

It's An American Planet, Great Britain, GET OVER IT!

Politically Motivated American Bullies to Britain: Might Makes Right! We got the Might, you got the Slight!

Kneel before us, Subjects!

by Gary Haden

I read a [blog post](#) by a political Brit, Charlotte Gore, which basically contends that Gary McKinnon, the renowned Free Energy Activist and Pentagon Favorite, was such an incompetent hacker that he deserves what he gets. Gore wants to distribute medals to those more competent in the art. But those envious cybergurus didn't hack into the Pentagon, now did they?



I suppose Gore is just flipping over the argument, placed by her opponents, that Pentagon System Administrators were so incompetent they deserved what they got from Freedom Fighter McKinnon. Her sympathies for the poor, pitiful Americans, who, after all, are only out to defend their country, are naïve and misplaced. The Americans Gore is fantasizing about consider her country a lesser race, simply another gnat to swat in the Great American Exceptionalist enterprise, a cause given by God to craft an American planet. Where Gore might see an advantage to English speakers in the New American Dominion (NAD), the Gary McKinnon Case casts the NAD in a darker light. McKinnon's case is another example of American Bullyism's continued decline into rudimentary fascism via the route of excessive self-love, epitomized by its narcissistic sense of manifest destiny and world-historical importance.

In reading the Extradition Treaty of 2003, ratified in 2007, which is at the heart of Gary McKinnon's case, it seems there are a few exclusions to extradition that Mr. McKinnon qualifies for. The problem is, Gary can't make his case for them. The United States, under the treaty, need only state its allegations. It need not prove them. Without having to prove their assertions, the U.S. won't have to be bothered with any evidence McKinnon can pose to refute them. Here, as in Salem, Massachusetts in the late 1600s, one need only mouth an accusation for guilt to be established.

That is a violation of the rule of law. The treaty, by that violation alone, is terminable, even if it contained no termination clause. The treaty does contain a termination clause, giving the signatory nations the right to terminate.^[1] The UK should exercise that right and set to amending its own constitution and constructing a new treaty which more adequately protects the rights of its citizens.

The treaty takes advantage of flaws in the UK's legal system in that the U.S. Constitution provides American citizens protections Brits do not enjoy. You would think that a country which offers itself out as an exemplar in the area of protecting its citizens' rights would also seek to protect the rights of citizens of countries with whom they presume to have special relationships. Yet, the U.S.'s superior legal position with regard to its treatment of its citizens is being used to propound geopolitical superiority which undermines the very rule of law America supposedly champions. The U.S. again uses its notion of its own "evolved" sensibilities to posit cultural supremacy over other nations (primarily to procure prized natural resources and not to make the world safe for democracy, but I digress).

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['Area 51' expose by investigative reporter Annie](#)
Plain Dealer

The real Area 51, as depicted in investigative journalist Annie Jacobsen's often fascinating, ultimately exasperating expose, is, on the whole, less spooky than its Hollywood persona. Ultra-secret, yes, but more "Dr. Strangelove" than "The X-Files. ...

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Jake Kelly/Las Vegas Review-Journal » Buy this photo Annie Jacobsen's nonfiction book on Area 51 has sparked criticism from men who worked at the secret installation in the 1960s. Jake Kelly/Las Vegas Review-Journal » Buy this photo By Keith Rogers For ...

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Article 4 of the treaty is entitled Political and Military Offenses. Article 4, Paragraph 1 states that “[e]xtradition shall not be granted if the offense for which extradition is requested is a political offense.” [2] None of the exclusions listed in Paragraph 2 of Article Four, disqualifying assertions of political offenses, apply to Gary McKinnon or to computer-related offenses. [3] Indeed, no mention is made of computer-related offenses in the treaty at all. Importantly, the treaty grants the “Requested State,” in this case the UK, the authority to refuse extradition if it deems the request to be politically motivated. [4]

What was Gary McKinnon up to when he hacked into those DoD, Navy, and NASA computers but political activism? His search for evidence of free energy technology is not altogether different from the green movement’s search for alternative fuels. That’s admittedly weak.

Far more powerful is the political statement [5] McKinnon made about the inability of the Pentagon to protect its own people. He stated in one message he left behind:

US foreign policy is akin to Government-sponsored terrorism these days ... It was not a mistake that there was a huge security stand down on September 11 last year ... I am SOLO. I will continue to disrupt at the highest levels ... [6]

In the aftermath of 9-11, there was plenty of blame being passed around. The plain fact of the matter is that, but for the single most ridiculous air defense failure in the history of human aviation, the 9-11 atrocity would have been averted and the pomographically costly wars in Afghanistan and Iraq would have remained the wet dreams of the neoconservatives who cooked them up in the first place. Incompetence is viscerally accentuated by its exhibition during particularly inconvenient hours. The incompetence of the U.S. DoD was singularly responsible for 9-11.

I suppose there are two ways to take McKinnon’s protest. He is stating the Pentagon was complicit or he is stating the Pentagon was incompetent. For the Pentagon, either statement is politically virulent. To retort that the Pentagon is not a political institution is to fundamentally misapprehend not only the Pentagon but its mode of operation. The Pentagon deems its mission to be “First with the Truth.” It conducts its war in Afghanistan from a basis of information management which is entirely political in nature. The Pentagon just wants to be loved. They’ll pay you, they’ll prosecute you, they’ll torture you at Bagram, they’ll arrest you for telling on them, but they want above all else to be loved. It hurts them when people think ill of them.

Poor chaps.

The Pentagon is famous for militantly avoiding responsibility for their actions. The First With the Truthers, equipped with a cadre of embedded “journalists,” hunt down any whistleblower exposing their wrongdoing or incompetence, and deliver some shock and some awe and poof, it is all gone. We’re back to image management. We’re back to politics. We’re back to the Norman Rockwell Military defeating the “Islamofascists,” kicking to bits the Vietnam Syndrome, bathing in the editorial orgasms of gushing, flag-waving “journalists,” and, if you’re a General with a star or two, enjoying a mint-julip retirement on the Boards of Exxon Mobil or Unocal, or a gig as an “expert” on FOX News.

Don’t tell me the Pentagon is not a political institution.

Complicit in 9-11? The Pentagon? Not hardly. There is no one now living who ever walked those hallowed halls who was SMART enough to accomplish that. The Pentagon is a bully. Bullies aren’t smart. This particular bully is a big, dumb, Madison Avenue bully. It likes to paint its misconduct with thick layers of chocolate icing. You might choke on the atrocities but it tastes good going down.

It also prefers Presidents who kiss backsides.

There are those who kiss the bully’s backside, like Tony Blair and Barack Obama, and there are those who bludgeon the bully’s nose, like Winston Churchill. David Cameron and Nick Clegg seem poised to kiss backside. Their careers in the UK Prime Ministry will then be deservedly brief.

The question is, is Theresa May a Maggie Thatcher in the making? Does it take a woman to do a man’s job these days?



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Terminate Gary's Extradition, Madam

Home Secretary. You have the authority. [\[7\]](#) Exercise it.

Punch the Bully in the nose.

Background Sources

Ben Hayes. [Statewatch Analysis No. 17: The New UK-US Extradition Treaty](#)

Anita Coles. [Extradition Without Safeguards. guardian.co.uk](#), Saturday 1 August 2009

Joseph Gutheinz, [I fear Gary McKinnon will not find justice in America](#). The Herald, 6 Feb 2009.

James Slack and Michael Seemark. [An affront to British justice: Gary McKinnon extradition CAN bestopped, says Lib Dem QC](#). Daily Mail, 31 May 2010. [Report containing letter by Lord Carlile, Queen's Counsel and Legal Advisor to the British Home Office, asserting the Home Secretary's authority to prevent extradition.]

Michael J L Turner. [Computer Misuse Act 1990 cases](#).

Afua Hirsch. [Judge says extraditing Gary McKinnon may be unlawful. The Guardian](#), Thursday 14 January 2010

Michael Seemark. [It's Time for Clegg to REALLY Help Gary: McKinnon's Mother's Plea to Deputy PM](#). Daily Mail Online 21st May 2010.

[Bobbie Johnson](#), technology correspondent. [Former Home Secretary Alan] [Johnson defends extradition of Pentagon hacker. guardian.co.uk](#), Tuesday 1 December 2009 18.29 GMT. "Johnson said [he did not have the power to intervene](#)."

Nathan House. [Computer Crime & Misuse: Computer Misuse Act 1990 \(CMA1990\): A report on understanding the effectiveness of UK computing legislation, how it effects your organisation, and what your organisation can do to complement the legislation. 16 June 2010](#).

Sophie Elmhirst. [America versus the hacker](#). The New Statesman, 07 June 2010.

Geoffrey Wansell. [The UFO Hacker's Last Stand](#).

Notes (Unfortunately not internally linkable)

[\[1\]](#)"Either State may terminate this Treaty at any time by giving written notice to the other State through the diplomatic channel, and the termination shall be effective six months after the date of receipt of such notice." *Extradition Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America, Washington, 31 March 2003*.

[\[2\]](#) Extradition Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America, Washington, 31 March 2003.

[\[3\]](#) "2. For the purposes of this Treaty, the following offenses shall not be considered political offenses:

- "(a) an offense for which both Parties have the obligation pursuant to a multilateral international agreement to extradite the person sought or to submit the case to their competent authorities for decision as to prosecution;
- (b) a murder or other violent crime against the person of a Head of State of one of the Parties, or of a member of the Head of State's family;
- (c) murder, manslaughter, malicious wounding, or inflicting grievous bodily harm;
- (d) an offense involving kidnaping, abduction, or any form of unlawful detention, including the taking of a hostage;
- (e) placing or using, or threatening the placement or use of, an explosive, incendiary, or destructive device or firearm capable of endangering life, of causing grievous bodily harm, or of causing substantial property damage;
- (f) possession of an explosive, incendiary, or destructive device capable of endangering life, of causing grievous bodily harm, or of causing substantial property damage;
- (g) an attempt or a conspiracy to commit, participation in the commission of, aiding or abetting, counseling or procuring the commission of, or being an accessory before or after the fact to any of the foregoing offenses."

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Extradition Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America, Washington, 31 March 2003, Article 4, Paragraph 2, subsections (a)-(g).

[4] "Notwithstanding the terms of paragraph 2 of this Article, extradition shall not be granted if the competent authority of the Requested State determines that the request was politically motivated." *Extradition Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America, Washington, 31 March 2003, Article 4, Paragraph 3.*

[5] "He left a polite message of *political protest* against the post-9/11 Bush administration: 'US foreign policy is akin to government-sponsored terrorism these days.'" Geoffrey Robertson. [Gary McKinnon: a test case for Principles](#). *The Guardian UK*, Sunday 16 May 2010. (Emphasis added.)

[6] Charlotte Gore. [Free Gary? I'm not at all sure](#). (Emphasis in original.)

[7] See James Slack and Michael Seamark. [An affront to British justice: Gary McKinnon extradition CAN be stopped, says Lib Dem QC](#). Daily Mail, 31 May 2010. Report containing letter by Lord Carlile, Queen's Counsel and Legal Advisor to the British Home Office, asserting the Home Secretary's authority to prevent extradition. Lord Carlile stated: "One of the submissions to the High Court in London by the Home Office's lawyers last year stated that 'the Home Secretary is powerless to stop this extradition'. It was then my view that this contention is wholly wrong in law – and this remains my view today. . . . I am not alone among experienced lawyers in considering the Home Secretary has the power to halt this extradition."

Posted by Gary Haden at [10:41 AM](#) 

Labels: [American Bullyism](#) [Extradition Act of 2003](#), [Gary McKinnon](#)

3 comments:

 [Gary Haden](#) said..

If anyone is having trouble seeing the polls let me know. In addition, I couldn't get the footnotes to link internally. Sorry.

[June 16, 2010 12:23 PM](#)

 [Gary Haden](#) said..

It seems we are having a bit of trouble with the polls. It is probably because I've been playing with the templates. I don't think Google or Blogger are up to any nefarious shenanigans.

So please feel free to vote in the comments section.

- 1) Should Gary McKinnon be extradited to the United States?
- 2) Should the Extradition treaty between the United States and the UK be terminated in favor of a new treaty with probable cause requirements for both nations?

[June 17, 2010 6:20 AM](#)

 [Gary Haden](#) said..

Here's Blogger's explanation:
Wednesday, June 16, 2010

Many users are reporting that poll gadgets are failing to render, displaying a 'Not Found' message. We're investigating the issue and will post a reply as soon as we have more information to share.

Thanks for your patience.
Labels: outstanding, polls

[June 17, 2010 7:35 AM](#)

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