

# Obama signs NDAA into law, dismantles Bill of Rights

NDAA | DECEMBER 31, 2011 | BY: JENN MORRILL

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Rumors have been floating around the internet for the past week or so that Obama signed [NDAA](http://www.examiner.com/topic/ndaa) (<http://www.examiner.com/topic/ndaa>) into law before Christmas. Well, he didn't. But that doesn't really matter now, because *today* he did.

According to the [ACLU](http://www.aclu.org/national-security/president-obama-signs-indefinite-detention-bill-law), (<http://www.aclu.org/national-security/president-obama-signs-indefinite-detention-bill-law>) President Barack Obama just signed one of the most

controversial bills into law since the Patriot Act. The sad part is that neither the House nor the Senate nor Obama seemed to think it was all that controversial, as it passed overwhelmingly in both the House and the Senate, and the president just signed it (even though he had at one time threatened to veto).

In case you haven't heard, H.R. 1540: National Defense Authorization Act for Fiscal Year 2012 or NDAA, is not your typical defense spending bill. It gives authority to the president (or perhaps it'd be more fitting to call him king or ruler at this point) to order the military to indefinitely detain U.S. citizens without official charge or trial on the mere suspicion of being a terrorist or linked to a terrorist organization.

Obama did add a signing statement that [reads \(http://thinkprogress.org/security/2011/12/31/396018/breaking-obama-signs-defense-authorization-bill/\)](http://thinkprogress.org/security/2011/12/31/396018/breaking-obama-signs-defense-authorization-bill/), in part, "My Administration will not authorize the indefinite military detention without trial of American citizens." While his promise might comfort some, there is no guarantee of future presidents doing the same (nor is a signing statement legally binding).

Many in government will argue that there is nothing for Americans to worry about -- unless you're a terrorist that is. But as our government slips further and further from the rule of law and the founding principles of our nation that once made us great, tyranny inevitably creeps in to take its place. And when tyranny reigns, the line between who is a terrorist and who isn't becomes easily blurred. A "terrorist" could simply mean a political enemy of the state.

The citizens of our country that understand what happened when Obama lifted his pen off the dotted line (while in Hawaii) wonder why their elected representatives don't remotely represent them or stand up for the Constitution as they swear to do. In a [previous article \(http://www.examiner.com/independent-in-salt-lake-city/senate-passes-ndaa-tramples-constitution\)](http://www.examiner.com/independent-in-salt-lake-city/senate-passes-ndaa-tramples-constitution) I pointed out that the U.S. senators from Utah were divided in their vote on this bill. Senator Orrin Hatch voted for NDAA, while Senator Mike Lee was one of only seven senators in the country that voted against it.

68 percent of the House voted in favor, and only one of three U.S. congressmen from Utah earned his title of "representative" by voting against the bill: Rep. Jason Chaffetz.

Rep. Jim Matheson (of district 2) is going to have a difficult time defending himself next year against his opponent, a Constitutional conservative and Utah State Representative, [Carl Wimmer \(http://carlwimmer.com/\)](http://carlwimmer.com/), who says he would have voted against the bill because Section 1031 (of the Senate-passed version) remained intact. Wimmer told Examiner that anyone who took an oath to uphold the Constitution should have voted against the bill. He said,

*“We’re well down a dangerous path, here -- trying to preserve our safety by trading away what makes us American. Being “suspected” of having connections to terrorism is not justification for removing our right to due process. Some people I respect voted for this, but I’m afraid I strongly feel that this is a really bad bill.*

Out of all the main contenders for the presidency, there is only one who has voiced opposition for the egregious bill. It should be predictable at this point that the one who stood on the side of the Constitution was Rep. Ron Paul. [He said of the bill, \(http://lewrockwell.com/paul/paul790.html\)](http://lewrockwell.com/paul/paul790.html)

*“Little by little, in the name of fighting terrorism, our Bill of Rights is being repealed...The Patriot Act, as bad as its violation of the 4th Amendment, was just one step down the slippery slope. The recently passed (NDAA) continues that slip toward tyranny and in fact accelerates it significantly. The main section of concern, Section 1021 of the NDAA Conference Report, does to the 5th Amendment what the PATRIOT Act does to the 4th. The 5th Amendment is about much more than the right to remain silent in the face of government questioning. It contains very basic and very critical stipulations about due process of law. The government cannot imprison a person for no reason and with no evidence presented or access to legal counsel.*

He explains that the dangers of the new law are in its deliberate vagueness:

*“The dangers in the NDAA are its alarmingly vague, undefined criteria for who can be indefinitely detained by the US government without trial. It is now no longer limited to members of al Qaeda or the Taliban, but anyone accused of “substantially supporting” such groups or “associated forces.” How closely associated? And what constitutes “substantial” support? What if it was discovered that someone who committed a terrorist act was once involved with a charity? Or supported a political candidate? Are all donors of that charity or supporters of that candidate now suspect, and subject to indefinite detention? Is that charity now an associated force?*

*The Bill of Rights has no exemption for ‘really bad people’ or terrorists or even non-citizens. It is a key check on government power against any person. That is not a weakness in our legal system; it is the very strength of our legal system. The NDAA attempts to justify abridging the bill of rights on the theory that rights are suspended in a time of war, and the entire United States is a battlefield in the War on Terror. This is a very dangerous development indeed. Beware.*

It should be painfully obvious to Americans by now that if they continue to vote for the status quo, no matter if it's Republican or Democrat, then the attack on civil liberties and the dismantling of the Constitution will inevitably continue.

So raise your glasses to toast the new year. It's not even midnight, and your right to due process has already been taken away. What's next?

(To see how your "representatives" voted, click [here \(http://clerk.house.gov/evs/2011/roll932.xml\)](http://clerk.house.gov/evs/2011/roll932.xml) . Do something about it.)

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**Jenn Morrill**, Salt Lake City Independent Examiner

Jenn lives in Provo, Utah where she graduated from BYU in English. She is a freedom-loving political activist who favors reducing the size and scope of government and a return to constitutional principles. Feel free to contact Jenn at this address.