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Kym Thorne and Alexander Kouzmin  
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# The USA PATRIOT Acts (et al.): Convergent Legislation and Oligarchic Isomorphism in the “Politics of Fear” and State Crime(s) Against Democracy (SCADs)

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## Abstract

The irrelevance of habeas corpus and the abolition of “double jeopardy,” secret and protracted outsourcing of detention and torture, and increasing geographic prevalence of surveillance technologies across Anglo-American “democracies” have many citizens concerned about the rapidly convergent, authoritarian behavior of political oligarchs and the actual destruction of sovereignty and democratic values under the onslaught of antiterrorism hubris, propaganda, and fear. This article examines synchronic legislative isomorphism in responses to 9/11 in the United States, the United Kingdom and European Union, and Australia in terms of enacted terrorism legislation and, also, diachronic, oligarchic isomorphism in the manufacture of fear within a convergent world by comparing the “Politics of Fear” being practiced today to Stalinist–Russian and McCarthyist–U.S. abuse of “fear.” The immediate future of Anglo-American democratic hubris, threats to civil society, and oligarchic threats to democratic praxis are canvassed. This article also raises the question as to whether The USA PATRIOT Acts of 2001/2006, sanctioned by the U.S. Congress, are examples, themselves, of state crimes against democracy. In the very least, any democratically inclined White House occupant in 2009 would need to commit to repealing these repressive, and counterproductive, acts.

## Keywords

USA PATRIOT Act, “War on Terror,” politics of fear, policy and oligarchic isomorphism, state crimes against democracy

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How can [one] square [an] acutely refined liberal sensibility . . . with the overwhelming lack of serious dissent over the subversion under U.S. imperial prerogative of Fifth Amendment habeas corpus provisions, or the subversion of First, Fourth, Sixth, Eighth, and Fourteenth Amendment provisions made possible by PATRIOT legislation and kindred executive initiatives, by which U.S. Presidential authority has claimed the right to spy without cause upon countless American citizens, torture and detain “suspects” without due process, reduce to meaningless the U.S. Congress through “signing statements” claiming presidential prerogative to refuse Congressional mandate to advise and consent? How could such outrages against liberal freedoms meet only timorous dissent from US media? How could such violation of democratic regime values face virtually no consternation from the U.S. Congress? How could the Judiciary abdicate . . . its solemn authority to curb such crude power ambitions? . . . Where the body can be made evacuated, literally, of its most essential presence—as in the suspension of habeas corpus—all presence (as in the presence of dissent) is made perilous and vacuous.

Matthew T. Witt (2008, p. 15)

The reaction to the 9/11 attacks, such as the USA PATRIOT Act 1 and 1,1 has done more to destroy the rights of Americans than all of our enemies combined.

Robert M. Bowman (2006, cited in Marrs, 2006, p. 17)

Bin Laden hardly needs to lift a finger. We’re scaring ourselves to death. . . . Bin Laden has won because we lost our heads and surrendered to fear.

Philip Adams (2006, p. 54)

In light of setting up internment camps, incarcerating innocent people and keeping it all secret, just how different is George Bush from Kim Il Sung and Kim Jung Il? . . . Because of the similarities to North Korean camps in terms of secrecy, the incarceration of innocent people and the deliberate avoidance of compliance with human rights laws, it is possible to compare the U.S. [Bush/Cheney] “democratic” government with North Korea’s “communist regime.”

Margaret Roche (2007, p. 1)

The “War on Terror” provided an unusual window for “seeing” real convergence in the largely “invisible” (Thorne & Kouzmin, 2006) and illegal/criminal maneuvering over framing and reframing antiterrorist legislation in the United States, the United Kingdom and Europe, and Australia. A cursory, comparative glance at the USA PATRIOT Act 2001, the USA PATRIOT Act 2006, other legislative variations in the United Kingdom and European Union and Australia, and Stalinist legislation—Article 58,

Criminal Code of the RSFSR (1934; Cunningham, 2000)—reveals worrisome convergence in the use/abuse of the “Politics of Fear.” The current precariousness of habeas corpus in so-called Anglo-American democracies would have many a tyrant marveling at the rapidly convergent, isomorphic behavior of political oligarchs and the actual delegitimation of sovereignty and democratic values under the authoritarian onslaught of hubris, propaganda, and fear.

This article argues that although the Australian response to 9/11 has been somewhat diminished in size and formal expression, Australia has been no less voracious and determined than the United States in exploiting the political and economic opportunities presented by the “War on Terror.” Both the United States and Australia moved rapidly from championing a “New World Order” of globalization and presumptively free markets of empowered individuals to reasserting, via the “War on Terror,” the surveiling and militarized nation-state, political and economic intervention in the affairs of others, the reimposition of borders, and the disempowering of individuals (Thorne & Kouzmin, 2004, 2008a).

Post-9/11, the United States and Australia made outmoded borders and legislative regimes appear and disappear and made individuals appear and disappear. Post-9/11, partners in the “Coalition of the Willing” mobilized military and paramilitary resources and enacted specific legislation directing legislative and public administration efforts toward securing borders and pursuing/punishing “terrorists” suspended due process. The United States committed extensive military personnel and resources into direct and indirect military action in Afghanistan, Iraq, and elsewhere. The Australian government committed a much lesser number of mostly specialized military units and a few other military resources.

The U.S. far-reaching legislative/legal response revolved around the USA PATRIOT Acts 2001 and 2006, the Homeland Security Act 2002, the Detainee Treatment Act 2005, and the Military Commissions Act 2006. Australia’s response involved specifying a series of new criminal offences in its criminal code (Lynch & Williams, 2006). Both the United States and Australia significantly extended their domestic and non-domestic counterterrorist intelligence-gathering and response activities. Both nations kept their populations on some level of constant threat from terrorists—a tense state of fearful emergency and active participation in “forward defense,” which traded global openness and the presumed riches of cosmopolitanism for domestic security and the pursuit of narrowed economic and political self-interest (Brzezinski, 2004).

Post-9/11, both the United States and Australia fluxed visible and invisible power in such a manner that directly exposed the hegemonic interests of elites and corporate capitalism. According to a “terror” expert at the RAND Corporation, “By invading an oil-rich Arab country, we validated all of bin Laden’s arguments that the US is an imperial power that seeks to subjugate Islam” (Hoffman, cited in Brzezinski, 2004, p. 240; also see Ahmed, 2006; Atwan, 2006, p. 225).

Furthermore, the emergent visible and invisible stratagems in the “War on Terror” pushed “New World Order” notions of benign cosmopolitanism and the inevitable worldwide adoption of Western-style free markets, democracy, and technology—especially

information and communications technology—into a contradictory reliance on overt nation-state-based military action (Atwan, 2006, p. 233), the overt curtailment of hard-won civil liberties, and the ascendance of religious and other fundamentalisms. This “War on Terror” mutation of the inherently unstable “New World Order” recapitulated only one possible future—a future where any real or imagined upsurge in domestic terrorist activity leads to the acceptance of the most oppressive state of (in)visibility, as long as such oppression claims to protect citizens and “free” markets (Grass, 2005).

Visibility and invisibility are both parts of the pervasive apparatus of political, economic, and communal hegemony. Constructing “realities” has always involved a manipulation of what is seen and not seen; what is “actual” and what is “illusionary” (Thorne & Kouzmin, 2004, 2006, 2008a). Visibility and invisibility are extensively “fluxed” in attempts to validate dominant worldviews, putative modes of organizing, and an economic–sovereign way of life over any possible other. The visible and the invisible are interrelated “realities” of the political condition.

### **(In)visible Stratagems in the “War on Terror”**

Since the presumed post–cold war defeat of “communism” and many forms of “socialism” (Kouzmin & Korac-Kakabadse, 1997), U.S. free market, corporate imperialism has prevailed (Klein, 2007). Despite Francis Fukuyama’s (2006) many renunciations of the Bush/Cheney administration’s misuse of neoconservative thought, the “End of History” (Fukuyama, 1992) discourse still persists as residue of American conservative, think-tank propagation of ideological hegemony; the packaged-as-if-new, enveloping cyberspace-based epoch of stateless, anarchic, constantly changing, globalized, radically free-choosing citizens and consumers (Friedman, 1999, 2005; Ohmae, 1991, 2005). The “New World Order,” however, is not universal. Nation-states persist. There are now more restrictions on the movement of individuals, refugees, and nonrefugees than had existed during the height of 19th-century colonialism. Braithwaite and Drahos’s (2000) leading text on business regulation indicates the continuing focus on the nation-state as the locus of domestic and nondomestic regulation and supraregional governance is more noticeable now than ever.

Post-9/11, both the United States and Australia found it useful to assert that geographic areas, traditionally considered part of the national compact, were, actually, different in some crucial aspects or could be effectively effaced completely. However, events at Guantanamo Bay (Cuba), Christmas Island (Australia), Nauru Gulags, and other global sites for “extraordinary rendition” demonstrated the purposeful (re)emergence and persistence of borders and boundaries.

The recent gyrations over the legal and political fictions (Coorey, 2008, p. 1; White, 2008, p. 8) associated with the Australian David Hicks, who spent 5 and a half years in the Guantanamo Bay Gulag without being charged any crime or offense before being released (after plea bargaining for limited incarceration in Australia for a short period leading up to the Australian 2007 federal election) and with the categories called “alien/nonalien,” “combatant/noncombatant” and “terrorist/nonterrorist”

situated within 19th-century, colonially imposed borders, revealed new contradictions in administering not only citizenship but also identity and community. Sovereignty of the state, where borders are exposed as visible, or rendered invisible, can be understood according to the *qui bono credo*. This fluxing of borders is not a U.S. imperial novelty.

Others, including Australia, were fast learners in manipulating the (in)visibility of borders and national sovereignty. In effect, borders are moved around, rendered visible or invisible, to demonstrate the ability of certain nations or elites to escape the supposed level playing field of globalization, to resist the reach of international institutions, such as the United Nations, and to renounce international treaty obligations when national interests are deemed threatened. Individuals are also made visible as actual or potential terrorists or made invisible as human beings in a manner that echoes the “nonpersons” of the concentration camps, Gulags, and “devil’s” islands (Thorne & Kouzmin, 2004, 2008a).

The exploitation of 9/11 by oligarchic interests, especially the attempt by U.S. neo-conservatives to grasp the historical opportunity to remake the world, is more and more perceived as a counterproductive foray into old and new forms of unilateral imperialism (Atwan, 2006; Harvey, 2003; Johnson, 2000, 2004). Albrow (1996) presaged the shallowness, and the precarious nature, of “New-World-Order” cosmopolitanism and hyperindividualism. The seemingly new, visible resurgence of Islamic and other religious fundamentalisms has reenergized seemingly invisible, divisive, and outmoded notions of “Millennialism”; the “Apocalypse”; the “End of Time” (Kirsch, 2006); “Holy War,” “Crusade,” or “Jihad” (Armstrong, 1991; B. Lewis, 2004); the “Clash of Civilizations” (Huntington, 1997); and the confrontation between now “visible,” extremist Islamic theocracy with another, supposedly “invisible,” Judeo-Christian theocracy (Hedges, 2008). There is now occurring, as if timely, a widespread reexamination of the perils of global interconnection (Eckes & Zeiler, 2003). The 21st century now appears more medieval than global, featuring constant warfare, economic and social upheavals, genocide, and environmental and biodiversity disasters.

Berman (2006) joins others (see Phillips, 2006) finding that the American “empire” has entered an inescapable final phase. In Berman’s view, the post-9/11 endless “War on Terror” and the military interventions in Afghanistan and Iraq have left the American economy burdened by an insurmountable debt threatening an imminent economic and social collapse (also see Atwan, 2006, pp. 214-215). This is apart from the collapse of any global, “moral” authority, which U.S. oligarchs and many legal and U.S. public administration academics attach to American “exceptionalism.”

While the endless flow of propaganda destroyed hard-won civil ideals and democratic freedoms, there were dangerous signs of hubris, the intrusion of threatening lost and discounted multiple histories and (in)visible portents of a future other than post-cold war “triumphalism” (Ivie, 2007; Schrecker, 2004) of “exceptionalist” interests. Yet, as Thorne and Kouzmin (2007a) explain, the manipulations of the flux of visibility and invisibility by elites have just moved on to incorporate the more open reliance on religious, nationalistic, and other oppositional justifications for the use of naked force and military power to eliminate opposition and to drive out putative “darkness.”

It is highly possible that the post-9/11 interventions sanctioned by these elites will not allow any retreat from the “masking” of global capitalism. Rather, the visible and invisible stratagems required to maintain the interests of capital will transpire within the ongoing, ill-defined, “holographic” (Witt & deHaven-Smith, 2008) conduct of a “War on Terror” involving “fundamentalisms” that not only settle new scores—such as the neoconservative, historical opportunity to restructure “evil” nations—but also involve the settling of old scores with those deemed deviant or nonpatriotic; those of “nonassimilating” or belligerent races, ethnicities, and religions; homosexuals and women posing thorny matters of equity; or others with differences in belief patterns (Adams, 2008; Faludi, 2007; Hedges, 2008; Thorne & Kouzmin, 2007a, p. 26).

The clearest and most present danger is that post-9/11 events not only exposed the visible and invisible aspects of intertwined interests of political, economic, and religious elites supposedly disappeared just before the dawn of the Third Millennium but also presented a practical and ideological vacuum susceptible to “once and for all,” opportunistic fantasies for ultra-religious fanatics. Post-9/11, cherished and long-fought-for liberties and institutional protections have been fatally compromised in the name of patriotism, domestic security, and protecting “*the* (one best) economic” way of life.

Since 9/11, the “Anglophone echo chamber on three continents” (Marr, 2007, p. 60) “fluxed” the “Politics of Fear” under the mantra of the “War on Terror.” The U.S. Bush/Cheney administration gained extraordinary social control by invoking the threat of terrorism against U.S. citizens. A most blatant example occurred in August 2004 during the presidential campaign, when an increased terror alert against financial institutions was invoked, only to be subsequently revoked on a U.S. administration admission that the alert had been based on old information and from a discredited source (Marrs, 2006, p. 257). Invoking an external threat to establish a “siege mentality” and heightened internal control is a tactic/strategy well known to social scientists, and authoritarians, of multiple hues (Cosser, 1965; Simmel, 1955).

Al Qaeda, translated from Arabic as “the data base” (Marrs, 2006), was a computer file of thousands of *mujahedin*, recruited and trained to defeat the Russians in Afghanistan, with the help of the CIA, then under control of the U.S. Vice President and former CIA Director George Bush, Sr., who assumed executive control of the U.S. government following the failed assassination of Ronald Reagan. The Taliban emerged from Afghan *mujahedin*, whose heroism had been lauded by the United States during the 1980s (Atwan, 2006, p. 80), whereas Saudi Arabia “produced some 70 per cent of *Al Qaeda’s* fighters, as well as the leader himself” (Atwan, 2006, p. 235).

## The USA PATRIOT Act 2001

The USA PATRIOT Act 2001 was rushed into law by the U.S. Congress on October 26, 2001, some 45 days after 9/11. The 342-page act made changes to more than 15 U.S. statutes, most of them enacted after previous abuse of surveillance powers by the FBI and CIA revealed following the Nixon administration. The speed with which PATRIOT was passed has raised many questions (Marrs, 2006, p. 299). The provision of a sunset

clause had not yielded the protection of U.S. civil liberties, with the more draconian USA PATRIOT Improvement and Re-authorization Act 2006 having been passed on March 9, 2006, after the original sunset deadline of December 2005 for the USA PATRIOT Act 2001.

The USA PATRIOT Act 2001 was built on the little known Foreign Intelligence Surveillance (FISA) Act 1978, which opened the way for secret government searches of non-U.S. citizens by intelligence agencies. The USA PATRIOT Act 2001 expanded FISA to include U.S. citizens. FISA was originally intended to monitor Soviet espionage but permitted the wiretapping and bugging of all at will (Brzezinski, 2004, p. 68). Civil libertarians were mostly concerned with PATRIOT about the following:

- Monitoring religious and political institutions to assist terrorism investigations (a violation of the First Amendment right of association).
- Secretly detaining people without charge and encouraging bureaucrats to resist freedom of information requests (a violation of the Fifth and Sixth Amendments guaranteeing due process, speedy trials, and freedom of information).
- Prosecution of librarians and other keepers of records if they revealed that the government had subpoenaed information related to a terrorist investigation (a violation of the First Amendment right of free speech).
- Government monitoring of conversations between prisoners and their legal representatives and the possible denial of access to legal representation (a violation of the Sixth Amendment right to have legal representation).
- U.S. citizens being jailed without trial or charges being brought (a violation of the Sixth Amendment).
- Section 412 of the USA PATRIOT Act 2001 allows for the indefinite detention of non citizens. The USA PATRIOT Act 2006 gives power to designate U.S. citizens “enemy combatants” for “terrorist” activity carried out in the United States. Section 501 of the PATRIOT Act 2006 allows the revoking of citizenship and secret detention of those suspected of providing “material support” to terrorists (Brzezinski, 2004, p. 68; Marrs, 2006, pp. 303-304).

Further parameters of the emerging “democratic deficit” in the American polity were associated with combating terrorism associated with military-grade anthrax not available outside of the United States (Marrs, 2006, p. 261). These developments included the following:

- A biological attack “fascism,” whereby any resistance to arbitrary relocation is in violation of law and subject to arrest, fines, and imprisonment.
- Refusal to be inoculated is subject to fines and imprisonment.
- Federalizing all medical personnel.
- Using the Federal Emergency Management Agency (FEMA), as the lead agency under the Department of Homeland Security, to enforce evacuation of cities.



- The creation of “displaced persons” camps around the United States. Many such camps are military bases, others are operated by FEMA. FEMA has let a contract for 1,000 “emergency relocation camps” in case of widespread terrorism or biological or chemical attacks on U.S. cities. “The most ominous potential concentration camp is located in Elmendorf AFB, in Alaska, designated to be used as a ‘mental health’ facility. . . . It is our version of Siberia and the Gulag” (Lt. Col. Roberts, cited in Marris, 2006, p. 274; also see Applebaum, 2003; Kashima, 2003; Tashima, 2007; Thorne & Kouzmin, 2004, pp. 425-426).
- Violation of the Posse Comitatus Act of 1878, the law prohibiting the U.S. military from conducting law-enforcement duties against the U.S. public. Post-9/11, military troops were seen patrolling the streets of Washington and New York, providing glimpses of life under martial law—the prospect of which became less invisible with the 2005 presidential announcement that military troops would be used in the event of a national pandemic (Marris, 2006, p. 266). Privatized, armed militia was also operating, within hours, of the Hurricane Katrina disaster affecting New Orleans (Scahill, 2007, pp. 323-342).

Regarding detention and torture, citing an FBI account of how Guantanamo Bay prisoners had been treated, Democratic Senator Richard Durbin of Illinois has said for the record,

If I read this to you and did not tell you that it was an FBI agent describing what Americans have done to prisoners in their control, you would most certainly believe [that] this must have been done by Nazis, Soviets in their Gulags, or some mad regime—Pol Pot or others. (Marris, 2006, pp. 2, 64; also see Bukovsky, 1978, 2005)

Such comments provided conspicuous examples of how repressive global regime isomorphism was now ascendant.

## Department of Homeland Security

In light of recent legislation, the only factor required today to turn the U.S. into an Orwellian 1984-type dictatorship is technology. Such technology was not available in 1984—it is today. (Marris, 2006, p. 321)

The passage by U.S. Congress of the Department of Homeland Security Act 2002, in November of that year, saw the largest restructuring of the U.S. federal government since the passage of the National Security Act 1947. Leading up to this passage, Tom Ridge argued,

We are today a nation at risk to terrorist attacks and will remain so for the foreseeable future. The terrorist threat to America takes many forms, *has many places to hide and is often invisible*. Yet the need for improved homeland security is not tied solely to today's terrorist threat. It is tied to *our enduring vulnerability*. (quoted in Marrs, 2006, p. 276, italics added)

Incorporated into "Homeland" Security, along with many other agencies, were the Secret Service and FEMA, the latter being the lead agency for imposing martial law in the United States, as planned by the Reagan National Security Council in 1984 (Marrs, 2006, p. 279). Democratic concerns with the Homeland Security Department included (Marrs, 2006, pp. 281-282) the following:

- Negating the Freedom of Information Act 1996 with new and broad exemptions to the act involving threats to infrastructure, national security, and confidential business information.
- Exempting advisory committees to Homeland Security from the Federal Advisory Committee Act 1972 passed to ensure openness and accountability.
- Silencing whistleblowers protected under the federal Whistleblower Protection Act of 1989.
- Homeland Security overriding inspector-general investigations.
- Insufficient guarantees for abuse of personal privacy and constitutional freedoms. "Combining domestic and foreign intelligence under Homeland Security would lead to widespread spying on constitutionally-protected political activity" according to legal counsel for the American Civil Liberties Union (Edgar, cited in Marrs, 2006, p. 282).
- The listing of names of persons "suspected" of terrorist connections and the creation of "no-fly" lists by some 26 terrorism-related databases from within intelligence and law enforcement agencies. By early 2006, according to Marrs (2006, p. 284), these contained 325,000 names. By November 2007, some 750,000 names and an undisclosed number of U.S. citizens had been carelessly, or with partisan, political malice, added to the list (Americans for Terror Watch List Reform, 2008).
- The attempted introduction, in mid-2002, of the Terrorism Information and Prevention System as an expanded national system of citizen spying and reporting—the "snitch culture," akin to East German Stasi work, Cuban Committees for the Defense of the Revolution, and Stalinist citizen reporting requirements of the 1930s through the 1980s.
- The availability of powerful intelligence-gathering tools, originally developed to track Soviet spies but now being used to monitor U.S. citizens. Echelon, a global satellite network, intercepts and analyzes phone calls, faxes, and emails sent to, and from, the United States (Kakabadse, Kouzmin & Kakabadse, 2000, p. 10). "Dictionary" software is used for "trigger words."

As Bowley (2006) accounts, "Using programs with Orwellian names, such as Carnivore, MATRIX, Talon, Eagle Eyes and Total Information Awareness, the [U.S.] Administration is exciting an unprecedented level of power over citizen's lives" (p. 167). Thousands of pages of public documents in the public domain have either been reclassified (Kouzmin et al., 2002) or deleted from the Internet. CNN.com, for example, provides a weekly list of transcripts. Listed for March 15, 2003, is a transcript titled "What are the Military Differences between Iraq and North Korea?" This transcript was deleted from the Internet when access was attempted on July 22, 2007. Wikipedia censoring/reediting is rife—from the Australian Prime Ministerial office to global corporations and even the CIA (Hafner, 2007; Moses, 2007). U.S. initiatives sought to transform the Internet into a vast, online equivalent of Fox News TV (Miller, 2006, p. 187; also see Thorne & Kouzmin, 2008b).

In the "War on Terror," the U.S. administration expanded government secrecy in ways unthinkable to many, as with how "law enforcement agencies have been allowed to operate in the shadows" (Marrs, 2006, p. 329). The U.S. presidency and the issuing of "signing statements"—the qualification of presidential prerogative to refuse implementation of congressional law—were increasingly controversial for their trajectory of favoring unlimited executive power.

In March 2002, the U.S. president announced that the American public "need not worry about the survival of federal government functions because a 'shadow government' made up of un-elected officials were working in underground bunkers" (Marrs, 2006, p. 340). The "Continuity of Government" (COG) program has been in place in the United States since the "cold war" and the passage of the National Security Act 1947. Now, both COG and the "shadow government" agendas have been tied to the Homeland Security apparatus, which refuses to reveal any details of costs or budgets (Marrs, 2006, p. 341). These connections to the Homeland Security apparatus "legitimate the most coveted mask of the rule by secrecy" (M. Witt, personal communication, October 7, 2007).

## **Expanding Terrorism Legislation: Anglo-European Trajectories and Australian Echoes**

The U.K. Criminal Justice Act 2003 raised three areas of serious concern, including the removal of the right to trial by jury in complex cases in the fear of jury "tampering"; abolishing double jeopardy and making all acquittals conditional; and the admissibility of previous convictions, acquittals, and hearsay evidence (Nield, 2005, p. 111).

Moving British justice toward a European inquisitorial system was designed to harmonize the United Kingdom with the EU Corpus Juris proposals of April 1997. Rights of habeas corpus, established in 1679, and trial by jury, established by Magna Carta in 1215, were thereby nullified.

The Anti-Terrorism, Crime and Security Act 2001 provided for foreign nationals to be detained indefinitely on suspicion that they are either a terrorist or a threat to national security. In December 2004, the U.K. House of Lords ruled that such powers

contravened the European Convention on Human Rights. The British government then introduced the Prevention of Terrorism Act 2005, giving power to impose “control orders” on British and foreign terror suspects. This act compromised the 800-year-old right to a fair trial and “would be instantly recognizable by every secret police force, including the CHEKA [NKVD/OGPU/KGB]” (Johnston, quoted in Atwan, 2006, p. 226).

The Madrid train bombing of March 11, 2004, provided the impetus for EU integration of judicial and security functions (State Watch, 2004). There were 57 proposals in all, out of which 27 had nothing to do with mitigating terrorism. These proposals included the establishment of an EU intelligence agency and EU security coordinator, an EU database of forensic material, the logging of all telecommunications and tracking of all air travel within the EU, the fingerprinting of all EU citizens, and the simplification of procedures for the exchange of information between intelligence and law enforcement agencies.

In Australia, the rhetoric of a world “transformed since 9/11” justified a security apparatus, developed over the past 8 years, authorizing the imprisonment of Australian citizens without trial, home detention, and sedition laws (Hamilton & Maddison, 2007; Marr, 2007, p. 61). Creating crimes of “domestic terrorism, after 9/11, revoked rights and dramatically increased the power of government and, in an inter-dependent world, a refusal to differentiate internal with external threats” (Nield, 2005, p. 13). A new concept of security now included ecological, health, electronic, migrant, and economic vulnerabilities.

Scanning the security-related changes since 9/11 of the Australian national government up to November 2007, when a conservative government lost office in the federal election, Marr (2007; also see Hamilton & Maddison, 2007) summarized the contours of social control and the increasing “democratic deficit” established with the same invocation of threat of internal (homegrown) and external terrorism against Australian citizens that Washington press releases echoed through the offices of senior ministers in Canberra, whereby

press “attack dogs” [were] set against government critics; bureaucrats [were] prosecuted; NGOs intimidated; protestors arrested; books banned; phone lines surveiled and censored; Freedom of Information (FOI) laws undermined; anti-terrorism operations hidden behind punitive press laws; dissenters exposed to sedition charges; . . . and hard-line, Christian doctrine [was] converted into law. (p. 68)

Within a broader frame, the northern islands of Australia were made no longer part of jurisdictional Australia, and Afghan and Iraqi refugees landing on these islands were placed in custody and outsourced to Christmas Island and Nauru detention centers for “processing.” Reactive sedition laws removed the fundamental right to habeas corpus, placing Australia in the imperial company of North Korea and the United States. Suspects were detained indefinitely, cut off from contact with family, friends,

or employers. Although detention policies were eased in August 2008, it remains possible “to monitor, question and detain Australians citizens who are not suspected of any involvement with terrorism but might have information useful to the Government” (Lynch & Williams, 2006, p. 29). Individuals could even be arrested for involvement in terrorism for terrorist acts that had not yet transpired. Dick’s (2002) “precognitive law enforcement” is no longer science fiction.

Commonwealth and state governments competed over who is the hardest on “terror” and crime (prison construction is a growth industry) and who could interfere the most with the recalcitrant judiciary, prosecutorial services, and the police. Citizens watch the photo-opportune exploits of the rapidly swelling forces of the police and secret service (as with the global APEC Forum bringing world leaders to Sydney and the police/security hysteria in September 2007 and, also, the April 2008 Olympic torch run in Canberra) and “listen to the ever bolder auction bids of politicians as they try to outwit each other in promising ever tougher and more severe measures to be deployed in an all-out war on terrorists” (Bauman, 2006, p. 153). In a strange, isomorphic echo of the indoctrination and control practices associated with totalitarian regimes, a highly conservative/reactionary government legislated for the placement of Christian chaplains within every Australian school. Jingoistic, so-called patriotic, involvement with the symbols of Australian “nationhood” had come, increasingly, to the fore. Dawn vigils at Gallipoli—where the ANZACS fought against the resolute Turks in what was a British-led military catastrophe—and trudging the Kadoka Trail—where, in appalling tropical conditions, Australian troops defeated the Japanese—are now rites of passage for many young, and alienated, Australians.

The Australian government’s Web site (Australian National Security, 2007b, p. 1) had been at pains to emphasize its leading role in the development of laws to combat terrorism. According to this Web site, “In fact, the Australian Government has introduced an extensive *legislative regime* around counter-terrorism, national security and other cross-jurisdictional offences” (italics added). Some 26 key pieces of national security legislation have been enacted since 2002.

For Australians, and others, with a historical sensitivity to the actuality of authoritarian abuse of the “politics of paranoia” and resulting political repression, reading The Anti-Terrorism Act (No. 2) 2005 (No. 144, 2005; Australian National Security, 2007a), in particular, was a salutary exercise. The reading may be better benchmarked against Stalin’s Article 58, the Criminal Code of the RSFSR (1934; Cunningham, 2000) rather than racist and fascist, repressive legislation (Coulton, 2007, p. 27; Wolf, 2007). As presciently stated, “This [Australian] Act was far harsher than comparable U.S., or UK, legislation and was passed by the Australian Senate [Australia’s upper house], after less than six hours of debate” (Jones, 2007-2008, p. 55). Some principal features of the act are extending the definition of a terrorist organization to enable “listing” of suspect organizations; a new regime of control orders allowing for close monitoring of terrorist “suspects”; a new police preventative detention regime, with people to be held in detention without charge; expanded sedition offences; a new regime of search and seize powers; and the creation of a legal basis for the use of video surveillance (Australian National Security, 2007a).

The more repressive aspects of the Anti-Terrorism Act (No. 2) 2005 (No. 144, 2005) leading to actual political abuse—as in the case of the Australian detention and revocation of an Australian visa of physician Dr. Mohamed Haneef, in July 2007, in connection with the terror attacks on Glasgow International Airport (Ramachandran, 2008)—include the following:

- Subsection 102.1 (2) (a) of the Criminal Code deems it an offence to “advocate the doing of a terrorist act whether or not a terrorist act has occurred or will occur.”
- Division 105.1 (b) allows for the incarceration of individuals to “preserve evidence of, or relating to, a recent terrorist act.”
- Division 105.34 (a) (b) restricts citizens, detained under a preventative detention order, from contacting another person.
- Furthermore, a detained person is subject to 5-year imprisonment for any disclosure about a preventative detention order (see Division 105.41 (1) (b)).
- Division 80.2 (7) (c) commits, to a 7-year prison term, a person who urges another person to engage in conduct assisting an organization or country at war with the commonwealth, whether or not the existence of a state of war has been declared.
- Schedule 7, Section 30A (3) (a), involving sedition, may come as a surprise to law-abiding Australian republicans—it is an offence “to bring the Sovereign into hatred or contempt.”
- Australian Ministers of Immigration and “talk-back” radio politicians may be surprised to find that an offence has been committed, under Section 30A (3) (d), when one seeks “to promote feelings of ill will or hostility between different groups so as to threaten the peace, order and good government of the Commonwealth.”

In late 2007, legislation was passed by the Australian Lower House but was yet to be passed by the then-government-controlled Senate, proposing that “security agencies would be able to secretly track people via their mobile phones and monitor their Internet browsing for up to three months without obtaining a warrant” (Allard, 2007, p. 1; also see Thorne & Kouzmin, 2008b).

## **From Old to New Gulags: Isomorphism Within Repressive Political Ontologies**

As Texan writer of secretive governance Jim Marrs opines, “Secret evidence; closed trials; false imprisonment; warrant-less searches; involuntary drugging; and the seizure of private property seem like something out of the Nazi [and Soviet] era[s]” (Marrs, 2006, p. 307). The “Politics of Fear” allow for such acquiescence and isomorphism, where “often, supposed enemies prove to be mirror images of each other” (Marrs, 2006, p. 260; also see Thorne & Kouzmin, 2007b, p. 18). For oligarchs, however, knowing one’s “enemy” has always been a source of considerable strength and political

advantage. American luminary of public affairs scholarship Philip Selznick (1952, pp. 275-314), for example, wrote extensively on the "vulnerability of institutional targets" and "problems of counter offence" against communism (Selznick, 1952, pp. 315-333, 1957) and implied that ideologically opposed oligarchs often collude in method; policy/legislative "plagiarism," or isomorphism, does not embarrass.

U.S. scholarship has failed to fully understand Russian history, yet it mimics Soviet oligarchic behavior. It certainly failed to predict the demise of the Soviet Union (Ruttard, 1994, pp. 565-578) and now seems likely to fail to understand or anticipate the post-transition Thermidor in Russia, especially after Harvard-inspired, criminal, "coupon privatization" destroyed the social fabric of ordinary Russians (Burawoy & Krotov, 1993; Klein, 2007; Kouzmin & Korac-Kakabadse, 1997). American scholars seem also to fail to understand Russia's response to the "War on Terror" (Politkovskaya, 2007). Chechnya, for the Russians, played the same role as 9/11 did for the United States. The United States, like Australia, resonates with a "collective amnesia" about Soviet or McCarthyist authoritarian history(ies) while, at the same time, heralding freedom of markets and wealth for all. Does such amnesia foretell the emergence of a new, oligarchic, fear-manipulated, authoritarian "convergence" within the formal governance frameworks and hubris of neoliberal economies?

The U.S. Senate Judiciary Committee (on testimony opposing the nomination of John Ashcroft, as attorney general, January 16, 2001) "was warned that Ashcroft would bring under the guise of 'crisis management' a form of brutal 'bureaucratic fascism' on the United States that bears striking similarities to the conditions under which Hitler seized power in 1933" (Freeman, cited in Marrs, 2006, p. 315). Furthermore, in a little publicized announcement, in August 2002, Ashcroft said he wanted the power to strip American citizens of their constitutional rights, including access to the court system and indefinitely imprison them in internment camps on the word of the U.S. attorney general that they were "'enemy combatants' . . . or 'suspected terrorists'" (Marrs, 2006, p. 315).

One of colonial Britain's contributions to "civilization" was the invention of the world's first Gulag in Australia's Botany Bay. Domestic, but marginalized, nonpersons were rendered invisible by the simple expedient of deportation (Thorne & Kouzmin, 2004, p. 425). Variants of Botany Bay emerged in Tsarist expressions of a Russian empire and, later, Soviet Gulags to buttress the imperial expressions of an "exceptionalist" "Socialism-in-one-Country" (Marcuse, 1971). Guantanamo Bay, Christmas Island, Nauru, and "extraordinary rendition" constituted new dimensions to marginalizing and rendering invisible, global citizens in the name of newer imperialist pretensions and globalized duplicity (Sardar & Davies, 2002). Forebodings about future Gulags, beyond the known 24 international Gulags (now a little more visible since Abu Ghraib; see "US Has Secret Prisons," 2004), might result from a historical and comparative awareness of other, previous Gulags. The USA PATRIOT Acts 2001 and 2006 resonate with a collective, oligarchic awareness of such history(ies) and foretell the *emergence* of homeland and out-sourced Gulags of incarcerated nonpersons of the politically marginalized and the invisible.

Thus, the United States, the largest incarcerating state on earth (Margolis, 2006; Sheldon, 2004), had now mobilized, under the protective cover of privatized invisibility, to broaden the incarcerating mandate drawn from race and poverty to the politically dissonant and those who refused to politely accept their invisibility. A system of invisible homeland and outsourced Gulags, within the hubris of an “exceptionalist” “Democracy-in-one-country,” though not consistent with the “End of History” (Fukuyama, 1992) discourse, is entirely consistent with a new epoch associated with xenophobic and chauvinist, neoliberal-driven, corporate imperialism.

If there is a democratic crisis at hand—threats from without and within—“the deeper issue . . . is whether in facing the dangers of terrorism, Americans [and Australians] will end up sacrificing the ethical substance of their democratic culture and institutions” (Stout, 2007, p. 5). Furthermore, the desire to maintain U.S. economic dominance has, in fact, “permitted plutocrats to take over the central functions of government . . . allowing for the further hope to dominate the world. This ambition is expressed, euphemistically, as the objective of preventing potential rivals from challenging the status of the U.S. as the only superpower” (Stout, 2007, p. 5).

But there are other benchmarks for consideration. Research (Nield, 2005) indicates that the “War on Terror” is “the chosen pretext for the global integration of police, intelligence and military functions . . . governments across the world are promoting the idea that society must militarize itself in order to be free of terror” (p. 110). Former U.S. Attorney General John Ashcroft, with his daily prayer meetings (Brzezinski, 2004, p. 70), was a catalyst for evangelical abuse and constitutional sabotage, frightening U.S. citizens into accepting autocratic rule as their only way of avoiding terrorist attacks: “His greatest problem had been preserving a level of panic and fear necessary to induce ‘free’ people to surrender their rights” (Thurley, cited in Marrs, 2006, p. 318).

This strategic direction of repression continued under Ashcroft’s successor, Alberto Gonzales, who, in February 2005, on being sworn in, immediately “played the terror card” in his initial remarks to employees of the Justice Department (Marrs, 2006, p. 319). As White House counsel prior to appointment as attorney general, Gonzales argued, in 2002, that laws inhibiting the torture of prisoners did not apply to presidential detentions and interrogation of “enemy combatants” and that the “War on Terror” was a new kind of war, rendering obsolete strict Geneva Conventions in handling enemy prisoners (Elliot, 2007, p. 11). As authors Shane, Johnston, and Risen (2007) sum up,

The debate over how terrorist suspects should be held and questioned began shortly after 9/11 . . . when the Bush/Cheney Administration adopted secret detention and coercive interrogation, both practices the U.S. had previously denounced when used by other countries. It adopted the new measures without public debate or Congressional vote, choosing to rely . . . on confidential advice of a handful of appointees. (p. 2)

The existence of a secret prison system, operated by the United States throughout the world, has now been substantiated and corroborated by many sources (Baldwin, 2006;



J. Lewis, 2007; Priest, 2005; Roche, 2007). These “black sites” have been spread out among many countries, including some recent “democracies” in Eastern Europe (Roche, 2007) well versed in a Stalinist, repressive praxis. Note Shane et al. (2007), “The CIA constructed its programme [of interrogations] in a few harried months by consulting Egyptian and Saudi intelligence officers and copying *Soviet interrogation methods* long used in training American servicemen to withstand capture” (p. 3, italics added). Outsourcing “extraordinary rendition” to such ex-Stalinist, now “newly sovereign,” states and isomorphic renderings of torture, such as “sleep deprivation” being defined as *only* CID (cruel, inhumane, or degrading) but, in reality, being mimicry of a Soviet/Stalinist torture technique known as “conveyor” (Bukovsky, 2005, pp. B01-B02), is a stunning example of oligarchic isomorphism across old ideological divides. As Bukovsky (2005) argues, “Torture is an instrument of repression, not an instrument of investigation or of intelligence gathering” (pp. B01-B02; also see Bukovsky, 1978).

According to the Jews for the Preservation of Firearms Control, a close examination of the U.S. Gun Control Act of 1968 reveals it to be nearly word for word the gun legislation passed in Germany under Hitler (Marrs, 2006, p. 47). In a different repressive context, one finds that “the nature of public life in the United States today has begun to resemble Hitler’s Third Reich, Stalinist Russia and Communist East Europe, while supporting a foreign policy that angers and alienates peoples all across the globe with its thinly-disguised ‘Neo-colonialism’” (Marrs, 2006, p. 403; also see Sardar & Davies, 2002).

The USA PATRIOT Act 2001 has been compared to Hitler’s Reichstag Fire Decree 1933 (Atwan, 2006, p. 226). It is also necessary to read the USA PATRIOT Acts 2001 and 2006 in conjunction with Stalin’s Article 58, the Criminal Code of the RSFSR (1934; Cunningham, 2000; Solzhenitsyn, 1974, 1997)—the legal code on “counterrevolutionary crimes” and political repression just prior to the “great purge” in Soviet Russia (Applebaum, 2003); doing so makes evident the convergence in rhetoric and legislation in the name of preserving the security of the people. Substitute the word *terrorist* for *counterrevolutionary* and a new awareness of potential, political repression dawns.

With this Criminal Code, there was no limit to the discretion of prosecutors. If, for example, “police decided that the prescribed six-month sentence (Article 58-10) was inadequate for a suspect possessing anti-Soviet literature in peacetime, they could always torture [the suspect] until confession to a more serious offence [was made]” (Cunningham, 2000; Solzhenitsyn, 1974, pp. 60-67; *pace* Abu Ghraib and Guantanamo Bay). Article 58-8, on terrorism, for example, specified that attacks on Soviet officials were punishable by execution, as compared to mere 10-year incarceration for the murder of ordinary citizens (Cunningham, 2000). Solzhenitsyn (1974, p. 284) lists other “lettered articles” not corresponding to specific paragraphs of Article 58, such as those dealing with anti-Soviet agitation, counterrevolutionary activity and thought, and illegal crossing of state borders. “Who amongst us has not experienced the all encompassing embrace [of Article 58]? In all truth, there is no step, thought, action, or lack of action under the heavens which could not be punished by the heavy hand of Article 58” (Solzhenitsyn, 1974, p. 60).

In Stalin’s time, “the formula of Capitalist ‘encirclement’ proved elastic enough to embrace the enemy inside, as well as the enemy outside” (Fainsod, 1970, p. 423). The

full circle of the “great purge” offers a dramatic case study in the state uses of terror (Fainsod, 1970, p. 443) and in which “the pervasive fear of the informer and the secret police made the air heavy with suspicion and distrust” (Fainsod, 1970, p. 421). Can the “War on Terror” be compared to Stalin’s abuse of Soviet Russia’s paranoia about hostile encirclement? Compare the assessment “as long as Capitalist encirclement exists, there will be wreckers, diversionists, spies, terrorists sent behind the frontiers of the Soviet Union by the intelligence services of foreign states” (Stalin, cited in Fainsod, 1970, p. 423) to Tom Ridge’s assessment about “homeland” security being tied to today’s “terrorist threat” and also tied to the “enduring vulnerability” of the United States to terrorist threat (Marrs, 2006, p. 276). As Bauman (2006) observes, “The totalitarian state is feared as the source of the unknown and the unpredictable” (p. 156), and one is reminded that “the practice of terror generates its own underlying, theoretical justifications” (Fainsod, 1970, p. 422)—isomorphically, it would appear.

Stalin’s great purge—reaching the peak of its intensity in the first year of the life of the “democratic” 1936 Constitution, intended to safeguard limited Soviet liberties—was prefaced by the significant proviso that rights were to be exercised in “strengthening the socialist system” (Fainsod, 1970, pp. 377-378). As in most authoritarian contexts,

the manifest function of stern policies, declared to be the eradication of terrorist threat, plays second fiddle to the latent function of shifting the grounds of state authority from areas that the state could not, nor dared to, control to another area . . . under public applause. (Bauman, 2006, p. 153)

Reading and comparing antidemocratic legislation across the conventional, ideological divide is a salutary reminder of converging oligarchies within a “War on Terror”—driven neoliberal world (Kakabadse et al., 2006; Klein, 2007; Thorne & Kouzmin, 2007b).

## **Framing the Ontology of Invisible, Oligarchic Isomorphism in SCADs**

Do oligarchic defenders against “alienated ‘Stalinoids’ of the Cold War” (Selznick, 1952, p. 297) successfully re-invent themselves as oligarchic protectors against the exploitation of a growing mass of equally-alienated “Netizens” in a “terror”-driven Neo-Liberalism? (Thorne & Kouzmin, 2007b, p. 26)

The complicity of social scientists with the reactionary posture of political elites reflects the class interests of academics, whose income and status depend in no small part on the legitimacy of the larger, social order. Beginning at least with Selznick (1952), scholars have given voice to elite class interests in their social-scientific theorizing. In Selznick’s words, “Mass, democratic society is the ‘sovereignty of the unqualified’ [where] elites find it difficult to sustain their own standards and, hence, ultimately their special identity and function” (p. 279). Professional and “institutional vulnerability should focus attention upon the conditions that affect the ability

of elites to maintain those standards and self images which invest the [profession and] institution . . . with cultural meaning” (p. 281).

From the elite perspective, especially within an era of the “cold war” and within an age of U.S. McCarthyism and, possibly, within a “War on Terror,” the “Stalinoid Liberal,” as a psychological character—a product of American middle-class alienation (Selznick, 1952, p. 297)—must be “understood and thwarted.” Apart from the vested class interests of the U.S. academy, ignorance about, or “patriotic silence” over, the need to understand oligarchic and policy isomorphism is conspicuous. Selznick’s (1952) isomorphic adaptations of Lennist/Bolshevik strategies, for example, are as stunning as they are important a clue to the strategic, political, invisible, and oligarchic underpinnings of a growing propensity for SCADs post-World War II.

Central to this oligarchic mimicry is Selznick’s (1957) construct of “Institutional” leadership, outlined in his 1957 study *Leadership in Administration*. As Selznick claims, “institutional” leadership, to be effective, must segmentalize “critical” decision making from both routine administrative initiative and strategic decision making (Barnard, 1938/1968; Simon, 1957). Institutional leadership, as such, explicitly involves political intangibles—those not normally exposed to casual inquiry. A “proper” ordering of human affairs, the establishment of a “social order”, a determination of “public interest”, and a defense of “critical” values are agenda issues usually beyond the expectations, even mechanisms, of transparency and democratic accountability. These “invisible” agenda issues constitute dominant organizational and other ideologies designed to effectuate the hegemony and protection of value-defining elites while papering over the resolution of inevitable conflicts these contentious political/organizational processes invoke.

Institutional leadership, as a “special kind of work done” (Selznick, 1957) to design and protect institutional polities, is not necessarily associated with holding office, high prestige, or even policy making. Instead, such leadership is connected to comprehending the flux in the “visible” and “invisible” “ways and means” by which oligarchic elites and interest groups protect their identity and attempt to sustain control not merely over the conditions of their own existence but, more fundamentally, over the acquisition and distribution of vital resources across entire populations (Thorne, 2005; Thorne & Kouzmin, 2006).

Most controversially, and presciently, Selznick (1957) pointed to the critical role of “invisible” and autonomous elites in the design and maintenance of otherwise precarious claims of authority and contours of a political “ergonomics” (Winner, 1987). Selznick’s “theory of elite autonomy,” clearly, even strikingly, informed by his earlier work on *The Organizational Weapon: A Study of Bolshevik Strategy and Tactics* (Selznick, 1952), goes remarkably unrecognized and undiscussed in the ideologically stilted managerial and political discourses of “Rationalism” and neoliberalism (Dixon, Dogan, & Kouzmin, 2004; Kouzmin, Leivesley, & Korac-Kakabadse, 1997).

In the currents of power and hegemony, the continuing Anglo-American, academic ignorance of Leninist praxis, clearly understood elsewhere (Kakabadse, Kakabadse, & Kouzmin, 2006; Kouzmin, 1992, 1993; Kouzmin & Korac-Kakabadse, 1997), further indicates how American “exceptionalism” has leached into American political theory.

Scholars may argue the extent to which Selznick's prescriptive praxis was influenced by Lenin's thought. Nonetheless, a close reading of Selznick's interpretation of "elite autonomy" delineates the chrysalis of "invisible" hegemony imbedded within presumptively "democratic" praxis. Astonishingly, Lenin is not even cited by Selznick (1957, 2002), who, very obviously, from a comparative reading of both thinkers, was a keen observer of Leninist political and organizational praxis. Long ignored, probably totally misunderstood, are the organizational and political dimensions of "Democratic Centralism"—especially in the convergent context of emerging oligarchies (Kakabadse et al., 2006) and SCADs. Even from within academic discourses on elites (see the coda), Selznick's isomorphic adaptations of Leninism pass unnoticed.

There is another possibility for the ideological eclipse of a comparative study of Lenin and Selznick—ideological hostility toward surfacing the "straw man" tactic Selznick deploys for justifying invisible, elite autonomy. Selznick (1952, pp. 275-314), who writes extensively on the "vulnerability of institutional targets" and "problems of counter offence" against communism (Selznick, 1952, pp. 315-333), clearly appreciated this point. Any reader of Selznick's (1957) *Leadership in Administration* must read his work on combating Leninism/Bolshevism (Selznick, 1952) to discover the strategic, organizational, and political isomorphic underpinnings to a prescription of very undemocratic, institutional leadership norms and activities packaged by Selznick as if tailor-made for (nominally) democratic contexts.

Read in context of Selznick's related work, *Leadership in Administration* reads as an "executive summary," or an oligarch's "training manual," for countering institutional vulnerability to Leninist/Bolshevik (Lenin, 1916/1970a) agitation and radicalism in the United States. Strategic advantage is an honorable quest among governance elites and corporate oligarchs. Transposed into "democratic" discourse and context, such training doctrine should elicit dire concern about the provisioning of "invisible" oligarchs imbedded within democratic institutions, themselves bred "tactically" on "knowing their enemy (Leninism; Lenin, 1916/1970a). As Selznick (1952) writes in *The Organizational Weapon*,

The approach taken here is *clinical*. We are necessarily interested in social pathology, in appraising the capacity of institutions to meet, within their own terms, the requirements of *self-maintenance*. *Self maintenance*, of course, refers to the central preservation of *central values and purposes* as well as to the bare continuity of organizational existence. We shall deal with this problem by considering: the role of *creative and culture-sustaining* elites; the quality of participation in mass society and mass organization; and a catalogue of *diagnostic symptoms* of mass behavior. (p. 276, italics added)

Compare this to Selznick (1957) writing in *Leadership in Administration*:

The Theory of Elite Autonomy permits us to deal with this problem [the differential capacity of subordinate units to defend the integrity of their functions] systematically and openly. . . . Many decisions that do in fact face up to this issue

must now be *justified obliquely, and be half hidden* since there is no accepted administrative principle allowing organizations to be different according to the *strength of their values*. (p. 128, italics added)

Selznick's (1952) oligarchic proclivity, anti-Bolshevik driven and/or ontologically based, is rendered very "visible," whereby "[anti-]Bolshevik activism replaces 'parliamentary mathematics'"; the "leveling process of mass markets . . . threatens the 'canons of refinement and sober restraint'" (p. 277). Such elite vigilance is necessary to the extent that "the mass rejects tradition and in so doing so avoids the responsibility for the continuity of constitutional order and the arts. Hence' the very souls of nations are placed in tragic jeopardy." A reading of Selznick (1957) through the prism of Selznick (1952) explains the intellectual armature for the current role of "invisible," conspiratorial oligarchs, especially within the "Neo-liberal Project" (Klein, 2007) and, furthermore, provides an "ontological architecture" for SCADs.

Political context indelibly marks social science research of any era. For example, "cold war" sensitivities in 1952 certainly transected political science. The discipline of economics retreated into the "gymnastics" of mathematics as an "escape mechanism" (Streeten, 1999, p. 18) to avoid the "policy heat" of having to make value/political judgments within the McCarthy maelstrom. Similarly, Selznick's (1952, 1957) "theory of elite autonomy" denotes a Leninist-inspired ontology of (nominally "democratic") oligarchy/elitism; a praxis rendered otherwise "invisible" within John Dewey's (1927) interplay of moral and scientific imperatives (Selznick, 2000, p. 278) and, later, within the "Communitarian Discourse" of "ethics of responsibility" versus "rights-centered Liberalism" (Lacey, 2000, p. xv).

Have all these intellectual twists and turns systematically eclipsed or overrun what would otherwise be dire concerns about the political disenfranchisement of mass publics? Has intellectual complicity obscuring Leninist isomorphism of undemocratic, elite autonomy (sanctified by absolution through other influential work [Selznick, 1965], and, most recently, communitarianism [Selznick, 2002]) rendered "un-sayable" an otherwise well-founded inquiry into worrisome pattern of SCADs? The glaring lack of scholarly inquiry into SCADs post-C. Wright Mills (1956) seems to testify to this. Pipes (1997, p. 81, cited in Hellinger, 2003, p. 227), for instance, describes "Leninism as a powerful conspiracy ideology," but "[he] has little interest in, and even less respect for, Lenin's views on the limits and potential of conspiracy as a political tool" (Pipes, 1997, p. 81).

One will never know whether or not Pipes (1997) actually read Selznick (1952, 1957). Like many in the academy, Pipes (p. 136) acknowledges the possibility of conspiracies occurring anywhere than from within the United States; as such, he is naïve in his inability to understand the reality and extent of oligarchic isomorphism within the United States. The contemporary machinations of "invisible" elites/oligarchs tackling the "institutional/oligarchic problems" (Selznick, 2000, 2002) of an undisciplined, feckless, libertarian, consumer-sovereign, cybernetic-anarchic democracy is also a question for consideration. Everything in Selznick's work is permeated with an "invisible," but

strategic, import. Selznick (1952; 1957) resonates with Lenin's (1902/1970b) *What Is to be Done?* in a pre-Cybernetic, liberal-democratic age. Selznick, like Lenin, is a pantheon to oligarchic, nondemocratic, imperatives.

In the "long march" from Bolshevism to neoliberalism, Selznick (2002) lives for more than another day. The "reinventing" government fad of the 1990s lives on, now morphing into various "governance" and "new public management" schemata, as with reinventing regulation (pp. 101-103) of "smart states"/"smart elites" (Kouzmin & Jarman, 2002); such sanguineness about "reinvention" promises how "communitarianism," social capital, public interest, and public domains can be restored, even enhanced, within cyberspace: And thus oligarchic isomorphism *does* mutate.

To consolidate the importance of oligarchic isomorphism in the United States, it is worth pointing to other examples. Another, very pertinent, isomorphism within the McCarthyist maelstrom was J. Edgar Hoover's mimicry of Stalin's policies of persecution and control. In *Masters of Deceit*, Hoover (1958) provides a popular account of communist infiltration as "a veiled plot . . . a conspiracy . . . a thought control net" (Melley, 2002, p. 74). Hoover's hopes of foiling communist activity appear very similar, very isomorphic, to Stalin's purges and persecutions despite being putatively at ideological cross purposes: A "paranoid" style of politics transcends particular ideologies and historical conditions (Melley, 2002, p. 74).

As much as communist training, in Hoover's (1958, p. 163) view, was to remove "all undigested lumps of independence," the isomorphic hypocrisy is that Hoover spent his entire career "rooting out deviants in order to conserve the ruthless uniformity of American politics" (Melley, 2002, p. 75). Communist and American strategies and tactics of "thought control" are isomorphic images of each other. As Melley (2002) notes, "While Hoover critiques communists for promulgating instructions for inculcating loyalty, *and for operating in secret*, he does all of these things himself, even offering 'spy-hunting' instructions" (p. 81, italics added). Moreover, "A newly declassified document shows that Hoover had plans, in July, 7, 1950, sent to the White House 12 days after the beginning of the Korean War, to suspend habeas corpus and imprison 12,000 'disloyal' Americans" (Welner, 2007, p. 6). Isomorphism in the development of U.S. and international Gulags has never been clearer than in the "War on Terror" (Thorne & Kouzmin, 2004).

To the attentive observer (Hedges, 2008), similar isomorphisms include the "Ku Klux Klan imitating Catholicism and its various rituals . . . the John Birch Society emulating Communist cells and quasi-secret operations through front groups . . . and fundamentalist crusades openly expressing their admiration for the dedication and discipline of communism" (Hedges, 2008, p. 197). Sharlett (2008), outlines how "regular prayer groups, or 'cells,'" met in the Pentagon and Department of Defense and how these cells were "rooted in the Cold War . . . deliberately emulating the organizational techniques of communism" (p. 19).

Today, U.S. political science and public administration continue to remain solidly within the "behavioral tradition" in the sense that empirical research, rather than political philosophy, continues to be the primary mode of inquiring into things political

(deHaven-Smith, Kouzmin, & Witt, 2008), but the behavioral tradition has failed to undertake critical analysis of the “dark-side” of SCADs behavior—it has sided with authority rather than seeking to speak “truth to power” (Bachrach & Baratz, 1962).

The “holographic” policy metaphor (Witt & deHaven-Smith, 2008), giving revised account of neoliberal-democratic hubris, is more powerful, more suggestive, more revealing of the fluxing of visible and invisible power than is the “metaphorality” within a Marxian grammar (Gouldner, 1994, p. 388), which allows for a “context-free” idiom of revolutionary fluxing of power, whereby the “trinity” of agency, strategy, and evoked utopia are continuously “switched” according to historical circumstance. Yet the “holographic” chrysalis of forever “surging” neoliberalism accounts for how oligarchs chimerically speak of “democracy” in a way similar to how Marxists speak of “Socialism” with so many different shades (Kouzmin & Korac-Kakabadse, 1997)—another remarkable isomorphism in the converging nature of contemporary oligarchies (Kakabadse et al., 2006).

The taboo of “conspiracy theorizing” is a deliberate smear of any *critical* discourse about the ongoing, “invisible,” oligarchic isomorphisms in unspeakable collusions within matrices of powerful interests. The conspiracy-theory taboo disguises, and protects, the “ontological architecture” of SCADs apparatus while obfuscating the syntax for policy/idiom continuities, notwithstanding the chimera of electoral vicissitudes provided by the Council for Foreign Affairs or the convergence toward shared foreign affair’s imperatives of presidential contenders nearing general election (deHaven-Smith, 2010).

From the Woodrow Wilson administration until now, the federal executive has grown ever stronger. . . . The power of the CIA, the National security Council and other covert agencies has grown to become, in some eyes, a fearsome fourth branch of government. . . . Threats to democracy abound when officials in the FBI, the CIA, the State Department and other institutions of government determine . . . what people, and the Congress, need to know about them. . . . By downplaying covert and illegal acts by government [citizens] are narcotized . . . into believing that criticism is incompatible with citizenship. (Loewen, 1995, pp. 236-237)

According to Jameson (1988, cited in Mason, 2002, p. 40), conspiracy theory is “a poor person’s ‘cognitive mapping’ in the postmodern age—it is a degraded figure in the total logic of late capital.” Within a critical-realist modality, conspiracy theorizing is an enlightened person’s interpretation and understanding of the visible and, especially, the invisible manifestations of the fluxing of power. Conspiracy theorizing must be enhanced to retain credibility because

the further globalization proceeds, the more the promise of democracy seems to recede. . . . Conspiracy theories link structural and historical forces to subjective political action by elites who prefer to confer and operate out of the glare of transparent daylight, in the opaque twilight of deep politics. (Hellinger, 2003, p. 227)

## Conclusion: Auditing for SCADs Within the Patriotic “War on Terror” and the Challenge of “Fortress Democracy”

The “personal safety” state, the latest replacement for the ailing [privatized] “social” state is not known for being particularly democracy friendly. Democracy draws on the capital of [citizen’s] trust in the future and sanguine self-confidence in an ability to act. The “personal safety” state draws on fear and uncertainty, arch enemies of confidence and trust . . . it saps the foundations of democracy. (Bauman, 2006, p. 154)

[There is] a growing consensus that political leadership in Anglo-American societies had over-reached in designing the legal and technological frameworks for a maximum “security state.” (Brzezinski, 2004, p. 243)

In relation to the way the “New World Order” had mutated into the “War on Terror,” the looming challenge for democratic praxis in both Australia and the United States revolves around distinguishing truly patriotic, even cosmopolitan, actions from the dutiful enforcement of such things as the USA PATRIOT Acts 2001/2006 at the behest of fundamentalists who, unreflexively, confront terror and dissent while harboring their own theocratic ambitions and, invisibly, support economic and political elites striving to profit from global disintegration just as much as from global integration. More reflexive contemplation finds,

Much of the on-going battle for America’s soul, for example, is about healing these souls from the stupefying glut of commodity and spectacle . . . making sure that they refuse to accept torture as acts of “heroes” and babies deformed by depleted uranium as the price for freedom. (Bageant, 2007, p. 90)

Democratically inclined citizens must also continually question privileging in the related “you are either for us or against us,” “War on Terror,” discourses otherwise effacing all alternative approaches to identity and community.

Alexander Hamilton’s warning in the *Federalist Papers* offers cautionary instruction:

Safety from external danger is the most powerful director of national conduct. Even the ardent love of liberty will, after a time, give way to its dictates. The violent destruction of life and property, incident to war, the continual efforts and alarm attendant on a state of continual danger will compel nations the most attached to liberty to resort for repose and security to institutions which have a tendency to destroy their civil and political rights. To be safer, they, at length, become willing to run the risk of being less free. (Madison, Hamilton, & Jay, 1987, pp. 114-115)

According to Bakhtin (1968), “The constitutive moment of all earthly powers is violence, suppression, falsehood and the trepidation and the fear of the subjected” (cited



in Bauman, 2006, p. 155). This “trepidation, fear, is a constitutive moment of power in democratic polity as much as it was in totalitarian states on record” (Bauman, 2006, p. 156). Whether the benchmarks for these constitutive moments of power are fascist (Wolf, 2007) or Stalinist is an ongoing issue for debate. The apparatus of sheer political, rather than racist or religious, suppression would suggest the latter benchmark for serious legislative reconsideration of prevailing terrorism policy responses (Mayer, 2008).

Power tends to confuse itself with virtue and a great nation is peculiarly susceptible to the idea that its power is a sign of God’s favor, conferring upon it a special responsibility for other nations . . . to remake them . . . in its own shining image. (Blum, 2005, pp. 8-9)

The Bush regime’s staggering ambitions demand staggering methods—trampling on international law, casting aside global treaties and eviscerating international organizations. It also [meant] radically re-structuring governing norms at home, including under-mining the rule of law, eroding civil liberties, breaking down the separation of church and state and, vastly, extending presidential power. (Everest, 2006, p. 125)

Wolf (2007) details 10 measures taken by “fascists,” and other dictators, often democratically elected, who seek to destroy open democracies: invoke an external and internal threat, establish secret prisons, develop a paramilitary force, surveil ordinary citizens, infiltrate citizen’s groups, arbitrarily detain/release citizens, target key individuals, restrict (control) the press, cast criticism as “espionage” and dissent as “treason, and subvert the rule of law. The Bush/Cheney administration has embodied all 10. From declaring innocent U.S. citizens “enemy combatants,” to surveillance and spying on citizens, to the routine use of torture—learning from the past, looking to the future, one begins to understand a disturbing, new, political ontology in domestic, Anglo-American, democratic praxis, certainly replicating democratic deficits in U.S. foreign policy excursions over many years (Chomsky, 2006; Johnson, 2000; Sardar & Davies, 2002).

Loo and Phillips (2006, pp. xi-xii) outline an “impeachment agenda” for the Bush/Cheney administration. This agenda includes,

- Outright voter fraud in 2000 and 2004 American elections.
- Lying to the American people, and misleading Congress, in justifying a war of aggression on Iraq.
- Authorizing, and directing, torture of thousands of captives . . . hiding prisoners from the International Red Cross . . . conducting rendition of many prisoners to “black sites” . . . suspending *habeas corpus* rights.
- Use of antipersonnel weapons in dense, Iraqi, urban settings—a war crime under international law.
- Abuse of “signing statements” to laws passed by Congress, thus negating congressional intent.

- Illegally spying on American citizens without court authorization . . . and lying about it for many years.
- Violating the constitutional principal of separation of church and state through the interlinking of theocratic theories in the decision making of the U.S. government—"the push towards a theocracy and the infiltration of mainstream Protestantism by religious extremists is one of the biggest, under-reported political stories of the second half of the twentieth century" (Bageant, 2007, p, 168).

The enormity of this "impeachment agenda"—what it (dangerously) signifies about the undermining of fundamental democratic norms—looms ominously against the so-called "manifest destiny" of the American people (Hedges, 2008, p. 31): Bush's hermetic idealism masks the circularity of his many "preemptive," essentially aggressive if not merely violent, doctrines in a fashion similar to how Monroe's claims of American destiny did likewise. However, any impeachment prospect is likely to fail because

impeachment was not meant to be about legalisms. . . . You do not have to be found guilty to be impeached. . . . Impeachment was designed, like ostracism in ancient Athens, to get rid of dangerous leaders . . . and the clear trajectory is that U.S. governing elites [Democrat and GOP], are simply unwilling to play by the rules. (deHaven-Smith, personal communication, April 29, 2008)

According to deHaven-Smith (2006), SCADs are actions, or inactions, by government insiders that are intended to manipulate democratic processes and popular sovereignty. "SCADs differ from graft, bid-rigging, vote fraud, and other, more mundane, forms of political criminality in their potential to subvert political institutions and entire governments or branches of government" (p. 333). They are "high crimes and misdemeanors" that attack democracy itself.

The reasoned proposition here is that the U.S. Congress, of all democratic institutions, has been complicit in SCADs. Panicked and coerced within the created hysteria and prefabrication of patriotism within the "Politics of Fear" in aftermath of the 9/11 incidents, the U.S. Congress was unable/unwilling/afraid to exercise legislative restraint. The ossification of the U.S. Congress was made complete by Democratic Party complicity, where, as Scheer (2008, p. 137) adumbrates, "there has been a strong pull to appear tough in foreign policy because of the historic advantage enjoyed by Republicans after the McCarthyism smears against the loyalty of high-ranking Democrats" (p. 137), from which there follows the simple algorithm that "deceit in the pursuit of militarism is an all too easily rewarded stance" (p. 136).

Historically, the American political experience has been predicated on nonintervention, designed to limit the risks of foreign military adventure. "This non-intervention is espoused in Washington's Farewell Address . . . which is read each year in the U.S. Senate . . . but demonstrably ignored in Congress's continuingly-failed responsibility, laid out in the Constitution, to limit Presidential 'declarations of war'" (Scheer, 2008,

pp. 228-229). Eisenhower predicted exactly what has come to pass. Despite the end of the cold war, the military-industrial complex soon found another enemy called “terrorism” (Scheer, 2008, p. 232) and, in doing so, has become the “intelligence-industrial complex,” with 70% of the entire intelligence budget of the U.S. government now siphoned to private contractors (Shorrock, 2008).

As Blum (2005) notes, “The Monroe Doctrine of 1823 gave fair warning . . . as to any possibility of colonizing the American continents . . . [but] the door was, of course, left open to hemispheric colonization or neo-colonization by the US” (p. 9). Blum continues, “Freeing the world to death . . . the military budget of the U.S., in one year, is equal to more than US\$20,000 per hour for every hour since the birth of Jesus Christ” (p. 99). Regime change, war, and globalization are “nothing less than the re-colonization of the under-developed world” (p. 11).

The PATRIOT Act 2001 and, especially, the PATRIOT Act 2006, as “declarations of war” against constitutionalism and the rule of law in the contemporary U.S. body politic, constitute the most conspicuous and destructive SCAD in American history. According to Box (2007), “The current situation includes: the national government captured by [what appear to be] war criminals; . . . politically-created increases in social inequality; a militaristic society saturated with violence; and a field of public administration pre-occupied with the manufactured distractions of economic performance and terror” (p. 1). Rear Admiral Poindexter, for example, was forced to resign after the leaking of a plan to develop a “futures market” that would allow investors to hedge against terrorist strikes (Brzezinski, 2004, p. 69).

While the world watches with bated, hostile breath, the question lingers, can/will PATRIOT legislation be repealed/modified? Is a Christian, fascist/imperialist hue (Hedges, 2008, p. 21) “a mask for fascism [of] patriotism and the pages of the Bible” (Hedges, 2008, p. 194) and America’s predestined course? Or is America emerging as a trihorned fascism—part Christian, part military, part corporate (Bageant, 2007, p. 176)—cloaked with a veneer of liberal-democratic rhetoric, and hubris, for global and domestic consumption? The capitulation of U.S. Democrats on the new FISA bill dealing with surveillance and telecom immunity, in June 2008 (Sanchez, 2008), did not auger well for any repealing of anything.

Obama’s presidential “speak” of “God bless America” (a phrase he did not use before his election to office) and the continual invoking of large dollops of “irrational patriotism” as “manifest destiny” clearly indicate that American “exceptionalism” continues unabated abroad and at home—*plus ça change*? Within the Soviet, isomorphic frame of U.S. oligarchic praxis, the refusal by President Obama to formally investigate the abuse of power and the Constitution by the Bush/Cheney regime (Obama’s speech on National Security – ‘Protecting our Security and our Values’, May 21, 2009), indicates that there will not be a February 25, 1956 “Khrushchev” speech/moment—one seeking to establish some degree of discontinuity in hubris and the ongoing praxis of fear.

## Coda: On Theorizing Elites

The issue of diachronic, oligarchic isomorphism over an above any demonstrable, synchronic terrorism and legislative convergence in SCADs raises an important question of

delineation in the genre of elite theorizing. Demonstrating policy convergence/isomorphism is one thing; theorizing/explaining the source and role of “invisible,” oligarchic isomorphism is required to better adduce pertinent pathways of causality. Antidemocratic patterns are repeated either because political elites have similar motives regardless of the systems they are in and/or because they copy one another’s tactics. With respect to Selznick (1952, 1957), what is of special interest is that U.S. elites carefully studied Soviet tactics and developed some of their antidemocratic policies by mimicry.

Save a much needed analysis of the cold war roots and prejudices of contemporary U.S. social science, Selznick (1952, 1957) also sparks an interest in looking back at the elite studies of Lasswell. American social science, from the end of World War I through World War II and into the 1950s, was very much focused on elite studies. Selznick and Lasswell were two examples of such interest, but there are others, including Mannheim’s (1936) *Ideology and Utopia*, Wright Mills’s (1956) *The Power Elite*, Dahl’s (1961) *Who Governs?* and Hunter’s (1953) study of the ruling elite of Atlanta in *Community Power Structure*. Both Selznick and Lasswell concluded that established elites are vulnerable to being overthrown by a combination of alienated elites who mobilize from within the power echelon to direct the ever-present frustrated masses. Other studies of elites also pointed to the primacy of elite behavior and doctrine in determining mass actions. Weber’s (1905/1970) *The Protestant Ethic and the Spirit of Capitalism* traces the spirit of capitalism to Calvin. The Frankfurt School concludes that Hitler and Nazism embodied and mobilized latent authoritarian tendencies in mass publics (Jay, 1973). With the advent of advertising and television, it was becoming increasingly clear that elites drive systems of control and propaganda, not the masses directly through charismatic leaders.

In the late 1950s, U.S. scholarship suddenly underwent a marked shift—the so-called “behavioral revolution”—but this was a misnomer. The research on elites by Lasswell (see Lasswell & Lerner, 1965) was certainly scientific and behavioral. So was Selznick’s (1952) work on *The Organizational Weapon* and Dahl’s (1961) study of New Haven politics in *Who Governs?* According to deHaven-Smith (personal communication, August 7, 2008),

What was new about the research in the behavioral movement was not that it was quantitative and empirical; but that it was *turning the microscope around and looking at masses rather than elites*. In other words, social scientists began to take the elite perspective and ask how to control mass behavior.

As a paradigmatic example, Converse (1964), in “The Nature of Belief Systems in Mass Publics,” starts with Mannheim (1936; who theorized about elite belief systems and their material roots in the class structure), but Converse developed a diffusion theory of public (mass) opinion—the theory that masses do not develop political opinions of their own but, instead, look to elites for cues about what issues are relevant to their class interests. Mass opinion looks organized only because it mirrors elite opinion (see deHaven-Smith, 1998).

Whole disciplinary fields reverse the microscope in this same way (deHaven-Smith, personal communication, August 7, 2008), whereby students of bureaucracy start studying bureaucracy at the bottom rather than the top; they turn from culture-bearing elites (Selznick, 1952, 1957) to “bounded rationality” (Simon, 1957), implementation (Pressman & Wildavsky, 1984), and “street-level” bureaucrats (Lipsky, 1980). Furthermore, political science begins to be dominated by voting studies and public opinion research. People who study Congress start analyzing “the electoral connection” to explain congressional rules and behavior (Mayhew, 1974/2004). In a sense,

Public Choice Theory and Neo-institutional Economics are logical extensions of this re-orientation; they mark a shift from looking at supply, demand, and prices within market structures (which are run by elites) to asking about where mass norms come from and how elite-enforced rules arise to begin with from self-interested, atomized masses. (deHaven-Smith, personal communication, August 7, 2008)

Selznick (1952, 1957) helps one to understand how American social science has come to instantiate the interests of elites and not democratic constituencies: by effacing what was, in fact, the most fundamental distinction modern social science once made, how elite interests efface the masses through the “iron law” of oligarchy (Michels, 1915/1962). This distinction once made between mass and elite interests gave social science a form of class analysis permitting understanding of elite influence on mass behavior. Through the prism of Selznick and allied efforts, a mode of theorizing that was supposedly (presumptively) value neutral became an instrument of social control. Social science in the United States remains rooted in this orientation.

But there is more at stake than merely locating Selznick in the pantheon of elite studies; also required is an attempt to try to locate an ideological/ontological basis for SCADs—a theory of “invisible,” elite “autonomy” going further than mere elite theory, top-down or otherwise. Deconstructing Selznick (1952, 1957) reveals not only how structures and agency of “invisibility” and “autonomy” delineate the footprints of elite-driven SCADs: Lifting Selznick’s heavy mantle on American institutional understanding helps bring into clearer focus the conspiratorial nature of SCADs as well as diachronic isomorphisms emerging from within (and further propagating) the “hall of mirrors” of democratic hubris and mass belief that democratic first principles are universally honored. Regardless of whether or not 9/11 was “the” SCAD of the past 300 years, PATRIOT legislation and kindred elite initiatives warrant more, much more analysis than mere description.

Selznick’s intellectual pedigree has been distinctive among elite theorists, rendering as he has various oligarchic gyrations within an “invisible” communitarianism (Selznick, 2002): intellectual *modus operandi* not recognized by highly sympathetic accounts of his intellectual legacy (Hecl, 2002; Kagan, Kriegler, & Winston, 2002). More recent renderings of “institutionalism” (Boin & Christensen, 2008) continue to displace scholarly scrutiny of the darker, antidemocratic side of “institutionalism” and oligarchic isomorphism contained within that “institutionalism.”

Another venue is required for examining how Selznick's (1952, 1957) early works go much, much further in the genre of elite theory toward gluing together an ontology of "invisible" and "conspiratorial" politics, "oligarchic isomorphism," and "SCADs" which other elite theorists have been unable, or "patriotically" unwilling, to provide.

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