

## The End of the Bush Presidency?

The pundits are in accord that the State of the Union speech by George Bush, given as it was in such a perfunctory and lackluster fashion, marked the end of the Bush presidency. Such conclusions are hasty generalizations, unrealistic, and based on wishful thinking. Another conclusion, far more plausible than those suggesting that Bush is just “giving up” his presidency, is that Bush doesn’t care about accountability to anyone, least of all to Congress. He is consolidating dictatorial power, and his State of the Union speech, being as uneventful and non-visionary as it was, is far better seen as his thumbing his nose at the people and their representatives than surrendering his aspirations to unchecked executive power. At least this conclusion at least is based on the ample evidence of Bush’s past actions.

Bush’s actions as President of the United States alone show quite clearly that he believes he is above the law and has no accountability to Congress, Courts, or the American people for his actions. For example, one of his favorite tools of power consolidation has been the secret executive order. Just a small sample of them includes the following:

- He ordered a Canadian citizen to be secretly deported to Syria in 2004, where he was beaten and tortured for ten months before his release. This was done on a secret presidential “finding” authorizing the CIA to deport foreigners without due process. Such orders takes the entire court system out of the process of arrest and detention of alien terrorist suspects;
- He has placed judges on the bench by fiat when it becomes clear that they will not obtain congressional approval;
- He appointed Mr. Bolton to the U.N. when it became clear that he would not obtain congressional approval;
- He has signed at least three executive orders expanding who in his administration can classify records to make information unavailable to reporters or the public (e.g. secretary of agriculture, secretary of health and human services, and the head of the EPA);
- Approved the spying on American citizens without warrant or court supervision, and not only admitting it, but claiming the total power to do it.

The USA PATRIOT Act, authored by the Bush White House, includes the following power grabs and legalized unaccountability of Bush to the Congress or the people:

- Probable Cause (the Fourth Amendment)—Section 214 states that no warrant is required for use of devices designed to monitor incoming and outgoing phone numbers from citizens phones; just “relevance to an ongoing terrorist investigation;”
- Privacy (the Fourth Amendment)—Section 206 allows “roving wiretaps.” Thus, if the FBI is investigating someone who uses a library computer, *any* person who also uses that computer can be monitored by the FBI without their knowledge or consent. Section 213 permits “sneak-and-peek” searches of one’s home and/or office by Federal agents, without notifying the person they were there.

- Checks and Balances between the Judicial, Executive, and Legislative branches of government. Section 206 rules that no judicial review is permitted of roving wiretaps. Section 215 requires a judge to court order seizures of “any tangible thing” the FBI requests, merely by claiming that it is “sought for” a terrorism investigation.

In addition to these issues, consider just a sampling of the following stories that have come out in the past year:

- According to a memo of a meeting between President Bush and Prime Minister Blair on January 31, 2003, Mr. Bush pledged to invade Iraq whether or not the U.N. approved of it and even if U.N. inspectors found no evidence of Iraqi weapons of mass destruction. Furthermore, Mr. Bush wanted to bomb the headquarters of al Jazeera, irregardless of international law about such aggressions of a country.
- Mr. Bush added what is called a “signing statement” to the McCain amendment forbidding cruel and inhuman treatment of those arrested on terrorist related charges. The signing statement Mr. Bush penned in before signing the bill indicated that he would use torture when he felt it was necessary, and that such use of torture was not subject to being checked by Congress nor the U.S. courts.
- The Bush administration has refused to provide information for Congressional investigation into such issues as the 9/11 investigation, the Valerie Plame affair, and the inept response by the federal government to Hurricane Katrina.
- Mr. Bush has approved of what is called “extraordinary rendition,” the practice of kidnapping suspected persons and transporting them to other countries where they may be tortured and drugged. This is in violation of both domestic U.S. law and international law.
- Withholding the names and treatment of the prisoners at Guantanamo Bay;
- Barring the press and public from immigration hearings;
- Allowed and supported creation of a “no fly list,” the creation nor enforcement of which has any accountability to any other branch of government. This list is said to have the names of over 80,000 American citizens on it, who are surely less of a threat to the United States than actual terrorists.

Given Mr. Bush’s presidential past, it makes little sense to conclude that the lethargically-given State of the Union Speech entails the admission of the end of the Bush presidency. Looking at his history, we simply saw in the State of the Union speech Mr. Bush’s utter disdain for the Congress and the people, and his contempt of the democratic institution itself.