

# The Passy Press®

## Letter to the Editor

Sir,

Senator Webb's larger article "Congressional Abdication" in March/April's *The National Interest* addresses more fully the growing abuse of power by the Executive Branch and the White House, but his final section on our Libyan intervention sharpens that focus. In so many ways this extract is right on target.

Yet I am frustrated that significant related issues go unmentioned in either his extract or his overall article, issues that further dismiss or debase the Constitution. Indeed, our Constitution seems to have lost almost all relevance through its abuse by the White House and through Congress's apparently willful failure to defend it--despite having sworn to do so. The problem runs far deeper and wider than just 'Congressional Abdication' regarding foreign military intervention.

First, I miss mention that this insidious expansion of Executive power started right after 9/11, inspired by the ideology of the Neoconservative group embedded within the George W. Bush administration. Enhanced Executive privilege and Executive usurpation of power were their idea. In my opinion that's how Messrs. Bush, Cheney, Rumsfeld, and Perle and Feith and Wolfowitz got away with it all and co-opted the U.S. Attorney General so that even 'justice' got corrupted.

At a London defense conference in February of 2002, I had to defend the U.S. against foreign criticism by saying that President Bush and his increasing unilateralism did not represent the feelings of our entire country. It got worse. I realized Congress was equally to blame for not calling him to account. In *Nemesis: The Last Days of the American Republic*, Chalmers Johnson draws parallels between Bush and Julius Caesar in their imperialist tendencies, even as he further compares Bush's and the CIA's authorization of 'extraordinary renditions' to the secret Nazi SS "transportations" of prisoners to death camps.

Then we have Bush's two illegitimate 'wars'--neither one declared by Congress as required by our Constitution (Article I, Section 8, ¶ 11): the so-called 'war on terror', and the illegal invasion of Iraq (which had not attacked us and was invaded based on faulty evidence). Both allowed him to arrogate unto himself extraordinary 'war powers' that Congress had not the courage to countermand. Bush's 'wars' made everything he did thereafter 'legal'. Supposedly.

How can one not help but be reminded of a parallel to 1933 when, after the Nazis engineered the Reichstag fire to project a communist [2001: read 'terrorist'] threat, Hitler (in Shirer's account) then persuaded Hindenburg "for the Protection of the People and the State" [sound familiar?] to "[suspend] the seven sections of the Constitution which guaranteed individual and civil liberties." Just so did 9/11 and Bush's response with his 'war on terror' enable passage of the Patriot Act and its abrogation of various civil liberties of the American people.

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Bush then further increased the power of the Office of the President with 'signing statements' through which he could ignore specific content of particular documents and state in the margin that *he was going to do what he specifically wanted to do*. Now consider his unilateral 2001 abrogation of the 1972 ABM Treaty with Russia...when treaties are supposed to be made or cancelled by the President only "by and with the Advice and Consent of the Senate" (Constitution: Article II, Section 2, ¶ 2). "Unitary executive power" was fast becoming the mantra of the Bush administration.

Such parallels and growing executive overreach are unsettling. Yet members of Congress seem interested primarily in accepting campaign contributions from major corporations, staying in office, maintaining power--and rather less interested in defending our Constitution and restoring our government's honored system of checks and balances. †

Sincerely,

Lee Gaillard

Lee Gaillard served in the Marine Corps Reserves in the 1960s; worked in industry, publishing, and secondary education; and has written widely on aviation and defense issues.