

Keep up with our
postings:
register for
Consortiumnews.com
email updates

[Click here for print
version](#)

[Home](#)

[Links](#)

[Contact Us](#)

[Books](#)



Search WWW
Search
consortiumnews.com

[Order Now](#)

How Democrats Might Blow It

By Robert Parry
October 24, 2006

As Democrats go through their biennial rite of premature victory celebrations, they are inviting defeat again by obsessing on polls about how many congressional seats are “in play” rather than on explaining to the American people what a Republican victory on Nov. 7 would mean to the nation.

In the last three elections, George W. Bush has claimed mandates for his policies even when there were questions about the legitimacy of Republican victories. In Election 2000, Bush brushed aside the fact that he lost the popular vote to Al Gore and pressed ahead with a right-wing agenda.

The Republican congressional victories in Election 2002 convinced Bush that the voters were behind his plans for “preemptive” wars. He called Election 2004 his “accountability moment,” ratifying both his invasion of Iraq and his expansion of executive powers.

So, there should be little illusion how Bush would interpret a Republican upset victory on Nov. 7. It would be taken as a public embrace of his authoritarian vision for America’s future and as an endorsement of the neoconservative commitment to wage “World War III” against Islamic militants around the world.

If the GOP keeps control of Congress, Bush would be strongly tempted to double up on his bloody wager in Iraq with military attacks on Iran and Syria. That expanded war would guarantee reprisals by radicalized Muslims around the world and thus draw the United States into a virtually endless conflict.

SECURITY & PRIVILEGE



Rise of the Bush Dynasty
From Watergate to Iraq

ROBERT PARRY

consortiumnews.com

[Archives](#)

[Imperial Bush](#)

A closer look at the Bush record -- from the war in Iraq to the war on the environment

[2004 Campaign](#)

Will Americans take the exit ramp off the Bush presidency in November?

[Behind Colin Powell's Legend](#)

Colin Powell's sterling reputation in Washington hides his life-long role as water-carrier for conservative ideologues.

[The 2000 Campaign](#)

Recounting the controversial presidential campaign

[Media Crisis](#)

At home, the consequences of indefinite war would be fatal, too, to the already wounded American democratic Republic. Bush would translate a GOP victory into public acceptance of his *de facto* elimination of key constitutional rights and his creation of an imperial presidency.

Though the major U.S. news outlets have paid scant attention – and the Democrats have mostly ducked the issue – Bush already has put in place the framework for a modern-day totalitarian state.

Operating under Bush's assertion of "plenary" – or unlimited – presidential authority, his administration has devised [a system of electronic eavesdropping](#) that can pry into the private lives of Americans; has set up [arrangements for detention camps](#); and has secured from Congress [the power to detain American citizens](#) for allegedly aiding U.S. enemies.

Indeed, the new Military Commissions Act of 2006, enacted on Oct. 17, establishes what amounts to a parallel legal system under Bush's control that permits the indefinite jailing of both citizens and non-citizens who are deemed enemies of the state.

The law specifically strips non-U.S. citizens of *habeas corpus* – the right to a fair trial – but American citizens caught up in Bush's legal system also would be denied the right to challenge their incarceration, effectively eliminating their *habeas corpus* rights, too.

Under the new law, Bush could put "any person" into the military tribunal process for allegedly aiding America's enemies and the detainee would be barred from filing any motions "whatsoever" to the civilian courts.

So, while the New York Times has assured Americans that they would still possess their *habeas corpus* rights, that amounts to semantics since the law's court-stripping provision means that American citizens might technically possess their rights but couldn't exercise them.

Bush's parallel legal system also sharply curtails the rights of detainees when they are put on trial before a military tribunal, permitting secret evidence and even coerced testimony to be used against them. [For details, see Consortiumnews.com's "[Who Is 'Any Person' in Tribunal Law.](#)"]

Though few Americans understand the full scope of the law's provisions – or

Is the national media a danger to democracy?

[The Clinton Scandals](#)

The story behind President Clinton's impeachment

[Nazi Echo](#)

Pinochet & Other Characters

[The Dark Side of Rev. Moon](#)

Rev. Sun Myung Moon and American politics

[Contra Crack](#)

Contra drug stories uncovered

[Lost History](#)

How the American historical record has been tainted by lies and cover-ups

[The October Surprise "X-Files"](#)

The 1980 October Surprise scandal exposed

[International](#)

From free trade to the Kosovo crisis

[Other Investigative Stories](#)

[Editorials](#)

what "World War III" against many of the world's one billion Muslims would entail – Bush would surely interpret a Republican congressional victory as a personal mandate to proceed in those directions.

Court Prospects

If Republicans keep control of the House and Senate, the chances of the U.S. Supreme Court striking down the Military Commissions Act also would be reduced. The court, which rebuffed Bush's earlier administrative version on a 5-4 vote, would weigh both the congressional approval and the voters' acquiescence in judging the law's legality.

While the 5-4 majority critical of the tribunals might hold through a second round of judicial review, Election 2006 might influence the decision of some justices who are always more political than they acknowledge.

Bush's assertion of unfettered presidential powers would stand even a better chance if one of the majority justices leaves the bench due to age or illness. Continued Republican control of the Senate probably would enable Bush to appoint a justice who would bend to Bush's theory of his authority.

Already Bush holds the upper hand if a vacancy occurs among the five justices who struck down the earlier version of the tribunals. Given the right-wing makeup of the U.S. Court of Appeals in the District of Columbia, the new military commissions are likely to pass muster there (as they did in their earlier form).

Thus, an absolute majority of the U.S. Supreme Court would be needed for reversal, and the four pro-Bush justices – John Roberts, Samuel Alito, Antonin Scalia and Clarence Thomas – would be enough to save the law on a tie vote.

Considering everything that's at stake, many Democrats appear to be devoting way too much energy to their anticipation of victory – and to an obsession with polls about which seats are "in play" – rather than in sealing the deal with the voters.

"I've moved from optimistic to giddy," Gordon R. Fischer, a former chairman of the Iowa Democratic Party, told the New York Times.

"I know a lot of people are in somersault land," said Rep. Rahm Emanuel, D-Ill., and chairman of the Democratic Congressional Campaign Committee, although

he didn't count himself among them.

Democrats also seem to be hoping for victory by default as Republicans sink under the weight of chaos in Iraq and corruption scandals on Capitol Hill.

"I think we have the best chance to take over simply because of the pileup of disasters," said Rep. Louise Slaughter, D-N.Y. [NYT, Oct. 22, 2006]

Granted, some Democrats have issued cautionary warnings against over-confidence and many remember their premature celebrations in 2004 when the early exit polls showed Sen. John Kerry winning the White House. Opinion polls two weeks before an election mean even less, especially given the GOP's reputation for hardball election tactics.

But there is a troubling sense of déjà vu as Democrats let Republicans raise alarms on the Right about the dangers of a Democratic victory, while Democrats let up on their warnings to liberals, independents and even constitutional conservatives about what a Republican victory would foreshadow.

If the last two weeks of Campaign 2006 are dominated by news of Democrats buying confetti and icing champagne – rather than on Bush's grim vision of endless war and elimination of constitutional rights – chances for a Republican comeback could grow exponentially.

Not only would Democrats and independents be less inspired to go to the polls but the Republican base could be galvanized by a desperate battle to protect President Bush. Already, right-wing radio stations, Web sites and TV commentators are hammering home the image of cocky Democrats high-fiving each other and making behind-the-scenes plans for a triumphant transition of power.

Nothing motivates the American Right more than the chance of forcing Democrats to choke on their confetti and to gag on their champagne.

Robert Parry broke many of the Iran-Contra stories in the 1980s for the Associated Press and Newsweek. His latest book, *Secrecy & Privilege: Rise of the Bush Dynasty from Watergate to Iraq*, can be ordered at secrecyandprivilege.com. It's also available at Amazon.com, as is his 1999 book, *Lost History: Contras, Cocaine, the Press & 'Project Truth.'*

[**Back to Home Page**](#)

Consortiumnews.com is a product of The Consortium for Independent Journalism, Inc., a non-profit organization that relies on donations from its readers to produce these stories and keep alive this Web publication. To contribute, [click here](#). To contact CIJ, [click here](#)