

The New Lord Protector

By Michael Coblenz

Tag: Bush says his job is to protect the nation, but sometimes the protector can go to far.

Most Republicans have been curiously silent about the recent news reports that President Bush has engaged in warrantless eavesdropping on American citizens. This is surprising given their general hostility towards government power, and stands in stark contrast to their outrage over the Supreme Court's *Kelo v. City of New London* decision this past summer. That case held that the government could take private property for use by other private entities as long as the government determined that there was some public benefit. After the *Kelo* ruling prominent Republicans took to the floor of Congress and demanded immediate action to prevent such an egregious usurpation of individual rights.

The contrast between the Republican's furor over the Supreme Court's eminent domain decision and their nonchalance towards President Bush's (possible) misuse of power is bizarre. It's almost as if Republicans believe that dictators rise to power and strip citizens of their rights through zoning decisions. It's almost as if they never read any history.

A Very Brief History of Dictators

There are innumerable examples of powerful leaders who usurped democratic institutions and established dictatorships. Some of the more famous are Julius Caesar, Oliver Cromwell, and Napoleon Bonaparte. Notably, none rose to power through irksome zoning decisions. And while each took different paths to the top, they all consolidated control in somewhat similar ways.

None seized control in a revolution or coup d'état, rather each achieved power in response to a national crisis. Gaius Julius crossed the Rubicon to save Rome from chaos created by wars on the frontier and misrule by the Senate at home, and eventually proclaimed himself Caesar. Oliver Cromwell became the leader of the Parliamentary Army fighting Monarchists and Levelers in England, and Catholics in Ireland, and eventually proclaimed himself Lord Protector. Napoleon Bonaparte was appointed leader of the Army in Paris and head of the governing consulate to protect France from Monarchists and radical republicans (Jacobins) at home, and England and Russia on the borders. As a result each of these extreme circumstances each considered himself the protector of the nation. Oliver Cromwell even called the government he established the "Protectorate" and declared himself the "Lord Protector." But in dealing with external enemies and internal strife, each decided that the only way to truly guarantee the security of their nation was to take extraordinary measures.

At first each dealt with very real dangers, but eventually most of them began to see other dangers. Foreign enemies can have domestic allies and there could be agents provocateurs, and they must be rooted out. And those allies or foreign agents could not operate without the support – tacit or unwitting – of others in the nation. Eventually even those who criticize the leader are perceived as enemies, since criticism could hamper the leader or embolden enemies. Oliver Cromwell, the first Lord Protector responded to domestic criticism (according to historian Will Durant) with "stricter censorship, wider espionage, arbitrary arrests, and star chamber proceedings that bypassed juries and habeas corpus." Only these measures can protect the nation.

Bush Claims that his Highest Priority Is The Safety Of The Nation

The White House Web Site proclaims that “President Bush’s Top Priority Is the Safety and Security of the American People.” This echoes Bush’s repeated statements since 9-11. In a radio address just before Christmas, for example, Bush said, “I have no greater responsibility than to protect our people, our freedom, and our way of life. On September the 11th, 2001, our freedom and way of life came under attack by brutal enemies who killed nearly 3,000 innocent Americans. We're fighting these enemies across the world. Yet in this first war of the 21st century, one of the most critical battlefronts is the home front. And since September the 11th, we've been on the offensive against the terrorists plotting within our borders.”

In this effort to “protect our people,” Bush has claimed almost unlimited powers. He claims the power to declare people “enemy combatants” and hold them indefinitely. He has claimed the power to torture prisoners, and the authority to engage in limited spy on American citizens. All of these powers, according to Bush, are given him by the Constitution in his role as commander in chief.

Who Are They Spying On?

Bush claims that these measures are directed only at our enemies. As Vice President Cheney recently stated: “If your talking to Aunt Millie in Paris, we’re probably not interested.” However, even if we give the Administration the benefit of the doubt, it has been widely reported that other government agencies have engaged in other forms of surveillance on solely domestic groups.

According to an article published in the New York Times on December 20, 2005, since 9-11 the FBI has investigated a broad range of groups under the guise of searching out terrorists in the United States. Apparently Attorney General John Ashcroft, gave the F.B.I. increased authority to visit mosques and monitor Web sites to help develop terrorism leads. This makes sense, but the grant of authority also allowed the F.B.I. to investigate not only groups with suspected ties to foreign terrorists, but also protest groups suspected of having links to violent or disruptive activities. The Times reported that the FBI spied on a number of purely domestic groups, including the “Vegan Community Project,” the “Catholic Workers,” and PETA, the People for the Ethical Treatment of Animals.

NBC News has reported that the Department of Defense has investigating a number of anti-war groups. NBC News obtained a Pentagon database that indicated the military had conducted at least preliminary investigations of at least two hundred incidents – protests, meetings, planned protests – involving peace and anti-war groups. Finally, just before Christmas, the New York Times reported that the New York Police Department was conducting covert surveillance of war protestors, and even had police officers infiltrate a few of these groups.

Defining The Enemy

The Lord Protector says that his only goal is to protection the nation. At first there are clearly defined enemies, but eventually the definition blurs. Enemies have allies, apologists and dupes, and each presents a danger that must be addressed. Eventually, even criticism of the Lord

Protector can be dangerous. Criticism can help the enemy in a variety of ways, and it should be stopped. And finally any opposition is declared a danger to the nation.

On December 21, while the Senate was debating the reauthorization of the Patriot Act, Bush said “The senators obstructing the Patriot Act need to understand that the expiration of this vital law will endanger America and will leave us in a weaker position in the fight against brutal killers.” During another speech Bush called the threat to filibuster “irresponsible, and it endangers the lives of our citizens.” Then, in January, when the secret NSA spying was revealed, Bush said, “Yesterday the existence of this secret program was revealed in media reports, after being improperly provided to news organizations. As a result, our enemies have learned information they should not have, and the unauthorized disclosure of this effort damages our national security and puts our citizens at risk. Revealing classified information is illegal, alerts our enemies, and endangers our country.”

On January 10, 2006, in a speech to the Veterans of Foreign Wars, President Bush said “We must remember there is a difference between responsible and irresponsible debate -- and it's even more important to conduct this debate responsibly when American troops are risking their lives overseas.... The American people know the difference between ... honest critics who question the way the war is being prosecuted and partisan critics who claim that we acted in Iraq because of oil, or because of Israel, or because we misled the American people. When our soldiers hear politicians in Washington question the mission they are risking their lives to accomplish, it hurts their morale. So I ask all Americans to hold their elected leaders to account, and demand a debate that brings credit to our democracy -- not comfort to our adversaries.”

So opposition to the President's programs are "irresponsible" and "endanger the lives of our citizens," and criticism gives "comfort to our adversaries." The logic in support of spying on critics is inescapable: the critics are a danger and the Lord Protector has a solemn duty to safeguard the nation. If he is truly the new Lord Protector, then he has no choice but to stop them.

The Powers of the Protector

That is the road that dictators throughout history have followed. I'll take Bush at his word that his administration is only spying on known enemies, and I'll even overlook the fact that he has been less than truthful about other forms of domestic spying. But I find the trend increasingly troubling.

The Republicans who seem oblivious to this trend should recognize that not all Presidents have the same level of integrity as President Bush. President Nixon, for example, actively used U.S. government agencies to spy on domestic critics. And his reasoning is surprisingly was similar to Bush's and all the other Lord Protectors: We are at war, I am commander in chief, criticism of me hurts the war effort, therefore war critics are potentially dangerous, and must be monitored to ensure they don't harm the nation.

That is a dangerous to our democracy, even if many Republicans don't seem to recognize it. Do they honestly believe that American's rights are endangered when the EPA requires emission

standards for factories, but not endangered when the President spies on citizens? Do they really believe that land use decisions are a bigger threat to our democracy than a President who can hold citizens indefinitely without trial?

Before they answer they should ask themselves what kind of nation they want to pass to President Bush's successor. Do they want the next occupant of the White House to have the same power that President Bush is claiming? And how will they react if that next occupant is Hillary Clinton? If the Republicans can't grant a power to a potential President Clinton, they should not allow the current President to have it.