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## **Autocracy in America** **by Sheldon Richman**

We appear to live in a republic. But look closely; it's clearer every day that we live in a de facto autocracy. President Bush has managed to amass an astounding amount of power simply by scaring the American people and Congress into thinking that our continued existence as a society depends on giving him *carte blanche*.

It's important not to be fooled by the institutional façade. Yes, the Congress still exists, and it sometimes seems to execute its constitutional responsibilities. But appearances are misleading. For example, President Bush's repeated practice of issuing "signing statements" when putting his signature on legislative bills is well known. This is the president's way of saying, "I will carry out — or not carry out — this law as I, and I alone, see fit." So much for the Constitution's requirement that he "shall take care that the laws be faithfully executed."

The emasculation of Congress is even worse than that. Congress has passed major legislation pushed by the president *without debating or even reading it*. Hard to believe, but true. Recently, Congress gave the president near-blanket authority to conduct warrantless eavesdropping on American citizens' and residents' communications with people outside the country. It turns out the president may have gotten more power than he asked for, and how this happened is frightening. As the *Washington Post* reported, "Broad new surveillance powers approved by Congress this month could allow the Bush administration to conduct spy operations that go well beyond wiretapping to include — without court approval — certain types of physical searches on American soil and the collection of Americans' business records, Democratic Congressional officials and other experts said."

How could Congress, especially one controlled by the opposition party, have given the president such ominous power? The *Post* explains: "The dispute illustrates how lawmakers, in a frenetic, end-of-session scramble, passed legislation they may not have fully understood and may have given the administration more surveillance powers than it sought."

Do you know why your so-called representatives were in such a scramble? Because they were adjourning to go on vacation. Run-of-the-mill legislation might have been left until they

returned in September. But this was “anti-terrorist” legislation. And so a scared Congress voted without thinking. The next time you hear someone rhapsodize about government “of the people, by the people, for the people,” remember this episode.

Finally, there are the executive orders. Here the president can issue decrees without even the appearance of congressional authority. Any president can hand down far-ranging executive orders thanks to emergency legislation passed during wars fought long ago. Randolph Bourne was right: war *is* the health of the state.

Only July 17 President Bush issued an order “Blocking Property of Certain Persons Who Threaten Stabilization Efforts in Iraq.” Covered under this order are those who are “(A) threatening the peace or stability of Iraq or the Government of Iraq; or (B) undermining efforts to promote economic reconstruction and political reform in Iraq or to provide humanitarian assistance to the Iraqi people.”

This may sound like nothing to be concerned about. But some people are concerned that the language is broad enough to cover those who dissent from the president’s policies. Conservative constitutional scholar Bruce Fein says the order violates the Fifth Amendment protection against deprivation of property without due process and “empowers the president to destroy anyone he says [poses] a significant risk of undermining the rehabilitation or political reform in Iraq.”

“[This] is a stunning assertion of executive power that creates a Sword of Damocles over anyone opposed to the war or otherwise who might come under the umbrage of the president,” Fein told Jerome Corsi of WorldNetDaily.

Thomas Jefferson said, “An elective despotism is not what we fought for.” Well, we got it anyway.

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