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Slandering America **by Michael Tennant**

Much virtual ink has been spilled in the blogosphere over President Bush's assertion that criticism of the U.S. government's treatment of prisoners in the war on terrorism is tantamount to "slander[ing] America" — an assertion he made in a lengthy June 15 [interview](#) with Adam Boulton of Britain's Sky News. While condemnation of Bush's remark is certainly deserved, most of the naysayers have made no mention of some other equally egregious, if less pointed, comments uttered by the president; and these omissions tell us as much about Bush's accusers as the "slander" remark tells us about Bush.

First, though, let's review the comments that got the whole brouhaha rolling. Just shy of 16 minutes into the interview, Boulton began with the statement, "You've talked a lot about freedom." Bush, naturally, agreed, and there's no denying he's mentioned the subject quite often. Of course, I could write a whole column consisting of nothing but the phrase "quantum physics" repeated ad nauseam, but that wouldn't prove that I know the first thing about the subject. Similarly, Bush has demonstrated little familiarity with the concept of genuine freedom despite his constant invocation of the term.

Boulton, taking a more adversarial stance, from which the American media could learn a thing or two, continued: "And yet there are those who would say, Look, let's take Guantanamo Bay, and Abu Ghraib, and rendition, and all those things, and to *them* that is, you know, the complete opposite of freedom."

Bush, unaccustomed to this less-than-deferential approach and plainly annoyed by the question, didn't even give Boulton a chance to finish his sentence before launching his now semi-famous salvo: "Of course, if you want to slander America, you can look at it one way."

Note that Bush didn't say, "If you want to slander the U.S. government," or "If you want to slander me." To Bush, as to most Washington insiders, America and its government are one and the same. Thus, to speak ill of the president or his policies is to insult the entire country, presumably including those who voted for one of Bush's opponents in the last two elections.

Furthermore, *slander* is defined as “a false and malicious statement or report about someone.” Bush may consider some people’s characterizations of his policies malicious; and, indeed, some of those criticizing him are doing so purely out of dislike of the man and his political party. He has not, however, attempted to demonstrate that such claims are false, probably because he doesn’t dare for fear of failing. Besides, he seems simply to assume that whatever he does in the name of freedom is just and righteous by definition, and thus even to entertain such criticisms is beneath him.

As others in the blogosphere have pointed out, if those arguing that the Bush administration’s treatment of prisoners are really America-haters, then hatred of America must run quite deep in this country, for the list of “slanderers” [includes](#) the Supreme Court, the FBI, and McClatchy newspapers, just to name a few. The Justice Department had better get cracking if all these defamers of the United States are to be prosecuted before Bush’s term expires.

Boulton did, in fact, point out that “the Supreme Court has just ... ruled against what you’ve been doing down there [in Guantanamo],” to which Bush replied, “But the district court didn’t. And the appellate court didn’t.” Boulton pointed out, with a chuckle, that those rulings are irrelevant: “But the Supreme Court’s supreme, isn’t it?”

Bush agreed (how could he do otherwise?) and then became defensive, saying, “And it’s not what *I* was doing down there. This was a law passed by our United States Congress that I worked with the Congress to get passed and signed.”

Boulton countered, “But it *looked* like an attempt to bypass the Constitution ...”

Bush responded, “This is a law passed, Adam. We passed a law. Bypassing the Constitution means that we did something, you know, outside the bounds of the Constitution. We went to the Congress and got a piece of legislation passed.”

Of course, the mere fact that Congress passed a law and the president signed it does not, in and of itself, make the act constitutional, or else the Supreme Court would never have had any reason to strike down a single federal law as unconstitutional. Yes, passing a law through Congress is the constitutional means of effecting policy changes — something that Bush and his pals defending the “[unitary executive](#)” theory of government have tried their best to ignore — but only so long as the content of the law falls within the constitutionally enumerated powers of the federal government. Otherwise the law, duly passed and signed though it may have been, is invalid.

In the specific case of detainees’ rights to habeas corpus, [Article I, Section 9](#), declares that Congress may suspend that right only when “in Cases of Rebellion or Invasion the public Safety may require it”; yet the United States is clearly not undergoing rebellion or invasion, i.e., warfare within its territorial boundaries. Therefore, to deny habeas corpus to anyone under the extant conditions is plainly unconstitutional. (The airplane hijackings of September 11, 2001, were criminal acts by individuals, not a coordinated invasion by a military force. Further, they are not

ongoing, so even if one considers them acts of war, the territorial United States is not currently undergoing an invasion and, ipso facto, the provisions of Article I, Section 9, cannot be invoked to suspend habeas corpus.)

Now let us consider some of the other remarks Bush made during the interview that are not being criticized, or even mentioned, by most of those who are hammering him for the “slander America” comment.

After giving the usual boilerplate that the abuses at Abu Ghraib were the result of the proverbial handful of rotten Granny Smiths, Bush then went on to say, “What shows the heart and soul of America is ... the generosity of America when it comes to providing money for HIV/AIDS in Africa, or the fact that America feeds more of the hungry in the world than any other country.” Once again he conflated the people of America and their government, for it is the government of America that is “generously” sending millions of taxpayers’ dollars to Africa or dumping them into foreign-aid programs supposedly to feed the hungry but inevitably enriching and strengthening corrupt ruling classes. (It is true, however, that America feeds the world simply by virtue of producing massive amounts of food at low prices, but that’s the free market at work rather than the government, and I doubt Bush had that in mind.) To the president, you see, the U.S. government’s eagerness to rob Americans blind and then ship their hard-earned money overseas for allegedly benevolent purposes demonstrates the “heart and soul of America,” or, as he later put it, the “true America.”

Early on in the interview Bush made a particularly outrageous assertion which, again, has received little attention but which deserves quite a bit of it. He said,

The fundamental question facing, you know, the free world in the 21st century is gonna be, do you want to be just comfortable and could care less about what takes place in another part of the world, or do you feel an obligation to help? Help, whether it be Afghan women, Afghan children, HIV/AIDS on the continent of Africa, babies dying needlessly from malaria. And that’s the question, Adam, as we head into the 21st century. And I’ve made the stand for America that not only *will* we be engaged; we’ll be engaged *effectively* for, uh, for our own security as well as for, you know, for moral reasons.

Now, Bush asked a vital question — one that almost everyone asks himself at some point or another in his life. The trouble began when he took it upon himself to answer it for every single American. The president of the United States has no more right to decide for me what I will do with my life and my possessions than I have to decide for you. Nevertheless, here is the president committing every American to endless meddling throughout the world — and whether he really means everyone or just the federal government is irrelevant because taxpayers have to foot the bill for all of Uncle Sam’s misadventures and suffer the consequences when terrorists retaliate. It’s all well and good to desire to help the suffering around the world, but one should do so with one’s

own resources, not with those confiscated from others. Besides, where in the Constitution is the president authorized to commit the federal government, let alone every American, to intervening in problem areas around the globe? The last time I checked, the president was primarily charged with executing policies instituted by Congress, and that includes foreign policy. He's commander in chief of the armed forces only "when called into the actual Service of the United States" ([Article II, Section 2](#)), and calling them into service is the province of Congress ([Article I, Section 8](#)).

Bush has, in short, committed the U.S. government (and, by extension, the taxpayers who are forced to fund it) to nonstop interventions in foreign nations and has said that in the federal government's spreading its stolen largesse around the world he sees the "true America." Why have these comments not attracted the same level of attention as the "slander" remark?

The answer, of course, is that most of those criticizing the president for one sentence in that interview share his underlying assumptions about the purpose of government and the federal government's "obligation" and ability to act as the world's policeman and nanny. They, too, believe that it's the role of the government not merely to protect property rights within its own borders but to involve itself in every aspect of Americans' lives and the lives of everyone else in the world in an attempt to achieve Utopia. Thus the Left, which despises Bush's overseas meddling, demonstrates in favor of U.S. intervention in Darfur; was fairly silent while Bill Clinton bombed Kosovo and racked up half a million juvenile corpses in Iraq; and now supports Barack Obama, who has made [noises](#) about taking military action against Iran, gave a [speech](#) opposing the Iraq war in which he repeatedly sought to assure his listeners that he was not opposed to war per se, and is being [advised on foreign policy](#) by such noted humanitarians as [Madeleine \("we think the price is worth it"\) Albright](#) and other Clinton-era retreads.

Similarly, the Left doesn't have any objection to mulcting U.S. taxpayers for various foreign-aid programs; they complain only when they believe insufficient funds are being disbursed or the funds come with mildly conservative strings attached. The Left likes to gripe about Bush's trampling of the Constitution, but judging from past Democratic presidents and the current presumed Democratic nominee, they are concerned only with constitutional violations insofar as they can be used to bash a Republican president. (The Right, of course, largely suffers from the same malady in reverse.) Hence, Bush's critics on the issue of "slandering America" fall silent when it comes to his other outrageous comments in the same interview, either because they so agree with him that they don't recognize the comments as anything out of the ordinary or because they fear the consequences to their own designs for ruling the world if they dare to challenge Bush's assumptions.

This, gentle reader, is why there will be no significant changes in foreign policy come next January regardless of whether Obama or John McCain takes the oath of office. Both political parties and their supporters believe wholeheartedly in the Wilsonian project of remaking the

world in the image of the U.S. empire and at Americans' expense. Neither side cares about the Constitution except to the extent that it can serve as a weapon with which to defeat their domestic political enemies. Unfortunately, the rest of us, and our liberty, get caught in the crossfire.

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