

By Ralph Nader

George W. Bush is on a roll—a money roll with a \$7 million advance for his book *Decision Points* and a rehabilitation roll to paint his war crimes as justifiable mass-slaughter and torture.

His carefully chosen interviewers—NBC's Matt Lauer and Oprah Winfrey—agreed to a safe pre-taping to avoid demonstrations and tough questions. Requests for him to speak are pouring in from business conventions and other rich assemblages willing to pay \$200,000 for "the Decider's" banalities. This is "Shrub's" month in the sun.

In his first week of book promotion, he was asked about anything he would have done had he known then what he knew now—especially regarding Iraq and its encircled dictator. Well, he deplored receiving "false intelligence" about Saddam Hussein having weapons of mass destruction which was one of several false claims he fed the American people before invading Iraq in 2003. But he has no regrets, saying that "the world was undoubtedly safer with Saddam gone."

But was it safer for over a million Iraqis who lost their lives due to the invasion, over 4 million refugees, 4500 American soldiers lost, 1100 amputees, tens of thousands injured, sick and tens of thousands more GIs coming back with trauma to lost jobs, broken families and permanent damage to their health.

Was it worth a trillion dollars to blow apart the country of Iraq and incur many more enemies? Was it worth starting a war paid for by a massive debt handed to our children so that George W. and Dick Cheney could give themselves and their rich buddies a massive tax cut? Ex-presidents possess self-excusing delusions, but this is non compos mentis run amuck.

Then there is his escape from legal sanctions because the law enforcers in the Justice Department act as if Bush and Dick Cheney are above the law. "What is Attorney General Holder waiting for," declared conservative/libertarian former Judge Andrew Napolitano, the legal analyst for Fox News, adding that Holder should

criminally prosecute both Bush and Cheney for their many crimes. Just as a Justice Department task force was about to do to Richard Nixon after he resigned his office in 1974, for far lesser crimes, when President Ford pardoned him.

I asked Bruce Fein, an associate deputy attorney general under Ronald Reagan, constitutional rights litigator, author of books and articles and many Congressional testimonies on the imperial presidency, and its unlawful penchant for Empire, for his reaction. Here is his response:

“Former President Bush’s selective memoir is a little like Hamlet without the Prince of Denmark. With the exception of authorizing waterboarding, a form of torture, Bush neglects his serial vandalizing of the Constitution and the federal criminal code: five years of illegal surveillances of Americans on American soil; a war against Iraq without proper authorization by Congress; illegal detentions of enemy combatants without accusation or trials; hundred of unconstitutional signing statements professing an intent to refuse to faithfully execute the laws; unconstitutional defiance of congressional subpoenas; and, employing unilateral executive agreements to circumvent the treaty authority of the Senate over military commitments.”

“Despite his constitutional literacy, President Obama has balked at faithful execution of the laws against torture, warrantless spying on Americans, or obstruction of justice perpetrated by Bush and his servile minions. On that score, Obama resembles President Nixon, who was impeached by the House Judiciary Committee and forced to resign for sneering at his constitutional obligation to enforce, not ignore the laws.

“If Obama believes exculpatory circumstances justify non-prosecution of Bush-Cheney,” Fein continued, “then he should pardon them as authorized by the Constitution. A pardon must be accepted by the recipient to be effective, and acknowledges guilt and the inviolability of the rule of law. Ignoring lawlessness at the highest levels like Obama wounds the rule of law, and creates

a precedent that lies around like a loaded weapon ready to destroy the Constitution. Obama himself is thus violating his oath of office by nonfeasance.”

Lawyer Fein is not referring to a one time episode like Watergate but a recurrent, pattern of massive outlawry here and abroad stretching for years. In 2005-2006, the large and very conservative American Bar Association, led by its then president, corporate attorney, Michael Greco, convened three task forces that produced white papers documenting three patterns of Bush's unconstitutional behavior. Mr. Fein served on the panel that condemned the outpourings of Presidential signing statements. Although addressed and sent to President Bush, the ABA received no response to these unprecedented condemnations.

Our legal system and Constitution touted as the greatest in the world, decay when we allow epidemics of grave violations by the President and other White House violators to be rewarded for their unconstitutionalism and criminality.

On Armistice Day, November 11, 2010, The Washington Post put on page one the excruciating, but brave struggle of quadruple amputee, Marine Cpl. Todd A Nicely trying to make the best of his surviving an explosive device in Afghanistan. On the reverse page two there was a picture of a smiling George W. Bush signing his book. He is getting away with it.

Holding Bush/Cheney accountable by the soldiers he sent to kill and die in illegal wars, with few exceptions such as the Military Families Speak Out (MFSO.org) and the Iraq Veterans Against the War (ivaw.org) and Veterans for Peace (veteransforpeace.org) are not being made in public by enough soldiers after their service. Many know who was responsible but under pressure from their superiors and not wanting, along with their families, to admit publically that they suffered and fought in vain, they remain silent. With their credibility, more of them need to exert real patriotism and speak out against the militant White House draft-dodgers and their neo-con advisors who drove them and our country into these boomeranging, destructive wars.

The Post completed this grim trilogy with a full page color ad by the profitable munitions manufacturer, Lockheed Martin, which taxpayers paid for, thanking the “commitment” and “sacrifice” of those who are serving today in America’s military forces.

For the political cowards and their corporate profiteers, wars do not demand their sacrifice, they only invite their manipulative flattery. Same old racket, recalling double Congressional Medal of Honor winner, Marine General Smedley Butler whose book “War Is A Racket” said it all decades ago.

Of course more members of another profession should declare itself for prosecution—the one million-strong licensed attorneys sworn to uphold the law as “officers of the court”!