

# **Bush's New War Power**

# A chilling effect?

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#### Editorial

When the White House decides to eavesdrop on Americans' overseas communications without court approval, it doesn't take much to launch new conspiracy theories about greater erosions of civil liberties.

So a recent presidential executive order expanding the Treasury Department's authority to target the assets of groups aiding the Iraqi insurgency had the blogosphere buzzing in mid-July.

The order's potential reach includes U.S. citizens in this country, and anyone regarded as at risk of aiding or committing violent acts "threatening the peace or stability of Iraq." The sanctions might also be applied to anyone who undermines "efforts to promote economic reconstruction and political reform" in Iraq, according to the order.

Some antiwar Bush critics assume he's talking about them. After all, his rhetoric often equates criticism of his performance with aiding the terrorists.

Under a Web posting titled "Criminalizing the Antiwar Movement," Canadian economics professor and antiwar activist Michel Chossudovsky contended that the order could permit seizing assets of antiwar protesters and "repeals with the stroke of a pen the right to dissent and to oppose the Pentagon's military agenda in Iraq." Similar claims were made elsewhere in blog postings.

Not much has been written along those lines in the mainstream media, but veteran Washington Post national security reporter Walter Pincus did warn, "Be careful what you say and whom you help – especially when it comes to the Iraq war and the Iraqi government."

Pincus observed in a recent article that the president's order, as worded, could "cast a far bigger net" than just the insurgents that a White House spokesman said are the principal targets.

That makes it vitally important for the Treasury Department – which has yet to develop rules for using this new authority – to assure that the constitutional right to dissent is not curtailed. Are Iraq war protesters really at risk? There's no evidence of that, yet.

The additional authority that Bush granted the Treasury Department appears to enhance asset-seizing powers dating to a 1977 law passed by Congress.

So maybe it's no big deal.

This White House, though, hasn't done much to earn the benefit of the doubt at times when its antiterror tactics seem to erode civil liberties and privacy rights. Americans cannot feel good about the National Security Agency's warrantless eavesdropping and data mining, the indefinite jailing of citizens as "enemy combatants," or the sanctioning of harsh interrogation tactics that violate humanitarian standards.

The Canadian prof posted online a doctored image of Bush and Vice President Cheney holding a flame to the Constitution. That should be easy to dismiss as wild exaggeration.

Yet it may not strike some folks as over the top, given how often this administration has run roughshod over constitutional checks and balances.

It's a rotten day for America when the conspiracy cranks don't sound so ridiculous.

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