
Bush Initiatives Threaten Basic Rights

Following are recent federal initiatives that present a long-term threat to democracy and to civil liberties in the United States. These moves are in addition to the USA Patriot Act (see article this page), which vastly expands government surveillance powers.

- President Bush issued an executive order Nov. 13 allowing special military tribunals to try non-citizens whom the government has “reason to believe” are connected to terrorism. The tribunals would even apply to non-citizens in the United States, including lawful, permanent residents. According to the American Civil Liberties Union, it is unprecedented to establish such military tribunals when Congress has not declared war.

The tribunals would severely limit the rights of a defendant. For example, the tribunals will not call for proof of guilt beyond a reasonable doubt, and will allow hearsay and evidence deemed illegally obtained in civilian courts. The tribunals can take place in secret, and can also take

place outside the United States, even on ships. According to conservative columnist William Safire in the Nov. 15 New York Times, “His [Bush’s] kangaroo court can conceal evidence by citing national security, make up its own rules, find a defendant guilty even if a third of the officers disagree, and execute the alien with no review by any civilian court.” Bush alone will be able to decide who can be tried before the tribunals.

- The U.S. Bureau of Prisons issued a regulation on Oct. 31 allowing the government to listen in on conversations between prison inmates and their lawyers and legal counsel whenever the Attorney General believes there is “reasonable suspicion” that the conversation is connected to “terrorist activity.”

- The Justice Department issued a Nov. 9 memo outlining an unprecedented plan to interview foreigners in this country legally. The plan calls for interrogations of some 5,000 men aged 18 to 33 who entered the United States on non-immigrant visas since Jan. 1. Because those interviewed will largely be from

Middle Eastern countries, the move has raised fears of intensified racial and ethnic profiling.

- The Bush administration continues to hold an undetermined number of the approximately 1,200 people detained shortly after Sept. 11 on immigration violations as “material witnesses.” Their identities have not been revealed, nor have the charges against them. As of mid-November, FBI director Robert Mueller III had refused to grant those detained access to lawyers or family members. He would not even disclose where they are being held. ■