

Stopping A Police State

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Transcript excerpts of Professor Francis A. Boyle's (University of Illinois, Champaign-Urbana) April 28, 2003 interview with snowshoefilms. Professor Boyle drafted articles of impeachment against Bush, Cheney *et al.* in January, 2003. Since then, he notes, "it's gotten much worse." Boyle exposes the role of the Federalist Society in the Bush administration, and their drafting of Patriot Act I and Patriot Act II: a police state. He discusses the International Criminal Court (ICC) case being prepared against Blair and others in the British government for aggressive war on Iraq. Britain was a signer of the International Criminal Court. The Bush administration knowingly repudiated Clinton's signature as an ICC member, cognizant that it planned an unprovoked attack on a UN member (Afghanistan and then, Iraq) and didn't want the ICC breathing down their necks, Boyle observes. Bush, Cheney, Rumsfeld *et al.* will likely be indicted in the ICC trial as accessories to Blair's crimes. Professor Boyle also brings us up to date on the Impeach Bush campaigns. Who in Congress will bring impeachment charges against this rogue administration?

Interview segments are available on Chicago Indymedia and www.snowshoefilms.com

The Federalist Society

Justice Rehnquist joined the Supreme Court before the founding of the Federalist Society. But the four colleagues that he works with in the 5-4 majorities that we've seen now for several years -- Scalia, Thomas, Kennedy, O'Connor have been members of the Federalist Society, appear at their functions, and work with them -- and he works quite closely with those four Justices. That's the 5-to-4 majority now we've seen for several years. [This is] the same 5-4 majority that gave the Presidency to Bush in violation of the Constitution and a federal statute mandating that disputed elections get decided by Congress -- the House of Representatives.

You have to understand that the agenda of the Federalist Society is to turn the United States and the federal judiciary back to before Franklin Roosevelt and the New Deal. That is how reactionary the Federalist Society really is. Ashcroft is a member. His deputy Viet Dinh, who drafted Patriot Act I and Patriot Act II is a prominent member. White House counsel Gonzales is a member. His entire staff are members. Most of the Bush federal judiciary appointees are members of the Federalist Society. And it is their objective to turn America back to before Franklin Roosevelt's New Deal.

You do not have to accept my word for that. It was Lawrence Walsh who has also said the same thing. Judge Walsh was independent counsel in the Iran/Contra scandal, by appointment of the Reagan administration. He's a life-long Republican. He worked for Dewey in New York. He then became Deputy Attorney General for President Eisenhower and then a federal district judge, [as well as] president of the American Bar Association.

Judge Walsh is a conservative, as traditionally defined, and a conservative Republican. And yet even he has publicly condemned the Federalist Society for trying to turn the federal judiciary, and this country, back beyond Franklin Roosevelt and the New Deal.

I think that gives you an idea of how radical these ideologues really are and how dangerous their philosophies and practices are. We are seeing this now -- every day -- in the Bush administration, at the White House, at the Department of Justice, and in many of the other executive offices that have been populated by Federalist Society Lawyers . . .

- See:
- The Federalist Society: From Obscurity to Power - The Right-Wing Lawyers Who Are Shaping The Bush Administration's Decisions On Legal Policies and Judicial Nominations, by People For the American Way Foundation, Aug 2001
 - The Federalist Society - The Conservative Cabal That's Transforming American Law, by Jerry Landay, *The Washington Monthly*, March 2002
 - Federalist Society: Hijacking Justice, by George E. Curry & Trevor W. Coleman, *Emerge*, 10/99

International Criminal Court

Right now a case is being prepared to file in the International Criminal Court in the Hague against Tony Blair and British government officials because Britain is a party to the Rome statute on the International Criminal Court. The US is not. President Clinton signed it. Bush repudiated that immediately upon coming to power and has done everything humanly possible to sabotage the International Criminal Court. The reason is obvious. If you are contemplating an aggressive war against Afghanistan and an aggressive war against Iraq, you do not want an International Criminal Court looking over your shoulder. That being said, I believe it would be possible to include President Bush, Vice President Cheney, Defense Secretary Rumsfeld, certainly Deputy Secretary of Defense Wolfowitz, Tommy Franks and the others, in the British complaint -- as aiders and abettors, conspirators, those who are complicit. Basically you need to establish a nexus, and the nexus would be: Britain is a party [of the ICC] and Bush *et al.* are aiders and abettors, facilitators, co-conspirators. They're complicit, they're accomplices. I have some students working on that now, at this time, as we speak. . . .

Impeachment

Last October, in light of the two horrendous speeches given by Vice President Cheney calling for a preventive war against Iraq, I set up a national campaign to impeach Bush, Cheney, Rumsfeld and Ashcroft -- and have been working on it ever since then. I had a group of ten students here set up a committee. We have a web page. We've contacted just about every member of Congress -- in support of my draft bill of impeachment.

Finally, on March 11, 2003, Congressman John Conyers, the ranking member of the House Judiciary Committee, that has jurisdiction over any bill of impeachment, called for a meeting in Washington, DC to discuss introducing a draft bill of impeachment against President Bush, Cheney, Rumsfeld and Ashcroft.

At the meeting were 40 to 50 of his top advisors, most of whom were lawyers. Congressman Conyers invited in myself and former Attorney General Ramsey Clark to argue the case for impeaching them all.

Ramsey also set up his own campaign. I believe it was January 17, 2003. We are working independently of each other but in the same direction. For two hours, Ramsey and I did the best we could (this was before the war started) to convince them to put in a bill of impeachment right away. Most of the lawyers and advisors there are affiliated with the Democratic National Committee. (I'm not. I'm a political independent.) And they seemed to take the position that it would be politically inexpedient for the Democratic Party to put in a bill of impeachment at this time. I didn't argue that point. It's not for me to tell the Democrats how to get their people elected. I just argued the merits of the issue: violations of the Constitution, the Bill of Rights, Human Rights, the UN Charter, international law, etc.

Today there is now a second, revised draft bill of impeachment sitting on Capitol Hill. It is there. It is in circulation. What we need now is pressure being brought to bear on members of Congress to put this bill in and to make it clear that this is not a question of political expediency. Rather this is a question of our future republic.

With all the faults and imperfections and defects and indeed sometimes crimes this republic has committed, not only here internally -- African Americans, American Indians -- but externally, we are still the oldest republic in the world. But you are going to have to act to keep it that way. Because Bush and Ashcroft, Cheney, Rumsfeld, Wolfowitz want to turn this into a police state at home and an empire abroad. So I would encourage you all, contact members of Congress. They have to listen to their constituents. Tell them you want that bill in right away and that you will support them when they put that bill in.

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