

“Cowboy Republic”

Review of Marjorie Cohn's most recent book

By [William Fisher](#)

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The past six years have seen an avalanche of books excoriating President George W. Bush, the key figures in his administration, and the ideologies, policies and practices they have embraced.

Some have been eye-opening blockbusters, like Bob Woodward’s “State of Denial.” Others have found themselves in the remaindered section of your bookstore. Some, like Woodward’s, have been long and dense, tough reads filled with incriminating quotes from The Decider himself. Others have been often-inaccessible offerings by serious journalists in military history, like Tom Ricks of The Washington Post (“Fiasco”) and Michael Gordon of The New York Times (“Cobra II”). A few have genuinely illuminated little-known and underreported aspects of the Bush administration; “Imperial Life in the Emerald City: Inside Iraq’s Green Zone” by Rajiv Chandrasekaran springs to mind. So too does David Cole’s “Enemy Aliens.” Too many others have forsaken solid evidence and confirmed sources to deliver oversimplistic rants, more akin to pamphleteering on rhetorical steroids.

Consider just a few of the other titles in this growing cottage industry: “The Lies of George W. Bush: Mastering the Politics of Deception” by David Corn. “Bush Must Go” by Bill Press. “Worse Than Watergate: The Secret Presidency of George W. Bush” by John W. Dean. “Weapons of Mass Deception: The Uses of Propaganda in Bush’s War on Iraq” by Sheldon Rampton. “The Short but Happy Political Life of George W. Bush” by Molly Ivins. “The Bush-Hater’s Handbook: A Guide to the Most Appalling Presidency of the Past 100 Years” by Jack Huberman. “The One Percent Doctrine” by Ron Suskind. And the list goes on. And on. And on.

So was there a need for yet another anti-Bush book? Well, it turns out there was. Because Marjorie Cohn’s modest new volume, “Cowboy Republic,” achieves two goals so often missing from the growing library of tomes chronicling Dubya’s failings. First, it includes the exquisite legal detail one would expect from a distinguished lawyer. But arguably more important, it does so in straightforward, everyman language that makes it accessible to ordinary folks who don’t happen to be either lawyers or political junkies.

Marjorie Cohn seems to have been around forever. A professor at the Thomas Jefferson School of Law in San Diego and president of the National Lawyers Guild, she has been a powerful voice on both mainstream and alternative radio and television, in major newspapers and magazines, and on the web. Moreover, her voice has become more thoughtful, more forceful, more consistent – and, yes, more civil, over the years.

Which is not to say Ms. Cohn lacks passion. On the contrary, it is this very passion that helps

make this little book to so eminently readable. But, happily, Ms. Cohn's passion doesn't turn her new book into a polemic. If anything, the language she uses in making her case against the Bush administration is somewhat understated, perhaps in the best legal tradition. Michael Moore she is not.

The subtitle of "Cowboy Republic" is "Six Ways the Bush Gang Has Defied the Law" – and this book is about the law. So, at one level, it is a love story: Marjorie Cohn has been in love with the law for many years. In the face of a largely apathetic public and an often-supine press, she persists in her belief that a renaissance in respect for the rule of law will ultimately be the nation's way out of its current mess.

Her case against the Bush administration's contempt of the rule of law lays out most of the high crimes and misdemeanors with which Truthout readers – and almost everyone else – have become familiar. The hypocrisy of US "support" for the United Nations. The "marketing" of the Iraq invasion. The unending conflation of Iraq and 9/11. The torture memos. Guantanamo. Extraordinary renditions. National Security Letters. The "disappeared" in CIA "black sites." The euphemisms – i.e. "enhanced interrogation" – used to sanitize repeated US violations of the Geneva Conventions. The warrantless surveillance programs. The roundup and detention of foreigners suspected of being of Middle Eastern descent. The overhyped press conference trumpeting the arrests of "the worst of the worst" – later set free, deported or charged with far less egregious crimes. And the complicity of the president's lawyers in finding "legal justifications" to condone the uncondonable, to ignore the separation of powers, and to promulgate the notion of a "unitary executive."

Ms. Cohn writes of these transgressions with economy and clarity. Moreover, she places them within the context of America's history, starting with the sedition laws of the late 18th century that imprisoned journalists for speaking out against the government, through Attorney General Mitchell Palmer's "Red Raids" to root out Bolsheviks in the 1920s, through the internment of Japanese-Americans in the Second World War, through the Cold War's shameful McCarthy debacle, through the myriad falsehoods perpetrated by government during Vietnam, though the lies of Nixon's Watergate nightmare.

Her point is that the US has been here before, and that it has always been the law, in confluence with the activism of a minority of outraged citizenry, that has eventually righted the Ship of State.

But Ms. Cohn refuses to rely solely on these tools. She is saying that time does not allow us the luxury of confidence in evolution and incrementalism alone. An activist needs action, and Ms. Cohn is nothing if not an activist.

Her hope was that the 2006 midterm elections would have resulted in a groundswell of support for the impeachment of the president and his top aides. Today, she is clearly disappointed with the leadership of the new Congress. "Both Nancy Pelosi, the new Speaker of the House, and John Conyers, the incoming chairman of the House Judiciary Committee, where impeachment would be initiated, have said, "Impeachment is off the table," she writes.

Yet she is not without hope. "... if Congress fulfills its constitutional duty to investigate the Bush gang's malfeasance, the legislators will invariably encounter stonewalling by the administration. That should anger many in Congress, who then might develop the resolve to launch impeachment hearings," she writes, adding:

It is now time for us to demand truth, justice and accountability from the Cowboy Republicans. That means op-eds and letters to the editor, and writing, emailing and calling Congress, insisting that the Bush gang be held to account for its high crimes and misdemeanors. We must organize protests, marches and demonstrations to end the Iraq war and occupation and prevent the next war. Our lives and those of our children depend on it.”

For Marjorie Cohn, it will never depend on waiting for Gen. David Petraeus.

William Fisher has managed economic development programs in the Middle East and in many other parts of the world for the US State Department and USAID for the past thirty years. He began his work life as a journalist for newspapers and for the Associated Press in Florida. Fisher also served in the international affairs area during the Kennedy administration. Go to [The World According to Bill Fisher](#) for more.

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