

Obama: The Emperor's Seven Signing Statements

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Lawless detention is the least of it. State secrets and warrantless spying scrape the surface. Drone attacks and [ongoing torture](#) begin to touch it. But central to the power of an emperor, and the catastrophes that come from the existence of an emperor, is the elimination of any other force within the government. Signing statements eliminate congress. Not that congress objects. Asking congress to reclaim its power produces [nervous giggles](#).

Look at how the latest war supplemental funding bill was passed. The Emperor's people wrote most of the bill. The Emperor combined it with the IMF banker bailout. The Emperor threatened and bribed his way to deals with enough congress members to pass it. The Emperor preemptively told other nations the bill would pass and then badgered congress with the claim that this nation (He, the nation) would be damaged if he turned out to have lied. The Emperor lied to congress members and the public that this would be the last war supplemental bill. Congress members claimed to back it because it was the last one (not that this made the slightest sense), and others openly, proudly, and obviously declared that they were switching their votes to yes in order to please the Emperor.

When the bill came to Emperor Barack he signed it and released his sixth and only legal signing statement announcing that he'd signed it. Two days later (Fridays being the favored day for signing statements) Obama released his seventh signing statement, claiming to have signed the same bill on that day as well, but perhaps beginning to establish the precedent that "signing statements," like "executive orders," can be issued at any time.

The seventh signing statement did what the first five had done: it illegally and unconstitutionally altered the law in favor of bestowing illegal powers on the Emperor. The seven statements [are posted here](#). Here's the heart of the seventh statement:

"[P]rovisions of this bill within sections 1110 to 1112 of title XI, and sections 1403 and 1404 of title XIV, would interfere with my constitutional authority to conduct foreign relations by directing the Executive to take certain positions in negotiations or discussions with international organizations and foreign governments, or by requiring consultation with the congress prior to such negotiations or discussions. I will not treat these provisions as limiting my ability to engage in foreign diplomacy or negotiations."

An executive would be someone who executed the laws of congress, suggesting that a different capitalized E word is actually intended, that "Executive" is now a stand-in for "Emperor." Similarly, "constitutional" in this context refers to dictionary.com's third definition of "constitution", namely "the aggregate of a person's physical and psychological characteristics." In other words, "constitutional authority" is "imperial authority" derived from the character of the Emperor. We know this because the U.S. Constitution does not

create any presidential authority to conduct foreign relations (only to “receive Ambassadors and other public Ministers”) but does require the advice and consent and two-thirds approval of the Senate in order to make treaties, and does give congress the power “to regulate Commerce with foreign nations” as well as complete power over the raising and spending of public funds, not to mention the power “To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the government of the United States, or in any Department or Officer thereof.”

The sections of this latest law tossed out by Obama were ploys to win the bill’s passage, including requirements that he work to strengthen labor and environmental standards at, and report to congress on the activities of, the IMF and the World Bank. Unlike an emperor, an executive would be required by the U.S. Constitution to “take Care that the Laws be faithfully executed,” stated by candidate Barack Obama thus:

“I will not use signing statements to nullify or undermine congressional instructions as enacted into law.”

Obama’s first signing statement made part of the law his right to use the hundreds of billions of dollars appropriated in that bill in “new” and “far-reaching” ways that he would “initiate,” as well as the understanding that an “oversight board” created by the executive branch — rather than congress — would oversee the activities of the executive branch, or as Obama calls it “the Federal Government.”

Obama’s second signing statement declared his intention to violate dozens of sections of the law he was signing, including sections providing for the spending of funds, sections related to the creation of international treaties, and sections restricting retaliation against whistleblowers.

Obama’s third signing statement, on the “Omnibus Public Land Management Act of 2009,” announced his intention to violate requirements in the law related to the appointment of a government commission.

Obama’s fourth signing statement, on a bill creating a “Financial Crisis Inquiry Commission” threw out a requirement that the Emperor provide that commission with information.

Obama’s fifth signing statement was applied to a bill that created a commission and included on it six members of congress. The signing statement declared that those six commission members ...

“will be able to participate only in ceremonial or advisory functions of [such a] Commission, and not in matters involving the administration of the act.”

Is it time to stop endlessly being “shocked” by these yet? Obama, like Bush, argues in his signing statements that the sections of law he intends to violate are unconstitutional. The problem is not that either one of these presidents is necessarily always wrong or that such questions can ever be decided to everyone’s satisfaction. The problem is that the Constitution requires the president to veto a bill or sign and faithfully execute it. The time to argue against the constitutionality of a provision is before a bill is passed or upon vetoing it. Such an argument can even be made upon signing a bill. It just can’t be accompanied by a declaration of the power to violate the law.

Presidents Reagan, Bush I, and Clinton made innovations in the abuse of signing statements without which Bush Jr. could not have done what he did. Now Obama is further advancing the genre. At some point, of course — as Germans once learned (and learned before nukes or climate crises were on the table) — it can become too late to act.

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