

# Productive second term no sure thing

SHORTLY AFTER HIS re-election, President George Bush declared that he'd "earned political capital in the campaign" and that he "intended to use it" during his second term.

But Bush shouldn't be so confident that his second term will be a productive one. It takes the press and the opposition party a full term to become familiar with an administration's use of executive power. But when a president wins re-election, his opponents have an opportunity to use that knowledge to undermine his authority, especially if he's abused presidential power.

While no one should discount this administration's constitutional skills and the shrewdness with which they exercise it, neither should anyone dismiss the determination of the Democrats and investigative journalists who are prepared to capitalize on any misstep.

There are dangers in a second term and many past examples exist to prove it. The most notorious is the abbreviated second term of Richard M. Nixon.

No other presidency was less popular with the liberal press, which relished the opportunity of chasing him from office. Nixon used the president's war-making power to deceive Congress and the American public about the secret air war in Cambodia. He supplemented the president's formal veto power with an expanded authority to impound large sums of money appropriated by Congress for his own agenda. And he constantly invoked "national security" as the excuse for presidential excess.

But he went too far by authorizing the cover-up of the Watergate scandal and paying hush money to Watergate defendants. These were criminal acts exposed first by the Washington Post and confirmed by a Con-

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## COMMENTARY

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gressional investigation that led to his resignation from office. "Watergate" was simply the culmination of Nixon's manipulation of executive privilege during his first term and his misguided belief that he could escape disclosure during his second term.

Bush, too, has manipulated executive privilege in his prosecution of the Iraq war and reconstruction. There are still questions about the extent to which members of his cabinet knew about the atrocities at Abu Ghraib, as well as those who may be profiting from contracts to rebuild the infrastructure of that country.

Personal egotism can also result in scandal. After winning a landslide re-election, the Reagan administration, for example, thought it was above the law in its covert manipulation of executive power.

But the press provoked a federal investigation that revealed that a shadow government, operating out of the White House, traded arms with Iran in exchange for American hostages in Lebanon, and then used the profits to fund rebel Contras in Nicaragua. The so-called "Iran-Contra Scandal" violated the 1981 Boland Amendment banning U.S. military aid to the Contras.

In the wake of cabinet resignations and firings, Reagan's public approval sank to 40 percent and created the impression that he had little control of events in his administration.

Such is the danger of allowing subordinates too much authority to conduct foreign policy; something Bush seems to have done

by deferring to Vice President Dick Cheney and Secretary of Defense Donald Rumsfeld.

Former President Bill Clinton's egotism, on the other hand, allowed him to believe that favorable polls, his revitalization of the economy, and executive privilege would make him immune from any federal investigation in his second term. But Republicans felt differently.

The House of Representatives impeached Clinton in 1998 for perjury and obstruction of justice in a Republican-induced investigation by independent counsel Kenneth Starr.

The investigation, which revealed that the president lied about a sexual liaison with a White House intern, together with an antagonistic Republican-dominated Congress, prevented Clinton from making progress on important reforms such as health care, Social Security and education.

Will Bush escape the second-term curse? After two embarrassing defeats, the Democrats are eager to uncover a scandal in his administration.

There are several potentially embarrassing issues involving his administration: the FBI investigation into contract irregularities by Halliburton in Iraq and Kuwait; the probe into the leak of a CIA operative's employment; lawsuits stemming from the abuse of prisoners at Abu Ghraib; and the FBI investigation into how Israelis and Iranians got their hands on sensitive U.S. intelligence.

If one of these issues blows up, it could make Bush, like some of his predecessors, a lame duck in a meaningless second term.

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