

**THE BLOG**

The Fox Conventions

By Marty Kaplan

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At the end of an interview with Rick Santorum about the prisoner interrogation Republican-Republican “compromise,” Fox host Neil Cavuto said this: “Well, all this is of course moot if there’s another terrorist attack.” (It’s not an exact transcript, but it’s close enough.)

In one sentence, the whole Cheney-Fox approach — we are a government of men, not of laws — was made clear: These candy-assed restrictions may be ok for ordinary times, Cavuto was saying, but don’t expect them to stop us from doing whatever we damn well have to if those bastards hit us again.

Hmmm. I thought the whole point of creating laws is to establish the rules that will govern us in the heat of passion. The reason we debate and fine-tune them now is precisely to prevent some hot-head from declaring, in some dire future moment, a that-was-then-this-is-now moratorium on our legal and constitutional system.

It was this kind of arrogance that led to the outrages we’re still discovering about the past five years. The abuses and affronts to the law - from rendition to contracting - were justified as necessary exigencies; when the going gets tough, the tough guys get to decide on their own what’s just and what’s junkable. Welcome to the signing statement society.

The sad thing about this “compromise” is that Cavuto’s probably right. The deal will give Rove what he needs to dominate a few more news cycles. And if in some dark day ahead, a President decides that the Geneva Conventions unfairly tie his hands, well then, the Fox Conventions will do very nicely instead, thank you very much.

I was so angry, I changed the channel, though I made the mistake of stopping on MSNBC, long enough to watch Tucker Carlson make fun of Bill O’Reilly’s telling Barbara Walters that he’s on Al Qaeda’s death list. “Doesn’t that guy have any idea of how he looks to the world?” asked Mr. Dancing With the Stars. “Doesn’t he have any sense of self-consciousness?” It’s not an exact transcript, but close enough.

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