



STATEMENT OF THE CONSTITUTION PROJECT

The Constitution Project welcomes the opportunities presented by the incoming Obama administration to restore both the rule of law and policies that protect human rights. The outgoing Bush administration, and its “unitary executive” theories, posed new and unique threats to our constitutional system of checks and balances. Even with the change of administration, however, we must remain vigilant in defending constitutional safeguards. As Pulitzer Prize-winning journalist Charlie Savage wrote in his book, *Takeover: The Return of the Imperial Presidency*, “The accretion of presidential power, history has shown, often acts like a one-way ratchet: It can be increased far more easily than it can be reduced.”

Reestablishing the rule of law and human rights safeguards are not partisan issues. Indeed, the Constitution Project often assembles coalitions from across the political spectrum to aid in their defense, and we recognize that threats to our constitutional system can come from any political party. We call on the new administration and the new Congress to develop national security policies that respect the rule of law and promote human rights. We will continue to work to ensure that Congress performs its constitutionally mandated legislative and oversight role, and that the courts can continue unimpeded in providing an independent check on the other two branches.

Fundamental changes are needed in a wide range of policies, including those covering detention, interrogation, and trials of terrorist suspects; those involving secrecy, surveillance, and privacy; and regarding the methods through which we decide to go to war. To that end, the Constitution Project coordinated a coalition of more than twenty organizations that identified recommendations for congressional and executive action on these and other issues. The report, “Liberty and Security: Recommendations for the Next Administration and Congress,” also provides in-depth background information to support action by policy makers. It is available at www.2009transition.org/liberty-security.

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