

US liberals join right-wing attack on clemency for Puerto Rican nationalists

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In the two weeks since President Bill Clinton granted clemency to 12 members of the Puerto Rican FALN (Armed Forces of National Liberation), releasing 11 of them from prison, his decision has been under mounting attack from Republican and Democratic politicians, police agencies at every level of government, and the media. The near-universal outcry in official Washington says a great deal about the political shifts in America over the past two decades.

In 1979 President Jimmy Carter granted clemency to four Puerto Rican nationalists involved in two separate terrorist attacks on the center of government in Washington, DC—an assassination attempt on President Truman in 1950 and the machine-gunning of the US House of Representatives in 1954. Although several policemen died in these incidents, there was no great public furor when Carter permitted the surviving nationalists to go home to Puerto Rico in their old age, after spending between 25 and 29 years in prison.

The FALN members released September 10 were rounded up and jailed in 1980, 1981 and 1983. They were linked to a series of terrorist bombings in Chicago, New York City and other US cities, some targeting government and military facilities, others hitting restaurants and other public locations. While six people were killed in these bombings and dozens wounded, none of the FALN defendants were convicted of these crimes. Instead, they were charged with seditious conspiracy, a charge which allowed federal prosecutors to treat all members of the underground group as co-conspirators, regardless of what specific acts they had carried out.

Sentences ranging from 35 years to a staggering 105 years in prison were imposed on the defendants, most of them young people in their 20s, one only 19. Of the 12 who elected to accept the clemency offer, despite several onerous conditions, 11 had already served at least 19 years in prison and the twelfth will have to serve another five years before being released, bringing his prison time up to 19 years as well.

Congressional Republicans have responded to the clemency with predictable ferocity, denouncing Clinton for making concessions to terrorism and suggesting—rather improbably, given the public furor that has ensued—that the action was taken to boost Hillary Clinton's standing in the polls in next year's New York Senate race.

In part, this reaction is a further escalation of the law-and-order frenzy which grips both big business parties. Resolutions condemning the clemency passed both the House and Senate by huge margins, with many Democrats joining with virtually all Republicans. "There is a feeling of outrage in this country against this action," said Senate Majority Leader Trent Lott (R-Miss.), although he was describing the feeling in Congress and police organizations, not the general public.

Congressman Dan Burton, chairman of the House committee investigating the clemency decision, claimed that the release of the prisoners would embolden other terrorists. Presumably he believes that serving "only" 19 years in a federal penitentiary is not a sufficient deterrent. The real position of these right-wing elements is that no prisoner charged with a politically motivated attack on the US government should ever be released, no matter how long they have served or what the nature of the offense for which they were convicted.

The opposition to clemency is not driven solely by hatred of the nationalist prisoners. It is a continuation of the vicious political warfare in Washington which has raged throughout the Clinton administration and which erupted in a particularly bizarre form in the Lewinsky scandal and impeachment trial. The Republican Congress no longer attempts to advance policy initiatives through legislation, but seeks one pretext after another to launch investigations to disrupt the functioning of the Clinton administration and discredit the Democrats in the 2000 campaign.

This past week saw no less than three such investigations begin: into the clemency decision, into the Justice Department's handling of the 1995 Waco massacre, and into the administration's knowledge of alleged looting of IMF loans to Russia.

The Clinton White House rejected subpoenas from Congress for testimony and documents on the clemency decision, citing executive privilege—a position which is constitutionally unassailable, given that grants of mercy are a power reserved to the executive branch, with no legislative oversight or involvement. Even Congressman Burton admitted that Congress had no legal basis to override the clemency decision or compel the White House to explain it.

The most extraordinary development of the week was the

open support given by the FBI—an agency nominally responsible to Clinton and Attorney General Janet Reno—to the congressional Republican vendetta. FBI Director Louis J. Freeh sent a letter to the House committee investigating the clemency decision outlining his strong opposition to the release of the Puerto Rican nationalists.

"The FBI has consistently advised the Department of Justice (DOJ), in writing, that the FBI was opposed to any such pardon and/or commutation of sentences for any of these individuals," Freeh wrote, adding "any such pardon of the currently incarcerated terrorists would likely return committed, experienced, sophisticated and hardened terrorists to the clandestine movement."

On September 22 the assistant FBI director for national security, Neil Gallagher, attacked the clemency decision publicly as a witness before the committee. "They are criminals, and they are terrorists, and they represent a threat to the United States," he declared. Last week the Justice Department had blocked Gallagher from testifying in response to a subpoena, but the administration agreed to his "voluntary" testimony after the subpoena was withdrawn.

Not a single prominent liberal Democrat, outside of the group of Puerto Rican and Hispanic congressmen who lobbied for clemency, has publicly opposed the right-wing campaign against the release of the prisoners, or rebuked the FBI and federal prosecutors for flagrant insubordination. Dozens of House and Senate Democrats voted for the resolution condemning Clinton for a "deplorable concession to terrorists" that has "undermined national security."

At the House committee hearing chaired by Dan Burton, the ranking Democrat, liberal Henry Waxman of California, read aloud from a five-page letter from Clinton which gave his justification for the clemency decision. The prisoners "while convicted of serious crimes, were not convicted of crimes involving the killing or maiming of any individuals. For me, the question, therefore, was whether the prisoners' sentences were unduly severe and whether their continuing incarceration served any meaningful purpose." Waxman then declared that he disagreed with Clinton and would not have taken the action.

A similar stand was taken by other Democratic congressmen and senators from areas with large Puerto Rican populations, including New York Senator Charles Schumer and New Jersey Senator Robert Torricelli.

The grossest opportunism and political pandering to the right wing, however, was exhibited by Hillary Clinton. After initially supporting her husband's clemency offer, she reversed herself under pressure from police and prosecutors in New York City, and after public attacks by her likely Republican opponent in 2000, New York Mayor Rudolph Giuliani.

While Mrs. Clinton's campaign has been lavishly promoted by the New York media and hailed as the rebirth of Democratic Party liberalism, her own political views are not demonstrably different from those of her husband—that is, she is a capitalist

politician of conservative views, including support for the death penalty and other law-and-order nostrums, who is determined not to be portrayed as soft on crime.

Her demonstrative repudiation of the release of the FALN prisoners bears a striking resemblance to an incident in the 1992 presidential campaign of Bill Clinton, when he flew home from a difficult election battle in the New Hampshire primary to oversee the execution of a brain-damaged Arkansas man, Rickey Lee Rector. This execution, validating of his credentials as a "New Democrat," was Clinton's response to the media attacks over Gennifer Flowers and "draft-dodging."

Finally, a word on the role of the media, which has disregarded the concrete circumstances of the clemency decision in favor of crude propaganda about "terrorism." The spinelessness of liberalism was summed up in the editorial published September 23 by the *New York Times*, which admitted that there were "compelling arguments" that "led this page to conclude there was a basis for clemency in these cases."

Nonetheless, the *Times* maintained, "Mr. Clinton has not adequately explained" how he reached the decision, and he "should be willing to release the pertinent White House files." The newspaper even suggested that the president should be held accountable to the FBI. "Even acknowledging that the FBI has seldom seen a terrorist it is willing to release," the editorial continued, "the agency has raised issues that need a public answer."

The FALN decision is only the fourth clemency petition which Clinton has signed out of several thousand requests, and is marred by onerous probation conditions, such as barring the released prisoners, who include two sisters, from associating with one another. But even this limited action is considered too generous by the big business politicians and the corporate-controlled media.



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