

# The Ashcroft nomination: a new stage in the attack on democratic rights in the United States

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The nomination of former Senator John Ashcroft to be Attorney General of the United States is neither an aberration nor an “excess” on the part of president-elect George W. Bush. In putting forward a leading Christian fundamentalist, rabidly opposed to abortion rights, civil rights and civil liberties, as head of the chief federal police agency, George Bush has confirmed the essentially anti-democratic character of his incoming administration.

Media pundits initially suggested that Bush, because of his disputed election victory and the narrow margins of Republican control in the House and Senate, would be compelled to govern “from the center,” and moderate his right-wing program. Such notions have been ripped to shreds, as the Bush administration makes open appeals to Christian fundamentalist and other extremist groups to rally behind the Ashcroft nomination.

A candidate who lost the popular vote and who was declared the victor in the presidential election through the grossly undemocratic intervention of five US Supreme Court justices has selected as his chief legal officer a man ideologically opposed to the democratic precept that government should be based on the consent of the governed. Rather than “of the people, by the people and for the people,” Ashcroft holds that the organizing principle of American government should be—as he told an audience of fundamentalists at Bob Jones University—“we have no king but Jesus.”

Ashcroft is a member of the Assemblies of God, the largest Pentecostal denomination of fundamentalist Christians, the group which includes Pat Robertson, founder of the Christian Coalition. He is not just any member: his father was the minister who headed the education division at the church's headquarters, located in Springfield, Missouri. He is the first member of the Assemblies of God to be a senator or governor, and only the second to be nominated for a cabinet position. (The first was James Watt, the best friend of mining and ranching interests, as secretary of the interior in the Reagan administration)

Christian fundamentalism is not an aspect of Ashcroft's politics, it is the entire basis. In December 1999 he told the religious magazine *Charisma*, “It's said that we shouldn't legislate morality. Well, I think all we should legislate is morality. We shouldn't legislate immorality.”

To judge morality, he relies on the Bible and his church. He opposes, on moral grounds, homosexuality, abortion, pornography, needle exchanges for drug addicts, the National Endowment for the Arts and the United Nations. In 1998 he joined with Jesse Helms to block the nomination of millionaire businessman James Hormel as ambassador to Luxembourg because he is gay.

The press has reported on Ashcroft's May 1999 speech at Bob Jones University largely from the standpoint of the nominee's association with the racism and religious bigotry of the South Carolina fundamentalist

college—certainly a legitimate issue and one which should, in and of itself, disqualify him from office. But there has been little discussion of the actual content of his remarks, which betray both gross ignorance of American history and anti-Semitism.

Ashcroft claimed that the colonists who rebelled against the British king in the American Revolution did so under religious slogans: “Tax collectors came, asking for that which belonged to the king, and colonists frequently said, ‘We have no king but Jesus.’ It found its way into the fundamental documents of this great country. You could quote the Declaration with me. ‘We hold these truths to be self-evident that all men are created equal, and are endowed by their Creator with certain inalienable rights.’ Unique among the nations, America recognized the source of our character as being godly and eternal, not being civic and temporal.”

To call this historical theory bizarre is an understatement. The American Revolution is a landmark, not only in the struggle for democratic rights, but in the struggle to liberate the minds of men from the oppression and backwardness of religious dogma. There is no mention of Jesus in any of the “fundamental documents” of the Revolution, and religion itself is discussed only in the prohibition of its establishment, in the First Amendment.

This approach corresponded to the beliefs of the major leaders of the revolutionary struggle, who in the main were deists, professing faith in a “creator” only in the most abstract and impersonal sense of the term. Some, like Tom Paine, were ferociously hostile to organized Christianity in any form. All were opposed to a state church, such as that which existed in the England of their day, and in other European countries. Contrary to Ashcroft, what set the new American government apart from all other regimes of the eighteenth century was its secularism, not its religiosity.

Ashcroft went on to recall the New Testament account of how Pontius Pilate offered to spare either Jesus or the thief Barabas, who were being crucified together:

“Pilate stepped before the people in Jerusalem and said, ‘Whom would ye that I release unto you? Barabas? Or Jesus, which is called the Christ?’ And when they said ‘Barabas,’ he said, ‘But what about Jesus? King of the Jews?’ And the outcry was, ‘We have no king but Caesar.’

“There's a difference between a culture that has no king but Caesar, no standard but the civil authority, and a culture that has no king but Jesus, no standard but the eternal authority. When you have no king but Caesar, you release Barabas—criminality, destruction, thievery, the lowest and the least. When you have no king but Jesus, you release the eternal, you release the highest and the best.”

As Robert Parry of consortiumnews.com has pointed out, in the only media commentary on this issue, Ashcroft can't even quote the Bible

accurately. It was not “the people in Jerusalem” but a small group of high priests who gave this response to Pilate. Such a distortion, by a man clearly steeped in these texts, has only one purpose—to recycle the oldest of anti-Semitic canards, that the Jewish people were collectively responsible for the death of Jesus.

The anti-Semitism is so outrageous and crude that it cannot really be called a subtext, although there is no direct denunciation of the Jews. Ashcroft simply lumps together, in a few sentences, Jews, the secular state, “criminality, destruction, thievery, the lowest and the least.” His audience of Christian fundamentalists undoubtedly got the message.

Ashcroft concluded that America was great “because we knew that we were endowed not by the king, but by the Creator, with certain inalienable rights. If America is to be great in the future, it will be if we understand that our source is not civic and temporal, but our source is godly and eternal.”

This political theory is extraordinarily reactionary. When the Founding Fathers declared that men were “endowed by their Creator” with inalienable rights, they were expressing their profound democratic convictions, using the political language of the eighteenth century. Democratic rights were natural and inherent, not bestowed on men by a ruling elite, they maintained. Ashcroft denies that democratic rights have a “civic and temporal” origin, and makes religion—as interpreted by Christian fundamentalists like himself, of course—the basis of politics.

Instead of democracy, he would open the way to theocracy. And from the standpoint of foreign policy, he asserts an American messianism potentially as aggressive and chauvinistic as Hitler's assertion that Germans were the “master race.”

Very little of this has come out in the course of the hearings on Ashcroft's nomination before the Senate Judiciary Committee. Not one senator has suggested that putting a religious extremist in charge of the Department of Justice—whose jurisdiction includes the FBI, the Bureau of Alcohol, Tobacco and Firearms, and other repressive agencies—would represent a threat to basic democratic rights.

On the contrary, Ashcroft's Democratic opponents, liberal and not so liberal, have disavowed any opposition to Ashcroft based on his religious ideology. The Republicans, for their part, have denounced any concern over Ashcroft's fundamentalism as “anti-Christian,” while repeatedly quoting from the speeches of Democratic vice presidential candidate Joseph Lieberman, during the 2000 campaign, on the legitimacy of injecting religion into politics.

The Democratic senators have focused attention instead on numerous incidents in Ashcroft's long political career that would suggest that he is a racist or guilty of some personal misconduct. They seek to derail the nomination with a barrage of such charges, by creating an atmosphere of scandal.

They hope for an outcome like the nomination of Linda Chavez for secretary of labor, which collapsed over her failure to tell Bush aides about her relationship with an undocumented Guatemalan immigrant woman who lived and worked in her house. In that way they would be rid of Ashcroft without the necessity to examine the more fundamental issues raised by his nomination.

It is notable that while the word “racist” has been thrown about with abandon, no senator has raised the issue of anti-Semitism, which would make unavoidable a detailed examination of Ashcroft's fundamentalist religious views. Another word which has not been uttered is of even greater significance: “fascist.”

Any serious investigation of Ashcroft's views would put the spotlight on the enormous role which fascist and extreme-right elements now play in the Republican Party. Ashcroft may or may not himself be a fascist, but he is certainly their friend. In one case—little noted in the press—he intervened on behalf of Dr. Charles T. Sell, a St. Louis dentist and member of the Council of Conservative Citizens, a white supremacist organization.

Sell was indicted by the Justice Department on several counts, including conspiracy to murder an FBI agent and a federal witness, after the dentist was charged in 1997 with Medicaid fraud. Ashcroft, who now seeks to head the Justice Department, lobbied the agency on Sell's behalf. He met with CCC leader Thomas Bugel as recently as last September to discuss the case.

While the deeper political issues were avoided, the hearings before the Senate Judiciary Committee nonetheless reflected the intense conflicts within the American ruling elite. Democrats and Republicans were at each others' throats from the beginning.

By a constitutional quirk, because Congress convened two weeks before the installation of Bush and incoming Vice-President Richard Cheney, the Democrats have taken control of the Senate temporarily by virtue of the tie-breaking vote of the lame duck Vice-President Al Gore. That makes Democrat Patrick Leahy chairman of the Judiciary Committee for the hearing on Ashcroft, and gives the Democrats control of the process.

Orrin Hatch, the Republican who will resume the post of committee chairman January 21, opposed allowing the NAACP, the National Organization for Women and other “special interest groups” to testify against Ashcroft. He sought to limit their role to the submission of written statements, but was overruled by Leahy.

An initial round of statements by the members of the Judiciary Committee, some of them harshly critical of Ashcroft, touched off immediate recriminations. Senator Christopher Bond (R-Mo.), who is not a member of the committee but came to make introductory remarks for Ashcroft, used the occasion to denounce the comments of Democrat Edward Kennedy.

Republican Charles Grassley of Iowa attacked “the mob of extremists who have hit the airwaves and are trying to intimidate members of the Senate into voting against Senator Ashcroft.” Senator Jeff Sessions of Alabama called Ashcroft's opponents the “hard-left.”

While Kennedy, Charles Schumer of New York and Richard Durbin of Illinois made criticisms of Ashcroft's record on civil rights and abortion, as well as gun control, several Democrats made more conciliatory statements. Herbert Kohl of Wisconsin said, “Based upon what I know of your record thus far, I could not vote for you to be a Supreme Court justice, but this is different.” Russell Feingold, also of Wisconsin, said, “a Republican president ought to be able to appoint people of strong conservative ideology.” He urged Democrats not to follow the example of the Republicans over the past eight years, repeatedly opposing executive and judicial nominations of the Clinton administration.

Several senators pointed to the cynicism of the Republican Party's approach to such nominations. As Leahy observed, Ashcroft himself had declared, in opposing the nomination of Bill Lann Lee to be assistant attorney general for civil rights, that Lee was well qualified but should not be confirmed because of his liberal political views. Now Ashcroft and other Republicans were insisting that it was illegitimate to make Ashcroft's extreme-right political views an issue.

Durbin noted that the nomination of Ashcroft made a mockery of Bush's claim to be “a uniter, not a divider.” Schumer asked how an attorney general who has characterized legal abortion as the mass murder of children could enforce federal laws protecting abortion clinics. Kennedy gave so detailed and effective an account of Ashcroft's record of opposing school desegregation in St. Louis that Ashcroft complained that he was being subjected to a “machine gun.”

By the second day of the hearings an air of unreality seemed to settle in, as Ashcroft repeated ritualistically the assertion that he would not, as Attorney General, be guided by the ultra-right political beliefs that have been the hallmark of his 30-year political career. Again and again he declared that he would vigorously enforce laws which he abominates, on civil rights, abortion rights, gay rights, etc.

At one point, in response to criticism of a friendly interview which he

gave to the magazine *Southern Patriot*, a racist publication that glorifies the Confederacy, Ashcroft felt compelled to declare, “Had I been fighting the Civil War, I would have fought with Grant.... Slavery is abhorrent.” It is a remarkable commentary on the rightward shift in American bourgeois politics, and especially in the Republican Party, that the nominee for attorney general of the United States should find it necessary to make such an assertion.



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