

# Collapse of the Miers nomination: Bush administration bows to the ultra-right

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The withdrawal of the nomination of White House Counsel Harriet Miers for the Supreme Court is a powerful demonstration of the Bush administration's extraordinary dependence on ultra-right and Christian fundamentalist elements, who enjoy effective veto power over key government decisions.

The Miers nomination was torpedoed, not by the Democratic Party, the nominal opposition party in Congress, but by the religious fanatics and bigots who comprise the "base" of the Republican Party. These forces exercise an influence out of all proportion to their actual public support. The deepening crisis of the Bush administration, which is increasingly discredited both in domestic and foreign policy, compels it to rely even more on these far-right forces.

The official fiction is that Miers herself decided to withdraw her name from consideration because of demands from both Republican and Democratic senators that the Bush administration supply documents on her work as White House secretary, deputy chief of staff and counsel over the past four-and-a-half years. This the White House refused to do, citing the need to preserve the confidentiality of its internal deliberations.

Miers was herself no "moderate," in the sense of being in any significant way opposed to the agenda of the extreme right. But she was not a proven, known quantity, and Bush's efforts to focus attention on her evangelical Christian views proved inadequate.

The Christian right demanded more than personal opposition to abortion rights or gay marriage. They wanted a nominee publicly committed to using her judicial position to impose the fundamentalist agenda—banning abortion, sanctioning school prayer, criminalizing homosexuality—on the majority of the American people who oppose it.

The Miers nomination was under fire from the far right from its inception. The contrast between this strident right-

wing opposition, and the tacit acceptance by these elements of John Roberts, Bush's nominee for chief justice, is worth considering.

Roberts was no more publicly committed to the Christian right social agenda than Miers. The obvious question is whether the ultra-right received assurances—either explicit or based on his political record—that Roberts would be a certain defender of their agenda on the high court.

The final blow to the Miers nomination came on Wednesday. The *Washington Post* reported that Miers, in a speech to a Dallas, Texas professional women's group in 1993, described the conflict over abortion rights in language that suggested she saw the issue as one of the democratic rights of women, rather than espousing the religious conception that the fetus is a full-fledged human being with an inviolable "right to life."

"The ongoing debate continues surrounding the attempt to once again criminalize abortions or to once and for all guarantee the freedom of the individual woman's right to decide for herself whether she will have an abortion," Miers said, according to the text published by the newspaper. "The more I think about these issues, the more self-determination makes the most sense," she continued. "Legislating religion or morality we gave up on a long time ago." Miers went on to compare abortion clinic blockaders to terrorists.

The *Post* also cited speeches given the same year, in which Miers made positive references to Supreme Court Justice Ruth Bader Ginsburg, just nominated to the high court by President Bill Clinton, and to Ann Richards, then the Democratic governor of Texas. Miers expressed the hope that "before too long," a woman could become president or vice-president of the United States.

The revelation that Miers expressed such conventional and unremarkable sentiments, twelve years ago, detonated another explosion of right-wing fury. Several far-right

lobbying groups which had not as yet taken a position on the nomination immediately declared they would oppose confirmation of Miers by the Senate. These included Concerned Women for America, founded by Beverly LaHaye, wife of the fundamentalist minister and co-author of the *Left Behind* book series, Tim LaHaye.

That same morning, Senate Majority Leader William Frist and Majority Whip Mitch McConnell visited the White House and warned Bush that support among Senate Republicans was crumbling. Early in the evening, Frist reportedly phoned Bush and told him that a preliminary head-count showed Miers could be confirmed only if she received substantial Democratic Party support—a result that would further inflame the far right. A few hours later, Miers telephoned Bush to withdraw from consideration.

The decision to back down in the face of the ultra-right campaign no doubt reflects a calculation that confirmation of Miers could so alienate the Christian fundamentalists that the Republican Party would lose control of Congress in the 2006 elections. Congressional Republican leaders are already concerned about plunging support in opinion polls and the refusal of many prospective candidates to run in critical House and Senate races.

As for the White House itself, while Bush does not face reelection, his administration cannot afford to antagonize its closest political allies under conditions where its political support has shriveled and it faces the possibility of criminal prosecution for dirty tricks against opponents of the Iraq war.

Bush aides are waiting nervously for the expected indictments to be handed down by a Washington grand jury investigating the leaking of classified information about a CIA undercover operative, Valerie Plame, in an effort to punish her husband, ex-diplomat Joseph Wilson, who publicly exposed some of the lies used by the administration to justify the war in Iraq.

Media speculation has suggested that both Karl Rove, Bush's principal political aide, and I. Lewis Libby, Vice President Cheney's chief of staff, will be indicted and forced to resign their posts. The grand jury has an October 28 deadline to return indictments in the investigation, which has gone on for more than 18 months.

The Plame case is only the latest in a string of political blows suffered by the Bush administration: its well-publicized failures in the Hurricane Katrina disaster, the impact of soaring gasoline prices, the indictment of House Majority Leader Tom DeLay, the insider-trading investigation of Senate Majority Leader Frist, and the spreading scandal over influence-peddling by Republican

lobbyist Jack Abramoff.

Overshadowing all of these is the disastrous outcome of the invasion and occupation of Iraq. Miers withdrew her name from nomination the day after the Pentagon announced that the US death toll in Iraq had topped 2,000.

The US military refuses to make public any figures on Iraqis killed as a result of the invasion, but human rights and antiwar groups have estimated the total as upwards of 100,000, with tens of thousands more injured and maimed by US bombs, rockets and other weaponry.

There is no alternative to this regime in the official bourgeois opposition party, the Democrats. After the withdrawal of Miers—whose nomination he effusively welcomed—Senate Minority Leader Harry Reid lamented that the “radical right wing” had forced Bush to retreat. The 2004 Democratic presidential candidate, Senator John Kerry, expressed similar sentiments in a speech Thursday. Senator Edward Kennedy pleaded with Bush to present a new Supreme Court nominee who would receive across-the-board support from both parties.

This appeal for unity was answered by ultra-right media pundits like Rush Limbaugh and Ann Coulter, who demanded Bush choose the most provocative possible right-wing nominee to the court, in order to force a confrontation with the Democrats. Bay Buchanan, sister of Patrick Buchanan, an ultra-right presidential candidate in 1996 and 2000, warned Bush not to risk further right-wing recrimination with his next selection. “If he turns around with another Harriet Miers,” she said, “he’s going to turn a revolt into a revolution.”

Despite the triumphalism of these fascistic voices and their inordinate influence in official Washington, the outcome of the Supreme Court conflict remains uncertain. But the Miers episode is a warning to the American people of the immense dangers to their democratic rights posed by the policies of this government and its subordination to the forces of the extreme right.



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