

Gonzalez before the Senate Judiciary Committee: The Bush clique on life support

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Thursday's day-long interrogation of Attorney General Alberto Gonzales before the Senate Judiciary Committee provided a picture of an administration visibly in crisis, but with a political "opposition" unwilling and unable to seriously criticize the regime, let alone genuinely combat it.

Both Republicans and Democrats on the Senate panel sought to focus attention on Gonzales's individual conduct, interpreted variously as incompetence, mismanagement or outright lying, while obscuring the most fundamental and overriding issue: the systematic onslaught by the Bush administration against democratic rights and constitutional processes, in which both parties are complicit.

Gonzales appeared after more than a month of public criticism of the summary firing of eight US attorneys, nearly one in ten federal prosecutors nationwide, in what was evidently a politically motivated purge. The eight prosecutors, all Republican loyalists appointed by Bush in 2001, denounced administration claims that they had been dismissed for "performance reasons." The real issue, they charged, was that they had either prosecuted Republicans or failed to prosecute Democrats on various corruption charges.

Even more seriously, there is evidence that the Bush White House sought to instigate bogus prosecutions of "vote fraud" before both the 2004 and 2006 elections, to intimidate opponents and depress the Democratic vote. Chief White House political aide Karl Rove was said to be preparing an even more ambitious campaign to influence the result of the 2008 presidential election, and wanted to get compliant prosecutors in place. Hence the dismissals in key battleground states like New Mexico, Arizona, Nevada, Washington, Michigan and Arkansas (as well as in northern and southern California).

In the weeks before Gonzales testified, the attorney general gave a series of conflicting accounts of the reasons for the firings and his own role in them, summed up in one exasperated question from Judiciary Committee chairman Patrick Leahy of Vermont: "Part of my problem is we've had a number of statements about the dismissal of these eight US attorneys. I just want to know which one is the accurate one. Your January 18th testimony? Your March 7th op-ed in USA Today? Or your March 13th press conference? Or your March 26th interview with Pete Williams on MSNBC? Or your written testimony that was submitted in advance today? Or your live testimony here today?"

The hearing provided no answers to these and other questions. Instead, it put on display a salient feature of the Bush administration: the president's penchant for surrounding himself with political and moral ciphers, individuals who will not only be disinclined to challenge Bush's own narrow, right-wing mindset, but virtually incapable of doing so. As abysmal as are the president's intellectual

powers, those of many of his closest aides are even lower.

Gonzales himself is a hack of hacks, a man who attached himself to Bush at the earliest stage of his political career and served him loyally from then on in a series of reprehensible and ultimately criminal roles. In the course of Bush's six years as governor of Texas, Gonzales oversaw the execution of 152 Texas Death Row prisoners. As White House counsel, he drafted the guidelines endorsing torture of prisoners captured in the "war on terror," dismissing provisions of the Geneva Conventions as "quaint" and "outmoded." As attorney-general, he rubber-stamped the illegal surveillance of the telephone and e-mail communications of millions of Americans.

At the Judiciary Committee hearing, Gonzales wobbled and clinched like a punch-drunk fighter, resorting nearly 100 times to claims that he could not remember major events as recent as last November. Even more frequently, he engaged in legalistic baffleleg aimed at obscuring issues, killing time and encouraging his cable television audience to turn off their sets.

Here are a few samples (all quotes verbatim from the transcript):

Could he give specific reasons why seven US attorneys were fired on December 7, 2006?

GONZALES: Senator, I have in my mind a recollection as to knowing as to some of these United States attorneys. There are two that I do not recall knowing in my mind what I understood to be the reasons for the removal.

Was the US attorney for Las Vegas, Nevada, Daniel Bogden, fired because his office had conducted an investigation of a Republican congressman?

GONZALES: I do not recall what I knew about Mr. Bogden on December 7th. That's not to say that I wasn't given a reason; I just don't recall the reason. I didn't have an independent basis or recollection of knowing about Mr. Bogden's performance.

Was the US attorney for Milwaukee, Stephen Biskupic, taken off the firing list because his office prosecuted an official of the Democratic-controlled state government?

GONZALES: Senator, I — again, this was a process that was ongoing that I did not have transparency into. I don't recall — transparency into with respect to Mr. Biskupic.

In response to criticism that he did not appear to have prepared for the hearing:

GONZALES: Senator, I didn't say that I was always prepared. I said I prepared for every hearing.

And the response that summed up both the content and form of his testimony:

GONZALES: Senator ... I don't recall remembering.

The attorney-general's Democratic and Republican questioners,

with only a few exceptions, voiced befuddlement, frustration or anger at the non-stop hairsplitting and stonewalling.

Alabama Senator Jeff Sessions, a hard-line Republican right-winger, expressed astonishment when Gonzales claimed he had no recollection of the meeting on November 27, 2006 where top officials of the Justice Department discussed and ratified the firing of seven federal prosecutors. "I'm concerned about your recollection," he said, "because it's not that long ago. It was an important issue."

Gonzales's account was "significantly, if not totally, at variance with the facts," said the senior Republican member, Arlen Specter of Pennsylvania. The handling of the firings was "really deplorable," said Senator John Cornyn of Texas, a down-the-line Bush loyalist. Republican Lindsey Graham of South Carolina suggested that Gonzales and his aides "were trying to make up reasons to fire them because we wanted to get rid of them." Ultra-right Republican Tom Coburn of Oklahoma called on Gonzales to resign, declaring, "I believe you ought to suffer the consequences that these others have suffered."

There were, in six hours of testimony, a few shreds of substance. Gonzales confirmed that he had discussed the performance of US attorneys with White House officials, including President Bush, although he maintained that he had no memory of what Bush said to him. Karl Rove, he said, had pressed for more aggressive prosecution of vote fraud in New Mexico, Wisconsin and Pennsylvania. He admitted to discussing the fate of at least two of the fired prosecutors, Carol Lam of San Diego and David Iglesias of New Mexico, in the months before their discharge.

Gonzales conceded, under questioning by Democrats Diane Feinstein and Edward Kennedy, that he had not read the performance reviews for any of the eight fired US attorneys before he signed off on their dismissals. But he successfully stalled demands that he tell the committee who nominated the eight for removal—joining a long list of Justice Department officials who have all claimed, under oath, that they did not personally propose a single firing, but only collected names suggested by others. The following exchange took place:

FEINSTEIN: And to this time, we do not know who actually selected the people to be put on the list.

GONZALES: Senator ...

FEINSTEIN: I would like to know who selected the individuals that were on that list.

GONZALES: Senator ...

FEINSTEIN: Somebody had to. A human being had to.

The attorney-general also admitted that he had agreed to the firing of Iglesias because the prosecutor had lost the confidence of the five-term Republican senator from New Mexico, Pete Domenici. Iglesias has testified that Domenici and Republican Congresswoman Heather Wilson of Albuquerque moved to fire him because he rejected their demands to bring a corruption case against a local Democratic politician last fall, when Wilson faced a difficult reelection campaign.

In perhaps his most bizarre declaration, however, Gonzales suggested that Iglesias deserved to be fired because he had not reported the attempt of these two powerful legislators to interfere with the working of his office, which could constitute obstruction of justice. "If a member of Congress contacts a U.S. attorney to put pressure on them on a specific case, that is a very, very serious issue," he said. "Mr. Iglesias did not report these conversations. That was a serious transgression. He intentionally violated a policy meant to protect him."

Democratic senators conducted the bulk of the questioning of

Gonzales, but their questions focused exclusively on the manner of the firings and Gonzales's specific role in the process, raising neither the broader implications of the purge or the overall record of the Bush Justice Department in attacking democratic and civil rights.

There seems to have been a prior agreement between senators of both parties not to raise such issues as the abuse of national security letters by the FBI and the illegal surveillance of telecommunications and e-mails by the NSA, both of which Gonzales has vocally defended.

Gonzales appeared before the committee as part of its regular work in overseeing the Justice Department, and his prepared statement discussed the work of the department over the past year on a wide range of issues. Not one Democrat strayed from the subject of the firings, however. In other words, they deliberately kept the hearing focused on the Bush administration's treatment of eight Republican prosecutors, rather than addressing its much greater crimes against the American people, the Constitution and international law.

One study has found that the Department of Justice has investigated or prosecuted corruption charges against 298 Democrats and only 67 Republicans in the past six years. Not a single Democratic senator cited this widely reported finding. Likewise, the Justice Department has conducted multiple investigations of alleged vote fraud since 2001, but not a single case involving the denial of the right to vote for black, Hispanic or other minority voters. There were no questions on that either.

In his closing remarks, Leahy, the Democratic chairman of the committee, made reference to "the widespread abuses of national security letters, and we know it goes even beyond what we've heard. You have the invasion of Americans' privacy, in an unprecedented fashion. Never in this country have we had such an invasion of Americans' privacies. We see the inaccuracies, gross inaccuracies, in the department's FISA applications, Foreign Intelligence Surveillance Act applications."

But while Gonzales was actually testifying, Leahy spent more time rebuking anti-Bush protesters in the hearing room audience—who occasionally raised signs denouncing Gonzales as an advocate of torture, imprisonment without trial and destruction of the right of habeas corpus—than he did raising those subjects with the highest-ranking official of the Department of Justice.

The attorney-general appears unlikely to survive the current controversy; unnamed White House officials who spoke to CNN after the hearing described his appearance as "going down in flames," "very troubling," and like watching someone "clubbing a baby seal." But his individual fate is of little importance. Thanks to the cowardice and complicity of the official "opposition," the administration in which he has served as a cog continues.



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