

# White House seeks to contain popular anger over BP oil disaster

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The Obama administration has been thrown into crisis by the BP oil eruption, the worst environmental disaster in US history. Seeking to contain mounting popular anger, it announced Tuesday a criminal probe into the April 20 oil rig explosion, which killed 11 workers.

Speaking in Louisiana, US attorney general Eric Holder gave few details, saying only that any law breaking would be punished. No subpoenas have been issued, and no time frame was given. Holder did not say who would be targeted, but Justice Department sources say that oil well owner BP and rig owner and operator Transocean have been ordered to preserve documents for possible investigation.

The Justice Department is reportedly weighing civil prosecution under several laws, including the Clean Water Act, the Migratory Bird Treaty Act, the Endangered Species Act, and the Oil Pollution Act of 1990. Criminal prosecution could also result from false statements and obstruction of justice, unnamed White House sources told the media.

The decision comes only after oil has been erupting from the bottom of the Gulf of Mexico for six weeks. The administration has insisted that BP—the presumed target of any criminal investigation—must remain in control of the response. As late as last week, Obama appeared at two media events, including a major press conference, where he made no mention of criminal investigations.

The administration was evidently hoping that BP's last attempt to stop the gushing oil—the “top kill”—would, despite all odds, work. When it failed, it became clear that the crisis would play out for months, at least through August. The result is not only a social and ecological catastrophe for the Gulf, but a political catastrophe for Obama.

Now, the administration is playing for time. The announcement of the investigation aims to contain mounting popular anger, as each passing day brings with it another million or more gallons of oil poisoning the Gulf.

On the other hand, any talk of indictments or culpability, no matter how symbolic, will be met with fierce resistance from the ruling class. On Tuesday the *Financial Times* warned the administration against “submitting to...incoherent and unfair” criticism. “The White House should leave impotent rage to editorial writers and television pundits,” it wrote. In other words, it should reject any talk of holding anyone accountable for the disaster.

The administration's attempts to assuage popular anger, on the one side, and to protect the interests of the oil industry or the corporate elite on the other, explains the half-hearted and vague character of Holder's announcement. “We are not in a position yet where I think we have in our own minds who should be ultimately held liable,” Holder said.

In fact an abundance of evidence suggests that multiple laws and regulations were broken in the Deepwater Horizon's planning, drilling and drill capping processes. Legally mandated steps were passed over or otherwise expedited, multiple warnings of impending disaster were ignored, and safety equipment failed, testimony and documents have made clear.

In his announcement, Holder reiterated the administration's position that BP must remain in charge of the cleanup effort and the spill site. “It is in BP's interest to keep doing what they're doing,” offered the attorney general, passing over the obvious contradiction of leaving the potential subject of a criminal investigation in charge of the crime scene.

No confidence can be placed in an investigation carried out by the Obama administration, which is fully implicated in the disaster. At every step the federal government granted approval to BP's plans and disregarded its abuses, with the Obama administration even excusing it from providing legally required environmental impact studies for the Deepwater Horizon site.

The administration remains committed to protecting the interests of the oil industry as a whole. Holder's announcement of a potential criminal investigation coincided with Obama's announcement of a commission whose primary purpose will be to give deep-sea oil drilling a clean bill of health. The commission will be headed by former Democratic governor of Florida, Bob Graham, and former Environmental Protection Agency head—and current board member of oil major ConocoPhillips—William K. Reilly.

Only after such an investigation “can we be assured that deepwater drilling can take place safely,” Obama said at a Tuesday media event, flanked by Graham and Reilly. “Only then we can we accept further development of these resources... Only then can we be confident that we've done what's necessary to prevent history from repeating itself.”

The *New York Times* recounted the discussion among the three prior to Obama's talk. “During the meeting in the Oval Office, the president was adamant that the government and the industry had to find a way to make offshore drilling safe because the nation needs the oil,” it reported.

It is revealing that such a seemingly routine step as a criminal investigation promotes such controversy in ruling circles.

The White House fears that a criminal investigation will only raise more persistently the question of why BP should continue to exist. Furthermore, a criminal investigation of BP threatens, by implication, the same corporate criminality and government-sponsored deregulation that characterize the entire US economy, and most notably its banking industry, whose reckless financial manipulation led to the worldwide economic crisis.

To acknowledge the obvious—the criminality of BP—threatens the delicate ideological framework of “free market capitalism” that has been promoted as an

object of worship in the US for decades, and which the Obama administration unconditionally defends.



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