



Bush taps legal aide to replace Ashcroft

White House counsel longtime friend from Texas

By Andrew Zajac, Washington Bureau. Jan Crawford Greenburg of the Tribune's Washington Bureau contributed to this report; the Associated Press also contributed

Published November 11, 2004

WASHINGTON -- President Bush on Wednesday nominated White House counsel and old Texas friend Alberto Gonzales as the next attorney general, positioning him to become the first Hispanic to serve as the nation's chief law-enforcement officer.

Gonzales' life story--he is the son of Mexican immigrants--is the tale of an ambitious young man with humble roots who worked his way into the highest councils of power.

For much of the last decade, Gonzales has helped develop or defend several of the most hard-nosed and controversial policies championed by Bush, first as Texas governor and then as president, including aggressive use of the death penalty, increased government secrecy and the confinement and harsh treatment of terrorism suspects.

In announcing his choice to replace outgoing Atty. Gen. John Ashcroft, Bush said Gonzales' "sharp intellect and sound judgment have helped shape our policies in the war on terror . . . designed to protect the security of all Americans, while protecting the rights of all Americans."

Civil libertarians and at least some Senate Democrats have not found Gonzales to be quite so evenhanded, and they quickly signaled a desire to question him vigorously in confirmation hearings.

But there appeared to be little immediate appetite to try to torpedo Gonzales' nomination.

His "public record taken as a whole is not as clear as Ashcroft's," said Ralph Neas, president of the People for the American Way, a liberal advocacy group. "His nomination raises serious concerns, but we are not going to take a position right away."

Some conservatives have said that Gonzales' views on abortion and other issues are not sufficiently clear.

But the president of the right-leaning Christian Coalition said that Gonzales' closeness to Bush is what matters most.

"He's a friend of the president, and I think that's very important," said Roberta Combs, the group's president.

In remarks with Bush Wednesday, Gonzales said that serving as attorney general requires "a special level of trust and integrity . . . and there should be no question regarding the [Justice] Department's commitment to justice for every American."

He is the latest in a series of key appointees from Bush's so-called Texas mafia, a group that includes senior adviser Karl Rove, communications director Dan Bartlett and departing

Commerce Secretary Don Evans.

Although less publicly wedded to conservative social issues, Gonzales is similar to Ashcroft in his staunch support for an unfettered federal hand in pursuing terrorists and in defending the need for governmental secrecy.

At the beginning of his White House tenure, Gonzales wrote an executive order making it easier to keep presidential papers sealed and repeatedly cited executive privilege to keep secret the makeup and activities of an industry task force convened by Vice President Dick Cheney to help set energy policy.

Record on POWs

In January 2002, Gonzales authored a memo that argued that the Sept. 11 attack "renders quaint" certain provisions of the Geneva Conventions on protections for prisoners of war.

Gonzales also helped devise the administration's legal case for imprisoning terrorism suspects indefinitely without access to lawyers.

But key elements of the resulting detention policies have not withstood court scrutiny.

Last summer, the Supreme Court curbed the government's power to detain certain prisoners, ruling that those held as enemy combatants had a right to plead their cases in court.

Earlier this week, a federal judge ruled that a special military commission convened at Guantanamo Bay, Cuba, to judge alleged enemy combatants held there was unlawful.

At least one group, the Center for Constitutional Rights, which represents families of some of the Guantanamo detainees, announced its opposition to the Gonzales nomination.

Center director Michael Ratner said that Gonzales authorship of the 2002 memo about the Geneva Conventions should disqualify him from serving as attorney general.

Criticism of policies

"It opened the door to inhumane treatment of human beings," Ratner said.

"I consider it the road to Abu Ghraib," he said, referring to the Iraqi prison where U.S. soldiers abused and humiliated prisoners.

In general, Gonzales does not inspire the kind of opposition that greeted the nomination of Ashcroft, who had a lengthy record as an arch-conservative partisan.

"He's no Ashcroft, and the reaction to him will be better than it was with Ashcroft," predicted one Senate Democratic staffer.

Nonetheless, Gonzales should expect tough questioning on the administration's legal views in the war on terrorism, including the use of torture and the use of the military commissions at Guantanamo Bay, according to Senate staffers.

Gonzales also will come under scrutiny for his role in vetting candidates for the federal bench, which some Democrats say include a growing number of extremist conservatives.

Nonetheless, Senate Judiciary Committee Chairman Orrin Hatch (R-Utah) expressed confidence Wednesday that Gonzales would be promptly confirmed.

Born in San Antonio, Gonzales was the second of eight children of migrant farmworkers. His father later became a construction worker and was killed in a 1982 construction accident.

Having earned a law degree from Harvard University, Gonzales became the first minority partner at Vinson & Elkins, a powerful Houston-based firm.

The firm's clients included Enron Corp., and the energy company, which is under Justice Department investigation, was an eventual donor to a Gonzales campaign fund when he was running to hold his seat on the Texas Supreme Court.

Gonzales moved into the public sector in 1995 when Bush, then Texas governor, selected him as chief counsel.

In that job, Gonzales' duties included keeping Bush informed of petitions for clemency from condemned prisoners.

Magazine examined cases

According to the Atlantic Monthly, Gonzales handled 57 such petitions but sometimes provided Bush with only cursory reviews of the cases, leaving out crucial information such as ineffective counsel and evidence of innocence.

Bush appointed Gonzales as Texas secretary of state and later to the state's Supreme Court, then brought him to Washington after he was elected president.

Copyright © 2004, Chicago Tribune