

This Case Will Unravel

By Amy E. Wong



The Bush Administration should be walking on pins and needles after Republications lost control of Congress to the Democrats in the November elections, but I was wrong. They are stomping their way through DC, making their policies and methods ring loud and clear in every current news headline.

After criticizing President Bush's Iraq War plans and Vice President Cheney Administration's CIA leak, the public has now shifted their focus towards the dismissal of eight U.S. attorneys, a case that JD2B previously wrote about.

Sanford Levinson, professor of law at The University of Texas at Austin, noted in The Guardian that the Administration's last scandal may "generate an ever-widening 'credibility gap' with regard to its public pronouncements."

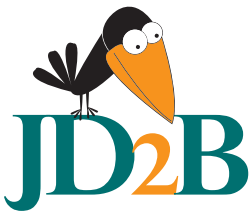
According to Levinson, Democrat majorities in the House and Senate are bent on subpoenaing the testimony of several White House officials loosely affiliated with the U.S. attorneys' dismissal. They want to see if there was foul-play in the attorneys' dismissal.

Although Attorney General Alberto Gonzalez maintains that the eight attorneys were fired because of their incompetence, six of the eight fired attorneys received good performance ratings. Gonzalez's contention is highly unlikely.

Furthermore, in a testimony before Congress, the attorneys asserted that Republican legislators urged them to investigate issues such as voter fraud. When the attorneys refused to take on the risqué assignment, they were promptly fired and replaced by Karl Rove, Deputy Chief of Staff to President Bush.

If the attorneys weren't fired for their poor performance, was it because they refused to, as Levinson said, "use (and abuse) the law against Democratic party antagonists?" It certainly seems that way, especially since the eight attorneys were replaced by someone whom many would consider as Bush's right hand man.

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This unprecedented move has raised many red flags, especially amongst Congressional Democrats.

Congress is now pulling its weight to ensure proper checks-and-balances of the executive branch by vigorously investigating the seemingly arbitrary firing of eight attorneys. Was there a covert agenda? Many are expecting Congress to subpoena Rove.

If Congress subpoenas Rove, which I think it will, the Bush Administration will block the subpoena as long as it can, even if they have to bring the case to court. In that case, it may take a couple of years to resolve the case.

But, Levinson brings up an important point in his article: “The Supreme Court has created a doctrine of ‘executive privilege’, which allows the president to prevent testimony of some of his associates when the subject matter would presumptively impinge too much on the acknowledged interest of the president’s being able to consult with subordinates without fear of ensuing publicity via compelled testimony.” In short, Bush can use his ‘executive privilege’ to protect Rove from the Congressional subpoena.

In most cases, too, the conservative judges now comprising most federal courts may even uphold Bush’s “presidential prerogative.”

In any case, I’m with Levinson when he says that Bush’s “executive privilege” won’t fly in the court of public opinion. Our interests are piqued. We’re not going to allow Bush to get off so easily. We want to hear what Rove has to say. I, for one, want to know what’s going on. I’m sick of having these sheets pulled over my head.