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## **Ethics Question for Roberts Was he Caught in a Conflict of Interest?**

Editorial  
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Supreme Court nominee John G. Roberts has some explaining to do. He was a member of a three-judge appeals court panel hearing a case that deeply involved the White House, at the same time he was interviewing with top White House officials screening candidates for appointment to the high court. That's troubling. He should have done something at the time to address what appears to be a conflict of interest.

The Senate Judiciary Committee should press Roberts hard on what he did and didn't do and why. A Supreme Court justice needs a finely honed sense of judicial ethics.

If it didn't involve the White House, this would have been an easy call. Had a private company defending itself in a lawsuit secretly offered a judge on the case his dream job, the judge would have been expected to disclose the compromising situation to everyone involved - or recuse himself.

Roberts did neither in the case of Salim Ahmed Hamdan, a Guantanamo detainee challenging administration plans to put him on trial before a military tribunal. What Roberts did was vote in favor of the White House position that the tribunal was appropriate and Hamdan was not protected by the Geneva Conventions. Far from a routine dispute, the case is a key front in the larger battle to define the limits of presidential power in the war on terror. On April 1, one week before the case was argued, Roberts was interviewed by Attorney General Alberto Gonzales, head of the Justice Department that was representing the administration against Hamdan and, as former White House counsel, adviser to the president on detention policies.

On May 3, Roberts met with a Who's Who in the White House, including Vice President Dick Cheney, chief of staff Andrew Card, Bush's top political adviser Karl Rove and Gonzales. Then, just days before Roberts' Supreme Court nomination was announced on July 19, the appeals court panel ruled unanimously for the administration.