

The following text may be printed, copy/pasted, or downloaded and emailed.

Questions for Gonzales

EDITORIAL
THE RECORD (NJ)
January 5, 2005

BARRING any surprise revelations, it's likely that Alberto Gonzales will be confirmed as attorney general. But that shouldn't happen before Mr. Gonzales, now White House counsel, is asked hard questions about his role in "torture memos" and policies linked to the prisoner abuse scandal at Abu Ghraib and elsewhere.

His confirmation hearings before the Senate Judiciary Committee begin tomorrow, just days after the Justice Department reversed itself and quietly issued new guidelines saying "torture is abhorrent both to American law and values and to international norms."

The senators should ask Mr. Gonzales why those guidelines had to be issued now and why they haven't been U.S. policy all along.

As White House counsel, Mr. Gonzales wrote a memo to President Bush three years ago saying the Geneva Conventions' strict limitations on questioning enemy prisoners were "obsolete." Mr. Gonzales supported the position that international law and U.S. law governing the treatment of prisoners did not apply in the war on terror. He also appeared to support the use of torture at times and suggested ways to avoid prosecution for such treatment.

What followed, directly or indirectly, was a flood of appalling photos of cruel and degrading treatment of Iraqi prisoners that brought shame on the United States. We now know that such treatment was not limited to one prison in Iraq, but extended to prisoners from Afghanistan held at Guantanamo Bay in Cuba.

Mr. Gonzales is also linked to several White House positions in the war on terror - such as the argument that the president has the right to detain "enemy combatants" indefinitely without trial - that have been ruled against by the courts, including the U.S. Supreme Court, for violating basic rights.

That's why several retired military officials have written to the Senate Judiciary Committee about Mr. Gonzales, saying the Bush administration's detention and interrogation policies "undermined our intelligence gathering efforts and added to the risks facing our troops serving around the world."

Mr. Gonzales is seeking to become the nation's top law enforcement official. Yet he appears to have been willing to play semantic games to allow the president to get around the law.

He should be asked whether he's changed his mind about the memos he wrote or whether he still believes torture is permitted under certain conditions. He should be asked whether, as attorney general, he would answer to the president or to the American people, as he should.

He would be the first Hispanic attorney general, and he has gone from childhood poverty to Harvard Law School and great success in private practice and government service - accomplishments hard to ignore.

But Mr. Gonzales was centrally involved in misguided White House policies that have damaged the reputation of the United States around the world. Americans should be eager to hear his explanations - and his acknowledgment of those mistakes.

