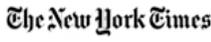


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EDITORIAL

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## Gonzales v. Gonzales

Published: April 20, 2007

If Attorney General Alberto Gonzales had gone to the Senate yesterday to convince the world that he ought to be fired, it's hard to imagine how he could have done a better job, short of simply admitting the obvious: that the firing of eight United States attorneys was a partisan purge.

Mr. Gonzales came across as a dull-witted apparatchik incapable of running one of the most important departments in the executive branch.

He had no trouble remembering complaints from his bosses and Republican lawmakers about federal prosecutors who were not playing ball with the Republican Party's efforts to drum up election fraud charges against Democratic politicians and Democratic voters. But he had no idea whether any of the 93 United States attorneys working for him — let alone the ones he fired — were doing a good job prosecuting real crimes.

He delegated responsibility for purging their ranks to an inexperienced and incompetent assistant who, if that's possible, was even more of a plodding apparatchik. Mr. Gonzales failed to create the most rudimentary standards for judging the prosecutors' work, except for political fealty. And when it came time to explain his inept decision making to the public, he gave a false account that was instantly and repeatedly contradicted by sworn testimony.

Even the most loyal Republicans on the Senate Judiciary Committee found it impossible to throw Mr. Gonzales a lifeline. The best Orrin Hatch of Utah could do was to mutter that "I think that you'll agree that this was poorly handled" and to suggest that Mr. Gonzales should just be forgiven. Senator Sam Brownback led Mr. Gonzales through the names of the fired attorneys, evidently hoping he would offer cogent reasons for their dismissal.

Some of his answers were merely laughable. Mr. Gonzales said one prosecutor deserved to be fired because he wrote a letter that annoyed the deputy attorney general. Another prosecutor had the gall to ask Mr. Gonzales to reconsider a decision to seek the death penalty. (Mr. Gonzales, of course, is famous for never reconsidering a death penalty case, no matter how powerful the arguments are.)

Mr. Gonzales criticized other fired prosecutors for "poor management," for losing the confidence of career prosecutors and for "not having total control of the office." With those criticisms, Mr. Gonzales was really describing his own record: he has been a poor manager who has had no control over his department and has lost the confidence of his professional staff and all Americans.

Mr. Gonzales was even unable to say who compiled the list of federal attorneys slated for firing. The man he appointed to conduct the purge, Kyle Sampson, said he had not created the list. The former head of the office that supervises the federal prosecutors, Michael Battle, said he didn't do it, as did William Mercer, the acting associate attorney general.

Mr. Gonzales said he did not know why the eight had been on the list when it was given to him, that it had not been accompanied by any written analysis and that he had just assumed it reflected a consensus of the senior leaders of his department. At one point, Mr. Gonzales even claimed that he could not remember how the Justice Department had come to submit an amendment to the Patriot Act that allowed him to fire United States attorneys and replace them without Senate confirmation. The Senate voted to revoke that power after the current scandal broke.

At the end of the day, we were left wondering why the nation's chief law-enforcement officer would

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paint himself as a bumbling fool. Perhaps it's because the alternative is that he is not telling the truth. There is strong evidence that this purge was directed from the White House, and that Karl Rove, Mr. Bush's top political adviser, and Harriet Miers, the former White House counsel, were deeply involved.

Yesterday, Mr. Gonzales admitted that he had not been surprised by five of the names on the list because he had heard complaints about them — from Republican senators and Mr. Rove.

In another telling moment, Mr. Gonzales was asked when he had lost confidence in David Iglesias, who was fired as federal prosecutor in New Mexico. His answer was an inadvertent slip of truth.

"Mr. Iglesias lost the confidence of Senator Domenici, as I recall, in the fall of 2005," Mr. Gonzales said. It was Senator Pete Domenici of New Mexico, of course, who made a wildly inappropriate phone call to Mr. Iglesias in 2006, not 2005, to ask whether charges would be filed before the election in a corruption inquiry focused on Democrats. When Mr. Iglesias said he did not think so, Mr. Domenici hung up and complained to the White House. Shortly after, Mr. Iglesias's name was added to the firing list.

We don't yet know whether Mr. Gonzales is merely so incompetent that he should be fired immediately, or whether he is covering something up.

But if we believe the testimony that neither he nor any other senior Justice Department official was calling the shots on the purge, then the public needs to know who was. That is why the Judiciary Committee must stick to its insistence that Mr. Rove, Ms. Miers and other White House officials testify in public and under oath and that all documents be turned over to Congress, including e-mail messages by Mr. Rove that the Republican Party has yet to produce.

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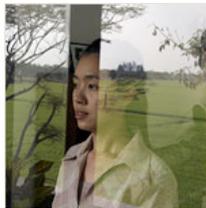
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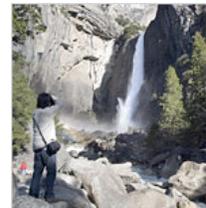


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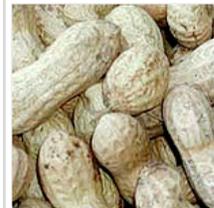
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