



New Attorney General Will Help Shape National Policy

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Now that President Bush has won a second term, he is making changes to his Cabinet, including nominating White House lawyer Alberto Gonzalez to replace Attorney General John Ashcroft as the head of the Justice Department -- the top law enforcement office in the federal government.

Gonzalez, a former Texas Supreme Court judge and secretary of state, has been hailed by the Bush administration as a trusted friend in times of crisis and someone with an "unwavering principle of respect for the law."

But civil liberty groups, such as the American Civil Liberties Union and People for the American Way, question Gonzalez's respect for civil liberties, a major area of law in the Justice Department. They accuse Gonzalez of authoring a memo giving the U.S. administration the green light to disregard anti-torture laws and international treaties that protect prisoners during times of war.

At the time of the Abu Ghraib prisoner abuse scandal, when it was found that U.S. soldiers had tortured Iraqi prisoners, Gonzalez's memo was criticized as providing justification for the abuse.

The role of the attorney general

The din surrounding Gonzalez's nomination is not unique. In general, the nomination of a candidate for the attorney general's post is controversial because the position wields a lot of power. As head of the Justice Department, the attorney general represents the government in Supreme Court cases and presides over cases of federal crimes such as corporate fraud, drug trafficking, gun crimes, and child exploitation and Internet fraud crimes such as Internet child pornography.

And, though the attorney general is the only member of the president's Cabinet not given the title secretary, whoever fills the post often is one of the president's closest advisors.

"This is a role that is traditionally filled or often filled with people who are, if not the president's brother -- which has happened -- close friends," said political analyst David Brooks, referring to John F. Kennedy's appointment of his brother Robert to the post.

"And there is a certain style of person, I would say, if you look at various parts of the administration, the president likes," Brooks added. "A quiet person, [who's] maybe not going to create independent policies, attract independent attentions, but [be] quietly competent and loyal."

Attorneys general in history

The attorney general is often thrust into the national limelight.

In 1919, Attorney General A. Mitchell Palmer rounded up and arrested more than 10,000 foreign nationals accused of being part of a possible Communist revolution and held them without trial. The raids, criticized as an abuse of the attorney general's power, became known as the Palmer raids.

In 1993, newly appointed Attorney General Janet Reno, the country's first woman attorney general, faced her first crisis when 76 members of a religious sect known as the Branch Davidians died in a fire at their Waco, Texas, compound during a 51-day standoff with federal officers.

An investigation found that federal agents under Reno's watch had used pyrotechnic, or fire-starting, devices as part of a raid to end the standoff.

Reno again faced criticism when she ordered the forceful removal of 6-year-old Cuban immigrant Elian Gonzalez from his family's home in Miami. Gonzalez had been taken in by relatives in Miami after an accident killed his mother. But when Cuban leader Fidel Castro joined Gonzalez's father in demanding the boy's return to Cuba, Reno sent armed guards to storm the family's home in a highly publicized raid.

During Ashcroft's four years in office, the former senator from Missouri was at the center of a national debate over the controversial USA Patriot Act, an anti-terrorism law passed in 2002 that gave federal officers more power to gather information about individuals. Opponents of the law said it ate away at civil liberties.

A new successor

Gonzalez must now face a series of questions as part of a Senate confirmation hearing. As Ashcroft's successor, Gonzalez will face scrutiny over his ability to fight terrorism while maintaining American civil liberties.

"John Ashcroft's tenure has made clear that the post of attorney general holds the key to our most fundamental freedoms," said a statement from the ACLU after Ashcroft's resignation. "It is not enough for the White House to simply put a fresh face on the same old policies of violating civil liberties and human rights."

At the nomination press conference, Gonzalez said "the American people expect and deserve a Department of Justice guided by the rule of law, and there should be no question regarding the department's commitment to justice for every American."

--Compiled by Kristina Nwazota for NewsHour Extra

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