U.S. attorney firings require perspective

by The Detroit News

The flap about the Bush administration's firing of eight U.S. attorneys is overblown. Subpoenas authorized by the injudicious House Judiciary Committee for administration figures are an abuse of congressional authority. U.S. attorneys are executive branch appointees and serve at the pleasure of the president.

They are not federal judges and do not have lifetime tenure. It appears that most of the firings are based on policy differences between the Bush administration and the federal prosecutors involved. When critics complain that "politics" is involved in the firings, the appropriate answer is "yes - so what?"

The firings appear to be over the federal district attorneys' lack of enthusiasm for prosecuting immigration, vote fraud and pornography cases or seeking the death penalty. We don't necessarily agree with the priorities in all of these areas. But presidents are entitled to set agendas and have their appointees adhere to them.

That said, some of the firings do appear to be shabby. Justice Department officials, including Attorney General Alberto Gonzales, have given shifting and inconsistent reasons for the firings. This has emboldened congressional Democrats to try to inflate the issue into a major scandal.

At first, Justice Department officials said some of the attorneys were removed for performance reasons. But many of them received excellent performance ratings. The release of internal administration e-mails has revealed such unappealing details as the fact that the federal prosecutor in Arkansas was apparently removed to make way for an aide to White House political adviser Karl Rove.

Two federal attorneys - one in New Mexico and one in Washington state - contend they were pressured by congressmen or administration officials to bring vote fraud prosecutions. Members of Congress should not pressure federal prosecutors or the Justice Department in any particular case. A general complaint from the administration that areas of the law aren't being pursued vigorously is supervision. A demand to launch a particular case against a particular individual is interference.

It's reasonable for members of Congress to try to find out which was which in these firings. But the huffing and puffing by Democrats in Congress is hypocritical and shows a lack of perspective.

Federal prosecutors in Philadelphia and Detroit, appointed by Gerald Ford, were removed before their four-year terms were up by the Jimmy Carter administration because they annoyed local Democratic politicians. Neither Carter nor his attorney general, Griffin Bell, had to face charges of obstruction of justice or prolonged harangues in Congress. Perhaps this is because Congress was controlled by the Democrats at the time.

The president has a political problem because Justice Department officials bungled the firings. But it should be seen as just that - a political problem, not a major crisis.

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