

The real miscarriage

by *The Milwaukee Journal Sentinel*

In the six years that George W. Bush was governor of Texas, 150 men and two women were executed by the state. In each case, Bush got a so-called clemency memo. He allowed all but one of the executions to proceed.

In commuting the 30-month sentence of I. Lewis "Scooter" Libby for lying to authorities, President Bush said Monday that the sentence was "excessive."

The irony here would be laughable if the message the president sends with this action was not so damaging. And that would be that there are indeed two standards of justice - one for the powerful and well-connected and another for the rest of the country. And Libby, as former chief of staff to Vice President Dick Cheney, couldn't have been sitting closer to the seats of power or have been better connected.

Texas, fairly or unfairly, is infamous for its quality of justice. In recent years, eight people have been freed from death row in that state because they were innocent, according to the Death Penalty Information Center. True, the president might have pardoned Libby outright for his obstruction in the investigation of who leaked the name of a covert CIA operative. The \$250,000 fine and probation remain in place. The president points to a recommendation by the probation office for a lesser sentence. OK, but harsh sentences are a common occurrence in American jurisprudence. And most ordinary people don't have powerful friends who can step in to help.

But mostly this commutation fails on the most basic premise. There was no miscarriage of justice in Libby's conviction or his sentence. The trial amply demonstrated that he stonewalled. Like President Clinton's 11th-hour pardons of an ill-deserving few, this commutation is a travesty.

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