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Ashcroft in His Defining Moment

"...It is no new thing for what is done faithfully, in conscience toward God, to be misrepresented as done obstinately, and in contempt of the civil powers."

--Henry's Concise [Bible] Commentary on Daniel 6:11-17

Following Janet Reno's confirmation hearings in February, 1993, then Sen. Carole Moseley-Braun of Illinois commented: "Janet, these haven't been confirmation hearings; this has been a love-in." Needless to say, what awaits John Ashcroft this week is anything but a love-in.

Senator Joseph Biden, whose presidential aspirations were dashed in 1988 when he plagiarized someone else's speech, finds the Ashcroft nomination "very troubling." Biden intends to look into charges of racism against John Ashcroft - something he refused to do when he chaired the Senate Judiciary Committee during the Reno confirmation hearings. (Cubans had accused Ms. Reno of racism in her south Florida community.)

Janet Reno received her law degree from Harvard Law School in 1963.¹ Her biography does not list work experience until 1971 when she became a judiciary committee staff director in the Florida Legislature. In 1972, she ran unsuccessfully for a seat in the state legislature. Reno's professional experience from 1973 to 1993 includes assistant state's attorney, private practice (2 years) and state's attorney for Dade County, Florida.

Although members of law enforcement from Dade County submitted evidence suggesting Janet Reno was both personally and professionally unfit to lead the Justice Department, Sen. Biden refused to permit negative testimonies. Ignored by his committee was Reno's disastrous conviction rate which was reported to be half that of any other prosecutor in Florida. Even the Miami Herald called her "not a prosecutor, but a frustrated social worker." But that did not dissuade the Senate from confirming her with a vote of 98-0.

Nominated to succeed Janet Reno is John Ashcroft whose work experience includes teaching five plus years at Southwest Missouri State University after receiving his law degree from the University of Chicago Law School in 1967.² During that period he co-authored two college textbooks and more recently published "*Lessons from a Father to His Son.*"

From 1973 to 1993, Ashcroft served in Missouri as state auditor, assistant attorney general, attorney general (8 years), and governor (8 years). He also presided as president of the National Association of Attorneys General, and chairman of the National Governors Association, Education Commission of the States and the Republican Governors Association. Ashcroft received special recognition from *Fortune* magazine as one of the top 10 education governors and from *Financial World* for excellence in financial management.

In 1994, John Ashcroft was elected to the U.S. Senate and was appointed to the Judiciary, Commerce, Science, and Transportation and Foreign Relations Committees.

He also chaired subcommittees on the Constitution and Consumer Affairs.

Unlike Janet Reno, no one thinks Ashcroft is soft on crime. But he has been chastised for his strong opposition to the lifetime appointment of Missouri Supreme Court Justice Ronnie White to the federal bench. White, who is African-American, is known to oppose the death penalty and has been out of sync with his peers in a number of legal reviews.

In the highly publicized case of *Missouri v Johnson*, James R. Johnson was convicted of killing a sheriff, two deputies and a sheriff deputy's wife in 1991. The wife died in her living room in front of her children while leading a ladies Bible study. In his sole dissent, saying, "This is a very hard case," Judge White urged a lower legal standard so that the convicted multiple cop-killer could be allowed a new trial.

Although John Ashcroft supported the appointments of 26 of 28 black judges to the federal bench, he is labeled a racist for opposing Judge Ronnie White. However, while still governor in Missouri, Ashcroft was commended by one of the oldest black bar associations for his record of appointing minorities. In a letter dated April 1, 1991, the Mound City Bar Association of St. Louis wrote: "[Y]our track record for appointing women and minorities are certainly positive indicators of your progressive sense of fairness and equity. We commend you."

So if a man has impeccable character qualities, high academic achievement (honors from Yale), and a stellar record of accomplishments in public service, what is the problem?

In a similar political scenario many centuries past, king-elect Darius was in the process of appointing his top cabinet members and

*"...Daniel was preferred above the presidents and princes, because an excellent spirit was in him; and the king thought to set him over the whole realm. Then the presidents and princes sought to find occasion against Daniel concerning the kingdom; but they could find none occasion nor fault; forasmuch as he was faithful, neither was there any error or fault found in him. Then said these men, **We shall not find any occasion against this Daniel, except we find it against him concerning the law of his God.**"* (Dan 6:3-5)

Daniel's defining moment came when he openly defied a temporary injunction against praying to his God. His scheming enemies had concluded that he would never render unto Caesar that which is God's. Not even for thirty days. And, like Daniel, it is certain that enemies of John Ashcroft will put him to the test - but not for his views on racial matters.

Two years ago during a congressional recess, President Clinton unlawfully appointed James Hormel, an openly gay political contributor, to be ambassador to Luxembourg. Republican members of the Judiciary Committee had refused to consider Hormel for the position.

Tomorrow, someone is sure to turn to John Ashcroft and ask, "Mr. Ashcroft, if it is true you eschew discrimination, then would you be willing to say that your opposition to the appointment of Ambassador Hormel had nothing to do with his sexual orientation?"

For John Ashcroft, his answer to that question could be his defining moment.

Rick Forcier

Executive Director

¹ Reno Biography <http://www.usdoj.gov/ag/jreno.html>

² Ashcroft Biography http://www.rnc.org/newsroom1/1231_105.htm