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Democrats will not easily pass Ashcroft

By Calvin Woodward
The Associated Press

WASHINGTON — John Ashcroft will soon be mingling with his friends back in the Senate, some of whom are ready to pounce.

But it isn't personal, Democrats said Sunday, while making clear they will not give him a pass to become the next attorney general just because they think he's a fine individual.

"Advise and consent doesn't mean advise and rubber stamp," said Vermont Sen. Patrick Leahy, the Judiciary Committee's senior Democrat and temporary chairman.

Democrats opposed to Ashcroft's nomination say his conservative opinions are ill-suited to the job of being the nation's top law enforcer.

"Right now we need a healer in Washington, in the form of our president," Sen. Barbara Boxer, D-Calif., said on ABC's "This Week." Boxer, who has announced her intention to vote against Ashcroft, said of him: "This is an extremist, not a healer."

Most Democrats were more circumspect than that, including Leahy. He called Ashcroft a "divisive choice" by President-elect Bush, but disagreed with critics who have tried to paint the former Missouri senator as a racial or religious bigot.

"I think all of us who know him, know that charge would not stick," Leahy said on CNN's "Late Edition" of either allegation.

Ashcroft's confirmation hearing before the Senate Judiciary Committee, where he once was a member, begins Tuesday.

Interest groups are piling on. On Sunday, the board of the National Association of Criminal Defense Lawyers took what it called an unprecedented step in voting to oppose Ashcroft.

"Ashcroft's legacy on criminal justice issues is demagoguery and opportunism," said Edward Mallett, the group's president.

On Monday, Charles Evers, brother of slain civil rights leader Medgar Evers, sent letters of support for Ashcroft to members of the judiciary committee, saying allegations of racism against him "are not supported by facts," adding that the charges "seem to me to be nothing more than a political ploy to fan the flames of racial division in our country."

Evers, a former mayor of Fayette, Miss., was a Mississippi delegate to the 2000 GOP convention.

Also on Monday, St. Louis attorney and Ashcroft friend Charles Polk defended the former senator in remarks to reporters, saying Ashcroft would make "a fine attorney general" for all Americans, regardless of their race.

Polk, who is black, dismissed critics' allegations that Ashcroft is a racist.

"That's a joke — it really is a joke and it upsets me," Polk said.

Bush, in Texas for his last weekend before Saturday's swearing in, said Ashcroft will use the office to enforce the nation's laws, not promote his own political opinions.

"John's a team player," Bush told NBC News. "He will not politicize the attorney general's office."

Democrats need both a united front and some Republican support to defeat any of Bush's nominees. The Senate is evenly split, 50-50, but Vice President-elect

Dick Cheney will cast any tie-breaking votes in favor of the GOP.

The main fight is forming over Ashcroft but opposition also exists to the nomination of Gale Norton for Interior secretary. Critics say her strong support of private property rights and state jurisdiction are the wrong fit for a department that manages vast public lands.

Ashcroft was the preoccupation on the Sunday talk shows as Democrats sized him up as someone unfit for the post of attorney general. Republicans rallied behind him and Norton.

The Senate tends to show deference to one of its own, and many Democrats concede a president should have latitude in picking his Cabinet, barring ethical problems of the nominee.

But some said they could not countenance an attorney general who is sworn to enforce laws he opposes, such as abortion rights and affirmative action.

And they had pressing questions about Ashcroft's determined and successful effort to scuttle a black judge's elevation to the federal bench. Missouri Supreme Court Judge Ronnie White is being called by Democrats to testify at the hearing.

"John Ashcroft gives me what you call cognitive dissonance," liberal Democratic Sen. Paul Wellstone of Minnesota said on "Fox News Sunday." "You know, how can a person that you enjoy and like sometimes have such harsh views?"

He called Ashcroft a good friend. "But he's going to be lawyer for all the people in the country, and I think there should be careful scrutiny."

Not all Democrats were convinced Ashcroft's positions or role in torpedoing White should stop him from getting the job.

"I'm going to see if ... there's anything to disqualify him," said Senate Minority Whip Harry Reid, D-Nev. "At this stage, I don't see anything."

Still, Reid said he was troubled by indications that Ashcroft's opposition to White might be rooted in a nearly decade-old legislative feud, not just divergent views on the death penalty.

As a state lawmaker before he went to the Missouri Supreme Court, White sank anti-abortion legislation Ashcroft pushed as governor.

Reid wants to explore that relationship.

"It appears that they've had a battle going on," he said on Fox. "If that's it, you can't have these long-standing feuds if you're the chief law enforcement officer in America."

The criminal defense lawyers said they were opposing Ashcroft because of his "ambush" of White, his criticism of using federal money to treat drug abusers and his opposition to a death penalty moratorium, among other grounds.

Utah Republican Sen. Orrin Hatch, who will return as Judiciary chairman once Bush takes office, said Ashcroft knows "there's a difference between being an advocate ... and being the attorney general where you have to enforce the laws."

And he said Democrats were overreaching against a man who earned the respect and affection of plenty of them. "They know he's a man of integrity," Hatch said on NBC's "Meet the Press."