

IN GOVT WE DO NOT TRUST

I'm still following up on the question of the way in which the Rather complaint invokes the debate on Hamdi. I wanted to draw extended attention to this article. In it, Tim Grieve sussess out precisely what seems to be the reason Rather included the Abu Ghraib details in his complaint.

Did Clement know he was misleading the justices, or was he kept out of the loop so that he could avoid revealing truths that would undermine the administration's "trust us" arguments in the enemy combatant cases? **Did Joint Chiefs of Staff Chairman Richard Myers persuade CBS to delay broadcasting the photographs from Abu Ghraib to protect the lives of U.S. soldiers – or to spare the administration embarrassing questions during the Supreme Court arguments in the enemy combatant cases?**

[snip]

Clement was a natural choice to appear on behalf of Rumsfeld when the Supreme Court took up the cases of Padilla and his fellow "enemy combatant," Yaser Hamdi, in April. The question is, what did Clement know when he climbed the steps of the Supreme Court building on the morning of April 28? Did he know what his client knew – that the Department of Defense was investigating grave abuses at Abu Ghraib, that the brigadier general in charge of the prison had already been removed from her post? Did he know what his client's staff knew – that Joint Chiefs chairman Myers had been working to keep CBS from broadcasting photographs of the abuse?

And we wouldn't be fun if we weren't remembering Monica Goodling, um, "fondly."

The Justice Department won't say. An employee in Clement's office referred a call from Salon last week to Justice Department spokesperson Monica Goodling. Asked what Clement or Ashcroft knew of the Abu Ghraib situation at the time of oral arguments in the Hamdi and Padilla cases, Goodling said: "We wouldn't have any comment." Pressed further, Goodling said the Justice Department would not have any comment at all about the Padilla or Hamdi cases.

I'll remind you, Goodling was the protege of Barbara Comstock, who blackballed Eric Lichtblau for getting too close to the truth.

Go read the whole Grieve article—I had forgotten that Padilla was argued at the same time as Hamdi. In other words—it may not have been Hamdi's torture Clement was covering up, it may have been Padilla's.