

This time, however, the team—headed by ex-CIA Director Robert Gates—essentially concurred with the CIA. Once again, Gaffney called for another review. Thus the Commission to Assess the Ballistic Missile Threat to the United States was formed, with Donald Rumsfeld as its chairman. Widely characterized as “bipartisan in its conclusions,” the final Rumsfeld Commission report declared that the CIA was wrong and the very real threat of ICBM attack from a “rogue state” was at most five years away. Such an event, Rumsfeld said, could occur with “little or no warning.”

Scores of experts since have taken issue with the report’s analysis, noting that key variables and scenarios were ignored or unexamined by the commission. While the report didn’t explicitly recommend the deployment of NMD, there was no doubt as to Rumsfeld’s desire to see the system—which Clinton had vetoed—put back into play, which is exactly what happened.

For NMD to become a reality, however, would require amending the landmark Anti-Ballistic Missile Treaty—something the Russians aren’t too keen on doing. No matter, Rumsfeld says. True to form, at his confirmation hearings, the Rummy dismissed the ABM treaty as “ancient history.”

Rumsfeld’s reappointment to the Pentagon also portends the probable return to power of Reagan-era defense bureaucrats. Dismissive of the idea of a world community and the evolving problems it faces, Rumsfeld and his ilk will likely try to recast the global power dynamic as the one they’re more familiar with: a world of nuclear superpower polarity, where the guy who controls the balance of terror with the biggest nuclear arsenal wins. ■

REBEL YELL

By JEFFREY ST. CLAIR

James Watt in drag. That’s how greens are referring to Gale Norton, George W. Bush’s pick to head up the Interior Department. She certainly has got the resumé to fit the bill: She was part of the original band of “Colorado crazies” who held the Interior Department hostage under Reagan.

One of Norton’s first jobs was at the Mountain States Legal Center, an anti-environmental think tank based in Denver and headed by the bumbling Watt. Founded in 1977, Mountain States was lavishly underwritten by mining and energy companies as well as Joseph Coors, that faithful patron of the far right. In return, Mountain States became a training ground for the Sagebrush Rebels of the ’70s and ’80s, spawning the likes of Anne Gorsuch (scandal-plagued head of the Environmental Protection Agency under Reagan) and her husband, the late Bob Burford (who handed out huge concessions to the ranching and mining lobby as head of the Bureau of Land Management). Then in the ’90s, Mountain States helped launch the more militant Wise-Use movement.

The Mountain States agenda is fairly straightforward: attack environmental laws, discredit green activists and promote privatization of public lands. Norton spent four years laboring at Mountain States, where she became known as a

fanatical advocate of property rights. Norton crafted baroque, and somewhat hare-brained, arguments that the Fifth Amendment requires the government to pay polluters and clear-cutters not to violate environmental laws.

Norton’s work in this far-fetched region of the law has borne fruit with a string of rulings in favor of developers from the fed-

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eral bench, including a rare opinion written by Justice Clarence Thomas. Norton’s forays into property rights have also inspired counties throughout the West to pass so-called “custom and culture” laws, which turn the abuse of public lands into the equivalent of a property right. The result has been predictable: a decade of environmental hostage-taking, during which developers, timber companies and miners have threatened to destroy valuable wetlands or forests unless they are paid off.

Norton followed Watt to Reagan’s Interior Department, where she served as deputy solicitor. She remained there even after her mentor was booted back to Colorado in disgrace. In the solicitor’s office, Norton plotted to undo the Endangered Species Act, open the Arctic National Wildlife Refuge to oil companies, abet strip miners along the Rocky Mountain Front and eviscerate wetlands protection.

But Norton’s brand of libertarianism isn’t a two-way street. She regards subsidies to individuals—be they small farmers, poor mothers or grizzly bears—as immoral. Multibillion dollar handouts to timber companies, transnational gold mining conglomerates and utilities are, for Norton, just the price of playing politics.

As attorney general of Colorado, Norton could be found doing legal legwork for nearly every development scheme to hit the state. Most notably was the Amintas-La Plata project, one of the last of the big water grabs, a billion-dollar boondoggle that will destroy a river and sluice water to real estate tycoons outside Durango. She opposed any move by the feds to reserve water rights for wilderness areas or endangered fish. She was reluctant to press mining companies, which have fouled thousands of miles of Colorado streams with toxic runoff, to clean up their operations. And she trotted off to Congress to testify in favor of gutting the National Environmental Policy Act, the nation’s premier environmental law.

Like Attorney General-designate John Ashcroft before her, Norton also cherishes romantic notions about the Confederacy. In a 1996 speech, Norton compared her struggle to keep the EPA from enforcing tougher standards on hazardous waste and water quality in Colorado to that of the Confederacy during the Civil War. It’s worth quoting at length:

I recall, after I had just gone through this massive battle with the EPA on state sovereignty and states rights, visiting the East Coast. For the first time, I had the opportunity to wander through one of those Civil War graveyards. I remember seeing this column that was erected in one of those graveyards. It said in memory of all the Virginia soldiers who died in defense of the sovereignty of their state. It really took me aback. Sure, I had been filing

THE CRUSADER

By Jason Vest

In 1992, I was covering the Republican National Convention in Houston when I found myself, along with a handful of other hacks, in a room where a few dozen self-described “evangelical conservatives” had gathered. As a colleague and I walked in, the meeting had already commenced, and a prayer circle was underway.

As is often the case in these settings, the exhortation to the Almighty wasn’t brief. I was slouching toward somnambulance as the appeal droned on and on when a verbal thunderclap jolted me back to reality: The leader of the homily prayed that “the people of America will see through the distortion of the printed page and that those in the media would join us to spread the truth of His word.”

I blinked in amazement; a glimpse toward my colleagues confirmed that I had not imagined it. “Who the hell is this guy?” I asked one.

“That’s John Ashcroft, the governor of Missouri,” someone replied.

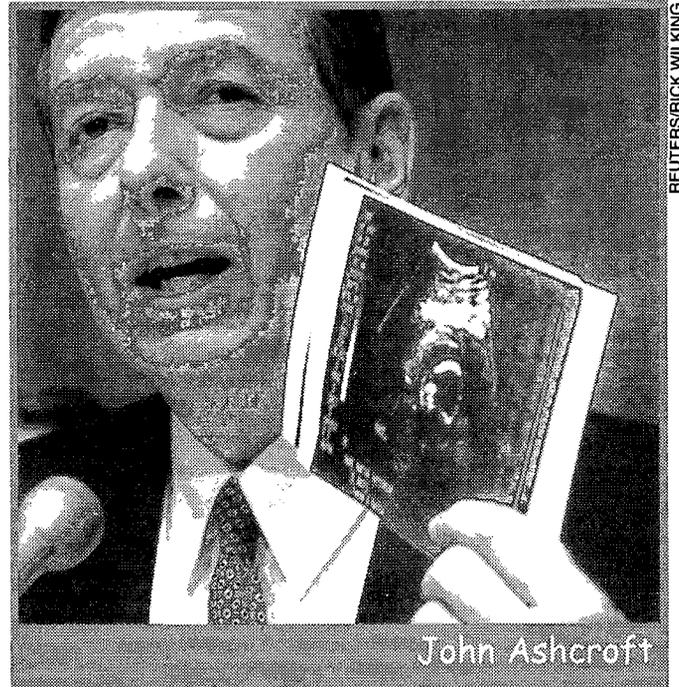
After the session broke up, I rushed for the governor and asked him if he was planning on making his prayer for the media a staple of his repertoire, as I was sure it would only endear him to the to the Fourth Estate as a sagacious politician worthy of respect and relevance. He shot me a look in response that I can only describe as un-Christian and skulked away.

After that experience, I was inclined to dismiss Ashcroft as a sort of droll walking malignancy, a comical melanoma on the already-diseased American body politic. But as I watched

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Ashcroft come to Washington and ascend courtesy of the fiscal aid of religious conservatives (as well as the liquor and tobacco lobbies) my amusement gave way to grave foreboding. With his every act, his every utterance, I found myself replaying that moment in Houston and shuddering. For Ashcroft, I now fully appreciate, there is no distinction between serving the public and serving his particular Jehovah. And that particular Jehovah seems to think that anyone else who disagrees with his apostle is in need of some sort of re-education.

It would be one thing if the ex-Senator (who I hope appreciates the irony of being defeated by one who died but lived on in the hearts of a majority of Missourians) was being dispatched to some minor department where he could



REUTERS/RICK WILKING

make only so much trouble. But when one considers the likelihood of journalists facing an Americanized version of the Official Secrets Act (approved by both houses of Congress, vetoed by Clinton, but expected to come up again), Ashcroft’s 1992 comments portend a particularly open interpretation that does not bode well for the free press clause of the First Amendment.

Indeed, despite his assertion that he will act as a “guardian of liberty and equal justice” in the service of the “rule of law,” which he defines as something that “knows no class, sees no color and bows to no creed,” his characterization of those judges who hold that a woman’s legal right to choose an abortion to be constitutional as “judicial despots” gives one pause.

And from his new perch, there’s no doubt he would throw the full weight of the Justice Department behind one of his more insidious assaults on the First Amendment, the “charitable choice” program he slipped into the draconian 1996 Welfare Reform Act. Referred to by the decidedly bland and nonpartisan *National Journal* as perhaps “the biggest blurring of the lines between church and state in many decades,” this little gem of a provision essentially gives federal money to any faith-based organization to provide whatever services it wants to the poor, addicted and afflicted, with a license to proselytize. Several legal challenges are underway, given the program’s blatant violation of the establishment clause, yet Ashcroft’s congressional allies have been trying to expand “charitable choice” from social services to faith-based education programs as well.

Conventional wisdom in Washington holds that Ashcroft is in for a bruising, if not bloody, set of confirmation hearings, but that he’ll emerge as attorney general in the end. If he does fail on the Hill, however, it’s entirely possible he’ll have another role in the Bush administration. If Bush decides to initiate a rapprochement with Iran—providing he can find it on the map—Ashcroft would be the perfect special envoy. Doubtless the mullahs would find Ashcroft’s brand of conservatism endearing. ■