

Parties race to fire up voters over wiretapping / Republicans use judge's ruling to cast Dems as soft on terror

Jonathan Weisman, Washington Post
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2006-08-19 04:00:00 PDT Washington -- A **federal judge's ruling that warrantless wiretapping is unconstitutional** set off a flurry of political responses Friday as Republicans tried to keep control of the national security debate amid signs that their own party's ranks may be breaking under the pressure of the Iraq war.

President Bush concluded a discussion of the economy with a challenge to Democrats, many of whom had hailed the decision of U.S. District Judge Anna Diggs Taylor that the National Security Agency's wiretapping efforts violate both the Bill of Rights and federal law.

"Those who herald this decision simply do not understand the nature of the world in which we live," Bush said after meeting with his economic team at Camp David. "This country of ours is at war, and we must give those whose responsibility it is to protect the United States the tools necessary to protect this country in a time of war."

He then said that "it would be interesting to see ... how other policymakers react."

Minutes later, under the headline "Dems Rejoice," the Republican National Committee illuminated those reactions, releasing the statements of eight Democrats -- from House Minority Leader Nancy Pelosi of San Francisco to 2004 presidential nominee John Kerry -- all heralding the decision as a rebuke to the president.

The National Republican Senatorial Committee challenged Democratic candidates to "stand up in opposition to a liberal judge," while the RNC released an Internet advertisement painting the Democrats as soft on defense. The ad shows prominent Democrats decrying warrantless wiretapping, abusive interrogations, ballistic missile defense and the war in Iraq through the mouth of a cave, meant to represent the vantage point for terrorists monitoring the opposition party.

"Democrats say they want to talk about national security and the war on terror ... while terrorists are watching," the narrator intones.

With that burst of activity, Republicans appeared ready to make Taylor's decision on wiretapping the 2006 equivalent of a Massachusetts judge's legalization of same-sex marriage in 2004: a rallying cry for the Republican base.

"They never miss an opportunity to play divisive politics on national security," said Rep. Rahm Emanuel, D-Ill., chairman of the Democratic Congressional Campaign Committee. "The one casualty Americans would accept in the war on terror is partisanship, and that's the one thing George Bush won't give up."

But with polls showing Republican voters more divided on security issues than Democrats, it was unclear whether the strategy would work again.

"There is no consensus that Republicans are better on terrorism than the Democrats, as once was clearly the case," said Andrew Kohut, director of the Pew Research Center.

A Pew Center poll released Thursday found "no evidence that terrorism is weighing heavily on voters -- just 2 percent cite that as the issue they most want to hear candidates discuss, far fewer than the number mentioning education, gas prices or health care. And while roughly a third of Americans (35 percent) say they are very concerned that, if Democrats gain control of Congress, they will weaken terrorist defenses, even more (46 percent) express great concern that Republicans will involve the U.S. in too many overseas military missions if the GOP keeps its congressional majorities."

Republicans have done such a good job tying the war in Iraq to the war on terrorism that bad news from Baghdad is casting doubts on the anti-terror effort, Kohut said. Republican voters, meanwhile, are split on whether to withdraw troops from Iraq, the poll found.

Reflecting these pressures, Republicans in swing districts are beginning to waver. In an interview from Israel on Friday, Rep. Christopher Shays, R-Conn., said the political will of the United States is being stretched to the limit, and he promised to offer a time frame for troop withdrawals when he returns next week from his 14th trip to Iraq.

"We have got to find a way to come to some kind of consensus, so we can do what's right for our country and what's right for the Iraqis," said Shays, an ardent supporter of the war in a political dogfight with his Democratic, anti-war opponent. "We have to say, 'This is the latest we will leave,' and be able to live with that."

Shays plans to hold three hearings next month exploring whether Iraq is heading toward democracy or civil war, a state Shays said parts

of the country are already in. "I am more pessimistic, clearly," he said.

On Thursday, Rep. Mike Fitzpatrick, R-Pa., penned a letter to constituents declaring he was saying " 'No' to President Bush's 'stay-the-course' strategy' in Iraq." That followed Fitzpatrick's statement earlier this month that "when it comes to the war in Iraq, President Bush has been bold, principled, resolute, but mistaken in crucial ways."

Amid such discord, Republicans welcomed a return to debating the National Security Agency's warrantless monitoring program. With no quick resolution of the case in sight, the judicial decision is likely to remain an issue. The Justice Department filed its notice of appeal in the case Thursday with the 6th Circuit U.S. Court of Appeals in Cincinnati, but no deadline had been set as of Friday afternoon for submitting briefs, a Justice official said.

"It's an opportunity as we see it to highlight the fundamental choice between the two parties," Republican National Committee spokeswoman Tracey Schmidt said, "between a party that understands the need for post-9/11 tools in a post-9/11 world and a party that questions giving law enforcement the tools they need to be successful."

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