

# Pickering appointment angers Black Caucus

THE AFRO NEWSPAPERS

WASHINGTON — The Congressional Black Caucus reacted swiftly — and angrily — to the recess appointment of U.S. District Judge Charles Pickering Sr. to the Fifth Circuit Court of Appeals, based in New Orleans, because of the judge's questionable commitment to civil rights and his past association with White supremacy groups.

President Bush elevated the Mississippi jurist to the appeals bench; the appointment will expire one year from his appointment, unless the president, whether it be Bush or a Democrat in 2005, reappoints him.

"Just one day after President Bush stood at the foot of Dr. Martin Luther King Jr.'s memorial site, he shows his utter disdain for civil rights by sidestepping the democratic process in the Senate and appointing Charles Pickering to the federal bench," says CBC Chair Rep. Elijah Cummings (D-Md.)

"The president's actions are a disgrace to the memory of Dr. King. Clearly, protecting our civil rights and our civil liberties are not top priorities for President Bush... Judge Pickering's writings in

law school regarding interracial marriage, his views and record on civil, voting and women's rights confirm that Americans have good cause to be alarmed. President Bush must be held accountable for his reckless disregard of our history and our democracy."

Pickering

U.S. Rep. Bennie Thompson (D-Miss.) has said that Pickering is no friend to civil rights and "no friend to black Mississippians."

The NAACP, People for the American Way and the National Black Law Students Association have been leaders in the effort to stop Pickering's elevation to the Fifth Circuit Court. He was first nominated by President Bush in 2001.

However, the Democratic-led Senate Judiciary Committee rejected Pickering's nomination in 2002. In 2003, with the Senate under control by the Republicans, they pushed his nomination through the Judiciary Committee to the floor. But the Democrats fili-

bustered the nomination and it died, 54-43.

Bush sidestepped that action with his latest appointment.

Recess appointments are used when the Congress is out of session, with the thinking that the business of the nation has to continue while the legislative branch is out of Washington. But presidents have used the power to fill offices for political purposes, with the full understanding that removing a recess appointment is time-consuming.

President Clinton used a recess appointment to put the first Black judge on the Fourth Circuit Court of Appeals, which is based in Richmond, Va. This circuit includes Maryland and Virginia. Clinton appointed Roger Gregory to the post a month before he left office in 2000. Bush, with his hands tied, re-appointed Gregory to the position with Senate confirmation in 2001.

The CBC has opposed some of Bush's nominees to the federal court, saying that they do not respect civil and human rights. One is California Supreme Court Justice Janice Rogers Brown, known as a conservative and appointed by Bush to sit on the U.S. Court of Appeals in the District of Columbia, considered a steppingstone to the U.S. Supreme Court.

Her views were contested by the CBC, but the Senate Judiciary Committee, by a vote of 10-9, approved her nomination in November 2003. Senate leaders Tom Daschle (D-S.D.) and Edward Kennedy (D-Mass.) have vowed to filibuster Brown's nomination if it reaches the Senate floor.

All major Democratic candidates for president have condemned Pickering's appointment.

Democratic presidential contender the Rev. Al Sharpton said the move "shows that Bush is not interested in civil rights," and former Vermont governor Howard Dean called it "an ultimate hypocrisy."

Sherrilyn Ifill, associate professor at the University of Maryland School of Law, says that the irony of Bush appointing Pickering the day after hanging a wreath for King is not lost on her.

"There is more reason for African-Americans to oppose Pickering than any other of the six nominees that were opposed by Democrats," she said. "From among the six that were rejected by the Democrats, we should not assume that it was not deliberate that Bush chose Pickering as the recess appointment. It was a message."

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Lott's nominee and that they go back a long way.

"Lott is the only U.S. senator who voted against the appointment of Roger Gregory," Ifill said. "... After Clinton left office, Bush chose to re-nominate Gregory for a permanent seat on the 4th Circuit Court of Appeals, noting that Gregory was confirmed and

that the only person who voted against him was Trent Lott. The reason he gave for voting against Roger Gregory is that he didn't believe in recess appointments," Ifill says.

"So how will he vote when Judge Pickering comes up for confirmation after a recess appointment?"

## Nigeria, North Korea enter missile technology pact

By Glenn McKenzie

THE ASSOCIATED PRESS

LAGOS, Nigeria — North Korea has agreed to share missile technology with Nigeria, the Nigerian government said Wednesday — a deal that would take the secretive communist nation's missile business to sub-Saharan Africa.

Nigeria, the continent's most populous nation and West Africa's military giant, would join Libya, Iran, Egypt, Pakistan and Syria among countries reported to have received North Korea's help with either missiles or missile technology.

Nigeria, which is not at war or under any known threat from other countries, said any missile help would be used for "peacekeeping" and to protect its territory. It said it was not seeking nuclear technology or weapons of mass destruction.

A Nigerian official said no hardware acquisitions had yet been made or decided. The government did not say whether Nigeria would obtain missiles or simply receive help making them.

"Obviously, this issue of regional stability and military acquisition is something that we do care about, something that's a regular part of our dialogue with Nigeria," said State Department spokesman Richard Boucher.

North Korea largely exports "simple, robust" Scud missile technology — not up-to-date, but useful for countries with relatively unsophisticated militaries, said Rose Gottemoeller of the Washington-based

Carnegie Endowment for International Peace.

Weapons sales are a major source of revenue for financially strapped North Korea, but it is unusual for one of its clients to talk about a transaction publicly.

Nigerian Vice President Atiku Abubakar reached the accord with Yang Hyong Sop, the visiting vice president of North Korea's Presidium of the Supreme People's Assembly, Abubakar's spokesman, Onukaba Ojo, told The Associated Press.

The two committed to a "program of cooperation that includes missile technology," Ojo said.

A statement from Abubakar's office said Nigeria's "government would continue to cooperate with the Korean government in the defense sector, an area in which both Nigeria and North Korea had cooperated over the years."

The North Korean was in Nigeria's capital, Abuja, on a bilateral visit from Tuesday to Saturday.

The United States alleges that Pyongyang reaped about \$560 million from missile sales in 2001.

The deal announced Wednesday takes the North Koreans well out of their normal selling base, the Mideast, Gottemoeller said. "What is surprising is that they're so far afield," she said.

Nigeria would be North Korea's first known sub-Saharan partner.

Ojo initially said both sides were committed to the deal, but later called back AP to say that "nothing was written in stone."

Although North Korean officials had shown their Nigerian military counterparts a "catalog of what they have, nothing has been finalized and Nigeria has not taken any concrete steps toward acquiring it yet," the Nigerian official said.

Ojo said he had not seen the catalog and did not know what kinds of missiles or other weapons were in it.

"This is just a memorandum of understanding. No action has been taken yet," Ojo added.

Nigeria hopes the United States and other Western nations opposed to North Korean nuclear and weapons proliferation would respect the deal, Ojo said.

"We are a sovereign nation. We should be able to cooperate with any nation we wish to cooperate with as long as it is in the best interests of Nigeria," he added, stressing Nigeria "is not shopping around for nuclear technology or weapons of mass destruction."

"Whatever we are discussing with them is only to enhance the capability of our military for peacekeeping and to protect Nigeria's territorial integrity," Ojo added.

Nigeria's military supplies much of the manpower of regional peace missions. Ojo declined to say what possible peacekeeping use missiles would have.

Nigerian President Olusegun Obasanjo and the North Korean official met Wednesday on economic matters. "As far as I know, there was no discussion on defense or military matters," Obasanjo spokeswoman Remi Oyo said.

## Haitians call on president to resign

THE AFRO NEWSPAPERS

PORT-AU-PRINCE, Haiti — Up to 20,000 demonstrators marched through Port-au-Prince on Tuesday to call for the departure of President Jean-Bertrand Aristide.

The peaceful demonstration came two days after Bahamian Prime Minister Perry Christie met with Aristide to discuss ways to resolve Haiti's political crisis.

Aristide and his political foes have been at odds over the tainted results of parliamentary elections in 2000. The stalemate has dominated Aristide's second term as Haitian

president and led to an aid freeze.

Some \$500 million of international aid has been withheld to pressure the impoverished Caribbean nation to resolve the election dispute.

The demonstration involved no violence or clashes with police, unlike several other anti-government marches in recent weeks.

Demonstrator Kenneth Michel, son of a former prime minister and a former ally of the president, said holding discussions with Aristide would be like the United States negotiating with al Qaeda leader Osama bin Laden.

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