

# Misjudging Rev. Bill Jefferson's base of support

Let me be up front by stating first that I am not an apologist for Rep. William Jefferson (D-La.). If he did use his office to enrich himself illegally, then he should be — as they used to say — put under the jailhouse, not in it. As yet, he has not been convicted of anything and despite the fact



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that the FBI has a video allegedly showing Jefferson accepting cash for using his political influence with Nigerian officials, they may not have a clear-cut case. That may be why, in addition to a raid of his home by the FBI that produced what people are jokingly calling "cold cash" found in his freezer, they went one step further and pulled an unprecedented raid on his congressional office, touching off hot button Constitutional issues that have for 219 years appeared to shield members of Congress from such action by the executive branch.

To be sure, Republicans had attempted to blow up Jefferson's troubles, with the help of the media to create the impression that Democrats are equally corrupt. For example, The New York Times, attempted to go behind the nickname "dollar bill" that Jefferson earned in his rise through politics in Louisiana, with a half page article that presented a large picture featuring the graves of his parents, in a thoroughly distasteful effort to stir prurient interests in his origins.

The Jefferson case compares in no way to the magnitude of the Abramhoff scandal, where a confessed Republican lobbyist was convicted of breaking the law using cash and influence, the tentacles of which wind around through Congress down into the state of Maryland involving one of the candidate for governor, Doug Duncan, then up to the White House with pictures showing him and George W. Bush together.

Moreover, the most powerful member of the Republican Party in the House, Tom Delay, was forced to resign amid corruption allegations also involving Abramhoff, and one notes that the attorney general did not raid his office to secure documents. Delay used his position, and that of the federal Department of Homeland Security to find members of the Texas state legislature who had disappeared from their session, refusing to vote on a redistricting scheme that was a possible violation of the Voting Rights Act.

But if you say that Jefferson was violated because he was Black, someone will find another reason. Well, there is another reason and it is the same arrogance attitude toward the use of unbridled power and the expansion of the executive branch that has characterized the conservative movement. It was witnessed in the impeachment of Bill Clinton, in the propagation of the Iraq war, in spying on American citizens by the National Security Agency, in the partisan conduct of everyday business of the House and Senate, in outing CIA agents for political reasons, and now in crossing the line between the major institution of government.

A problem that has often arisen in the use of such power by the conservatives is that while shooting at liberals, they often wound themselves and in this case, they have provoked a constitutional crisis. None other than the Republican chair of the House Judiciary Committee, James Sensenbrenner (Ohio) was angered by the midnight raid on Jefferson's office and called hearings to investigate the constitutional basis for this action.

In his opening statement, he called attention to Article 1, Section 6, of the Constitution that says that members of Congress were "privileged" for "any speech or debate in either House" and "shall not be questioned in any other place." In other words, legislative speech is privileged and because of this he questioned whether the attorney general's investigators would — or even could — privilege such material when they rifled through the documents taken from Jefferson's office.

Sensenbrenner went on to say that in several cases the Supreme Court had routinely interpreted the "speech and debate" language to reinforce the separation of powers and to protect against inquiry of members of Congress in the course of their legislative duties. The problem here was outlined in the hearings by conservative legal scholar Bruce Fine who said that even armed with a warrant from a court, "A search warrant allows the FBI to ransack files of a Member, reading each and every document in hopes of discovering those described in the warrant" but these files "invariably include volumes of documents within the protection of the [speech and debate] clause."

George W. Bush is between a rock and a hard place. He needs the Congress to continue with his legislative agenda, not the least of which is to support spending for the Iraq war and other matters, so he cannot afford to run rough shod over its leadership.

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# Let's not go down the GOP marriage ban road again

You know it's an election year when gays become the topic of conversation at the White House. Not satisfied with dividing the entire country over immigration reform, for extra added insurance, President Bush has decided to bring up the issue of banning marriage for lesbians and gays... again.



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In his weekly Presidential address, the president reaffirmed his commitment to banning marriage for gays in America. Citing that "marriage is the most enduring and important human institution, honored and encouraged in all cultures and by every religious faith," he went on to say that, "an amendment to the Constitution is necessary because activist courts have left our Nation with no other choice."

We've been down this road before and it wasn't pretty. In 2004, eleven states, including Ohio, Mississippi, Georgia and Michigan, passed amendments to their constitution defining marriage as a union between a man and a woman. The black leadership allowed right wing conservatives to come in and message directly to African Americans on gay marriage and supporting the re-election of President Bush because he would protect America's morals. Seemingly, black pastors allowed their congregations to be bought with faith-based money in the guise of protecting the institution of marriage. And where did all of that get us? Absolutely nowhere.

There is still a disproportionately number of black Americans that are still unemployed, disenfranchised, uneducated and uninsured. Two years ago, the black leadership failed African Americans by not exposing Bush's political pandering for what it was. Choosing instead to focus on the war on terrorism, the economy, education, healthcare and affirmative action, they didn't see gay marriage as an issue they were ready to tackle.

We simply cannot afford to have that attitude today. Like in 2004, but even more so today, there is simply too much at stake for us to be bamboozled into taking up an agenda that is not our own or in our best interests. Look around you. Are lesbians and gays the cause of the gang violence that is suffocating your neighborhoods? Are gays the reason why you can't afford decent health care? Are gays the reason that your child's school is under funded and that the minimum wage hasn't been raised? No.

Just like you, gays are trying to make it day to day and provide for their families. Black gays who tend to live where Blacks live in general and have the same economic characteristics as their heterosexual counterparts, are dealing with the same issues that most Blacks are.

We cannot afford to alienate any part of our community going into the 2008 presidential election. We need every person at the table, heterosexual and gay. We are going to have to get over our homophobia as a community. We all have a relative, co-worker, or friend who identifies as lesbian, gay, bisexual or transgender. And no matter how you feel personally about gays, at the end of the day, they are not the source of what's wrong with this country. President Bush and his right wing conservatives are. Members of the Congressional Black Caucus, the black church and our traditional black institutions like the NAACP are going to play a crucial role in exactly how far the GOP is able to sink its tentacles into our communities.

If they continue to be silent on this issue and still see it as a non-issue while the rest of the country uses our votes to further their political agenda, then we are doomed to see a repeat of four years ago. You don't have to support equal rights for gays to not support the GOP's bigoted agenda. It just means that this time around, we aren't falling for the old divide and conquer scheme. Marriage bans, like immigration, continue to be one of those issues that GOP political strategists love to pull out their cloaks when all else fails.

As blacks, we know firsthand who stands to benefit the most from our community being divided, and it's not us. In closing, I pose the following questions: Was the judge who presided over Loving v. Virginia, the landmark case that allowed whites and blacks to get married, an activist judge? Were the courts being activists when it decided that black children could go to school with their white counterparts? Was it activism extending the right to vote to Blacks? No. It was an attempt to try and right the wrongs this country had committed against a group of people. Sound familiar?

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# Watching political non-profit groups

There is a new game in North Carolina politics. It could be called "My Non-Profit vs. Your Non-Profit." Ambitious, attractive, but out-of-office, politicians are organizing non-profit groups. Each one is to push for some important policy goal and give the politician a platform to get attention.

Newspaper reporters are learning. They now automatically ask, "Are you planning to use this organization as a jumping off point to run for political office?"



D.G. MARTIN

A good answer to this question came last week from Kieran Shanahan "I wouldn't rule it out," he said when reporters for the Raleigh News & Observer asked him about a future campaign for state attorney general.

Shanahan, a former Raleigh city councilman, announced last month that he is organizing the North Carolina Property Rights Coalition to push for a constitutional amendment that would add restrictions to the power of government to take private property using eminent domain.

Heading up the Property Rights Coalition puts Shanahan on the side of all people who don't want the government to take their homes away from them — which is all of us. More than that, it gives him the opportunity to travel across the state, to organize supporters, to create news events that will get coverage in the local papers, to buy television and newspaper advertising that features him prominently, and to build lists of potential supporters and contributors should he ever run for attorney general.

No doubt Shanahan was inspired by the example set by another possible future candidate. Salisbury attorney Bill Graham is considering a run for governor. Rather than open up his campaign headquarters he organized a movement to roll back a recent "automatic" increase in the state's gasoline tax. His efforts put him on the side of all people who would like to pay less for their gas.

Then Graham reportedly spent more than a million dollars of his own money to organize a "roll back the gas tax" rally in Raleigh last month. His efforts brought him a good round of free media attention. His million dollars also bought television and print media advertising that featured Graham and gave him a favorable introduction to the North Carolina public.

Graham's money and his efforts have turned him from a political unknown to a legitimate candidate for the Republican gubernatorial nomination in 2008. Amazingly, he may now be the leading candidate. Why else would the friends of another leading candidate be trying to discredit Graham by leaking stories to the newspapers about Graham's past political contributions to Democratic candidates?

The success of Graham's aggressive efforts may frustrate his potential Republican primary opponents. But his attempts to gain public attention are more likely aimed at the possible Democratic candidates, Lt. Governor Beverly Perdue, Attorney General Roy Cooper, and Treasurer Richard Moore. Their statewide offices give them the opportunity to be in the public spotlight on a regular basis.

Graham, Shanahan, and other non-officeholder candidates know that they are at a disadvantage when they run against people who have been on television regularly. Both Shanahan and Graham may have learned some lessons from former Senator John Edwards about the challenges an "out of office" candidate faces. Edwards, a likely presidential candidate in 2008, must compete for public attention and credibility with someone like Senator Hillary Clinton. Clinton can use her public office to make news any time she chooses.

One of Edwards' smart moves was to help establish the Center on Poverty, Work and Opportunity at UNC-Chapel Hill "because millions of hard-working Americans still find themselves living in poverty."

Maybe "eliminating poverty" is not as much a "hot button" concern as "rolling back the gas tax" or "keeping the government from taking our property." But it is a positive goal that almost everybody can share with Edwards. And, of course, the new center gives Edwards a much-needed platform to speak and stay in the public eye while he plans for his next campaign.

Graham, Shanahan, and Edwards have demonstrated how to play the new "non-profit" game. From now on, ambitious aspiring candidates will be expected to answer these questions: "When are you going to organize your non-profit and what important issue is it going to tackle?"

D.G. MARTIN is the host of UNC-TV's "North Carolina Bookwatch," which airs on Sundays at 5 p.m.

