

C O M M E N T A R Y

It's true, there are judges far worse than Thomas

By George E. Curry
Special to Sentinel-Voice

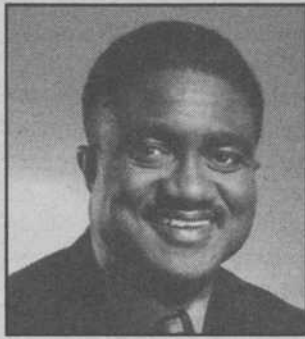
During his campaign for president in 2000, George W. Bush pledged to appoint federal judges in the mold of U.S. Supreme Court justice Clarence Thomas and Antonin Scalia. As difficult as it is to imagine, Bush is seeking to appoint judges to the bench who are even more hostile to civil rights than Scalia and Thomas.

A classic example is Janice Rogers Brown, whom Bush wants to appoint to the U.S. Court of Appeals for the District of Columbia. People for the American Way says that on issues involving civil rights, equal opportunity and discrimination, the California Supreme Court justice is "to the right of Thomas and Scalia."

To fully understand how extreme the California Supreme Court judge is, one needs to remember that she sits on a court where six of the seven members were appointed by Republican governors. Even in that setting, Brown is a lone dissenter.

The Web sites of the Leadership Conference on Civil Rights (www.civilrights.org), People for the American Way (www.pfaw.org) and Alliance for Justice (www.afj.org) carry detailed examinations of Brown's opinions, so I will not try to duplicate them in this limited space. At Brown's confirmation hearing last month, Sen. Richard J. Durbin (D-Ill.) reminded her, "In case after case, you come down on the side of denying rights and remedies to the downtrodden and disadvantaged. Oftentimes you ignore established precedent to get there."

"In a housing discrimination case, you were the only member of your court to find that the California Fair Employment and Housing Commission did not have the au-



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thority to award damages to housing discrimination victims.

"In a disability discrimination case, you were the only member of your court to conclude that due to a technical reading of the law, the victim was not entitled to raise past instances of discrimination that occurred."

"You are the only member of your court to conclude that age discrimination victims should not have the right to sue under common law – an interpretation that is directly contrary to the will of the California legislature."

"You were the only member of the California Supreme Court who dissented in a case involving the sale of cigarettes to minors. All the other justices ruled that a corporation can, on behalf of the public, sue a retailer that illegally sells cigarettes to minors under the state's unfair competition law."

"You were the only member of the California Supreme Court who would strike down a San Francisco law that provided housing assistance to displaced low-income, elderly, and disabled people."

"You were the only member of the California Supreme Court who concluded that there was nothing improper about requiring a criminal defendant to wear a 50,000-volt 'stun belt' at his trial."

"You were the only member of the California Supreme Court who voted to overturn the rape conviction of a 17-year-old girl because you felt that the victim gave mixed messages to the rapist."

"You were the only member of the California Supreme Court who dissented in two rulings that permitted counties to ban guns or gun sales on fairgrounds and other public property."

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GOP's electoral gains overstated, wins did little

By Ron Walters
Special to Sentinel-Voice

Much has been made of the Republican capturing the governor's mansion in Mississippi and Kentucky, but that should have surprised no one. After all, George Bush carried by Mississippi 17 percent and Kentucky by 15 percent in the 2000 elections. That



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gives Republicans control of 29 statehouses to 22 for Democrats, a decided advantage for Republicans as the 2004 presidential elections come into view. Again, we have to be careful in our assessments. There were 31 Republican governors serving when Bill Clinton was first elected, two more than serving now.

Former Republican National Committee Chairman Haley Barbour's defeat of incumbent Democrat Ronnie Snows in Mississippi spoiled the chances of State Sen. Barbara Blackmon, an African-American, becoming Lt. Governor. It was a race that was marked by charges of the intimidation of Black voters.

Barbour is a Washington lobbyist for tobacco and pharmaceutical interests who parlayed millions of dollars to outspend the incumbent. He also refused to take his picture off of the Web site of the Council of Conservative Citizens, a racist organization that was a successor to the White Citizens Councils. Apparently, he woke up this segment of the electorate as turnout approached record levels, overcoming a strong Black turnout in the process.

In any case, statewide elections tend to be a bell-weather of how voters feel about national issues and therefore, one surprise in this result is that in recent public opinion polls, George Bush's numbers have been slipping badly because of his handling of the Iraq war. Although the Bush folks will

undoubtedly take this to be a minor referendum on the war, it may also be a result of his recent visits into those states and the star power of a president no matter what the circumstances. There may also be a serious disconnect here between the voters in those states which have strong military backgrounds as one of their historical

characteristics, and the rest of the country. In the other races of interest, Mayor John Street swept to a strong victory over challenger Republican Sam Katz, who accused him of corruption. The strong Street victory was seen as a referendum on the FBI investigation launched on the office of Street shortly before the election. Apparently, there was some question about a \$13 million contract tied to an associate of the Mayor's brother.

Although the FBI initially said that Street was not the target of the investigation, the subpoena of his office records shortly afterward lent strong credence to the view that he was, in fact, the target and that the investigation timing was controlled by John Ashcroft's Justice Department. Pennsylvania has a popular Democratic Governor, Ed Rendell, who was former Mayor of Philadelphia and who called for accountability from the Justice Department for the investigation of Street. This victory by Street solidifies both control of the largest city in the state by Democrats in a place where Al Gore won by 200,000 votes in 2000. Although Street may not be out of the woods with the Justice Department bearing down on him, this is one hurdle that he successfully overcame.

For the sake of nostalgia, let's look at former Virginia governor Doug Wilder, who is still a major force in politics both in

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American troops suffer while Bush cronies prosper

By Jesse L. Jackson Sr.
Special to Sentinel-Voice

In the world of top dogs and underdogs, the Bush administration has made it clear that it stands with the "haves and have mores" that the president called "my base." So we have "trickle down" tax cuts – with millionaires pocketing tens of thousands of dollars every year while most taxpayers get less than \$100.

That was, perhaps, to be expected. But amazingly, that same lack of concern about workaday people is on display in Iraq – and the young men and women whose lives are on the line are paying the price.

Item: The White House wants to paint the picture in

Iraq as rosy, so the Pentagon has banned photos of coffins and body bags leaving Iraq or arriving in the United States.

Worse, the president hasn't attended funerals or memorials for the soldiers who have lost their lives, breaking with tradition. President Bush apparently doesn't want to draw attention to the U.S. casualties.

Item: Reservists and National Guard members were called up for three months, and then told their tour would be a year. Many are now being told they won't return until 2005. Across the country, traditional, pro-military families are now petitioning the Pentagon to honor a one-year tour of duty and bring the troops home.

Item: If and when the soldiers make it home, this administration isn't exactly on their side either. The president promised that we would "provide the best care for anybody who is willing to put their life in harm's way." But on the same day, his administration announced it was cutting off access to its health care system for 164,000 veterans.

When I reported on the wounded and sick Reserves and Guards on "medical hold"

at Fort Stewart, Ga., I was flooded with letters describing similar conditions elsewhere. At Fort Knox, Ky., UPI reports on wounded soldiers spending eight weeks in dilapidated World War II

barracks with no air-conditioning, leaky roofs and primitive facilities while waiting to see a doctor.

Item: Speaking to the National Guard and Reserves, the president thanked them and their families for being "willing to sacrifice for our country." But less than two weeks later, the administration opposed giving National Guard and Reserve members access to the Pentagon's health insurance system. This despite a recent General Accounting Office report that estimated one in every five Guard members has no health insurance.

Item: Bush promised to make certain "that our soldiers have the best possible pay." But the "Army Times"

reports that the administration wants to roll back recent increases in monthly imminent danger pay and family separation allowances for troops getting shot at in combat zones.

Given the soaring cost of the war and the record budget deficits, some might argue that Bush has no choice but to make these tough calls on resources. But apparently the tough choices apply to the troops but not the top dogs.

The Center for Public Integrity reports that the "stench of political favoritism and cronyism surround the contracting process in both Iraq and Afghanistan." Politically wired companies with few or no credentials have landed multimillion-dollar contracts.

Kellogg, Brown and Root, a subsidiary of Dick Cheney's old company, Halliburton, is the top recipient of contracts, with more than \$2.3 billion. This is the same subsidiary that "Newsweek" reports just paid \$2 million to settle a criminal charge for overbilling the government. Then we learn that Halliburton is charging \$1.59 a gallon to import fuel that the Iraqi oil company says it can import for less than a dollar.

Top floor or shop floor, yacht club or kitchen table, the cronies or the troops – one thing about this administration is clear: We know where it stands.

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