



Written by [Bob Adelman](#) on March 7, 2014

## First Senate Rejection of Obama Appointee

For the first time since Senate Majority Leader Harry Reid changed the rules — installing the “nuclear option” back in November so that Obama’s appointments would find even easier approval in the Democrat-controlled Senate — [the Senate rejected one of his nominees](#).

The vote was 47-52 with seven reluctant Democrat senators, some of whom are facing reelection challengers in November, voting against the party and the president. The nominee, Debo Adegbile (shown), was just too radical for them, and a vote to confirm could seriously damage those reelection efforts. According to an aide to one of the senators voting no, those senators were “very angry” at Obama for forcing the issue anyway.



Though mainstream media did its best to whitewash Adegbile, he couldn’t escape his past. The *Washington Post* was emblematic of the press’s extreme selectivity in talking about Adegbile’s radical background, limiting its reporting only to the support he gave in a 30-year-old murder case involving a Black Panther in Philadelphia who was sentenced to death for killing a police officer. And even that reporting almost made it sound as if Adegbile had scored a laudatory victory. Said the *Post*:

Adegbile ... spent more than a decade working for the NAACP Legal Defense Fund ... [which] began its work on [the murderer’s] behalf well before Adegbile began working on it....

However, he did contribute to the filing of a 2009 court brief that argued that [the murderer] faced a discriminatory jury — an appeal later found to have merit by a judge.

The case — *Commonwealth of Pennsylvania v. Mumia Abu-Jamal* — fills 11 pages at Wikipedia, along with four more pages of footnotes outlining the horrendous attack by Abu-Jamal on a Philadelphia police officer during a routine traffic stop. It includes X-rated language used by the murderer, who exulted when he was informed that the policeman that he shot was dead. It includes summaries of various legal appeals going all the way up to the Supreme Court, which confirmed the death sentence for the killer. It said very little about the intervention by the NAACP Legal Defense Fund and nothing whatsoever about Adegbile’s involvement in finally obtaining a softening of the killer’s sentence to life in prison without parole.

That missing background was provided in an article by Senator Pat Toomey (R-Pa.) and Seth Williams, the district attorney for Philadelphia, published by the *Wall Street Journal* before the Senate’s vote on whether to confirm Adegbile as the head of the Justice Department’s Civil Rights division:

In the coming weeks, the Senate will consider the nomination of Debo Adegbile to be assistant attorney general for the Justice Department’s civil-rights division.



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There are those who object to the nominee on various grounds, and others who defend him. We raise concerns here about only one issue: Mr. Adegbile's support for convicted Philadelphia cop-killer Mumia Abu-Jamal.

Let there be no mistake. Our concern is not based on the fact that Mr. Adegbile acted as an attorney for a criminal defendant. The right to counsel is a fundamental part of America's criminal justice system, and no lawyer should be faulted for the crimes of his clients.

But it is one thing to provide legal representation, and quite another to seize on a case and turn it into a political platform from which to launch an extreme attack on the justice system....

Mr. Adegbile chose in 2009 to enter the circus created by Abu-Jamal and inject his organization into the case. Under Mr. Adegbile's leadership and through rallies, protests and a media campaign, the Legal Defense Fund actively fanned the racial firestorm.

In a news release issued when it took over as Abu-Jamal's counsel, the Legal Defense Fund proclaimed that Abu-Jamal was a "symbol of the racial injustices of the death penalty."

It is unfortunate that Messrs. Toomey and Williams limited their complaint just to Adegbile's "fanning the flames" in the Abu-Jamal case. Their complaint could have been expanded at length to cover the nominee's more recent, and just as radical, positions. They could have told the story of his brief in the [Hosanna Tabor](#) case, wherein he argued that Christian churches should no longer be allowed to enjoy the "ministerial exception" — an exemption from anti-discrimination laws, based on the First Amendment's freedom of religion. He argued that the government not only should have a say in how those churches are being run, but who runs them, including government approval of ministers of those churches. Happily, the Supreme Court was unanimous in rejecting Adegbile's petition, 9-0.

Or they could have expanded their complaint to include Adegbile's contribution to a 44-page paper, funded by George Soros' American Constitution Society, which, among other radical recommendations, urged Obama to "nominate judges who will [recognize] that ratified treaties and customary international law are the law of the land" in America.

When informed that his radical nominee had been rejected by the Senate, the president issued an angry statement confirming his support for Adegbile and his radical agenda, ignoring the evidence against him:

Mr. Adegbile's qualifications are impeccable. He represents the best of the legal profession, with wide-ranging experience, and the deep respect of those with whom he has worked.

His unwavering dedication to protecting every American's civil and Constitutional rights under the law ... could not be more important right now.

Even hard-core leftist Senator Chris Coons (D-Del.) voted against Adegbile, noting not only the strong opposition voiced by law-enforcement groups, but also by his own constituents:

At a time when the Civil Rights Division urgently needs better relations with the law enforcement community, I was troubled by the idea of voting for an Assistant Attorney General for Civil Rights who would face such visceral opposition from law enforcement on his first day on the job.

The vote I cast today was one of the most difficult I have taken since joining the Senate, but I believe it to be right for the people I represent.

President Obama's radical appointee once again proves the case for the president's determination to



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change the legal culture in the United States, even if it jeopardizes the reelection chances of hard-left senators, such as Coons. Unhappily, House Majority Leader Harry Reid also voted to reject Obama's radical nominee, which, under Senate rules, allows him to bring the president's nomination to the floor for another vote in the future.

*Photo of Debo Adegbile: AP Images*

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