

Senators Must Be Immune to Abuse of Power

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Could it be that Democratic leaders Harry Reid and Dick Durbin didn't get immunized to the abuse of power?

Let's admit that this disease has been around for a long time in Washington, D.C. Eight years of George Bush and Dick Cheney has spread the abuse-of-power virus to virtually every dimension of our national political life, whether foreign or domestic.

And here in Illinois we've got impeachable evidence that the infection has spread to government at the state level, with a governor who thinks he's above the law and a general assembly that, at least up to this point, is unwilling to take action to put an end to this profound hazard to public/political health.

But we expected something different from Reid and Durbin because they've been so vocal about the virulent consequences of the unchecked and abusive exercise of political power.

Yet, they say they're ready to violate the Constitution they've sworn to defend.

That Constitution states: "Each House (the Senate or the House of Representatives) shall be the Judge of the Elections, Returns and Qualifications of its own Members ..." (Art. I Sec. 5).

Nothing is written there about the process of appointment to a vacant seat in the Senate; that's left to the states. In Illinois it's still the case that the governor makes the appointment.

And nothing is written there, in the U.S. Constitution, about the "Qualifications of its own Members" being determined by the character—or even the corruption—of the official or body making the appointment.

All the Senate can do is determine the "Qualifications" of the person being appointed.

But because they justifiably so dislike the governor of Illinois, Reid and Durbin are now unjustifiably saying they will not allow Roland Burris, appointed by the governor, to fill the Senate seat vacated by Barack Obama.

That's abuse of power, pure and simple.

And this abuse additionally denies the citizens of Illinois their mandated representation in the Senate, the un-mandated but surely appropriate representation of African Americans in that distinguished and powerful body, and the Senate itself an African American voice in its deliberations and decision making.

We can understand why Reid and Durbin initially said they would deny anyone appointed by Gov. Blagojevich, since, given the circumstances of the governor being accused of trying to profit from the appointment, any such appointee would appear to be “tainted.”

But now they need to say, despite their best intentions, they were wrong. There is no evidence whatsoever that Burris carries the governor’s taint. And all the evidence points to the fact that, under the terms of the Constitution, Burris (a member of Saint John Church-Baptist on Chicago’s south side) is qualified to serve.

No one, especially people in power, likes to admit he or she was wrong. The outgoing president and vice president are good examples of that.

But the admission of fallibility and error could be the first immunization shot for Senators Reid and Durbin against the disease of abusing power. Their doing it immediately would encourage others to take the same step.

We all need it.