

## Shortsighted House GOP would deny D.C. residents the vote

by Jack\_Kemp

A common expression has it that the opposite of love is not hate but indifference. Unfortunately, that's exactly the message the GOP is sending to the residents of our nation's capital by its recent actions in trying to defeat the bipartisan DC Voting Rights Act on a procedural motion.

The Republicans in the House, as well as advisers to the president - by threatening a veto - are in danger not only of indifference to district citizens, but in fact they're showing disdain for a city predominantly governed and populated by people of color. This can be interpreted as racially insensitive at best and racially prejudiced at worst. Either way, it's really dumb politics because the party of Lincoln, Douglass, Grant, Eisenhower and Bush 41, among others, is sacrificing its civil rights soul for a mess of political pottage.

I told a high-ranking member of the president's staff last week that his strict constructionist view of the Constitution puts the White House in the position of rolling back the clock to some rather dark days. In other words, using Article 1, Section 2 of the Constitution that says "people of the states shall elect members of the House" is to deny the equally valid clause (i.e., Article 1, Section 8, Clause 17), which empowers Congress to "exercise exclusive legislation in all cases whatsoever over the District."

This "District clause," as Viet Dinh, the eminent Georgetown University law professor, eloquently testified (he helped draft the president's Patriot Act), does give Congress the constitutional authority to guarantee voting rights to district residents in the House of Representatives irrespective of Article 1, Section 2.

The argument that allowing the people in our nation's capital the right to vote is unconstitutional pains me very much. The Supreme Court should make that decision.

Remember that at one time the Constitution defined black people as three-fifths of a human being. Blacks not only couldn't own property, they were considered property and women couldn't vote. Up until 1956, blacks were going to public school in a demeaning apartheid-like segregation, upheld by the very Constitution that these strict constructionists now use as an argument against allowing D.C. residents the vote in the people's House.

If it seems that I'm playing the "race card," remember "the card" that President Lincoln used for emancipation and President Grant used to require these United States to live up to the 13th, 14th and 15th Amendments. Indeed, Grant was the first president to send federal troops to help guarantee blacks the right to vote in Mississippi and Louisiana.

Fast-forward to 1964, when Barry Goldwater, GOP candidate for president, voted against the bipartisan Civil

Rights Act because of his Libertarian belief in private property. This vote by Goldwater doomed the Republican Party to but 10 percent of the black vote ever since. Some Republicans were using private-property arguments to deny fellow citizens access to lunch counters, toilets, drinking fountains and public accommodations with ugly, race-based ramifications.

Over the years the courts have validated legislation treating the district as a state, as in giving residents access to federal courts, residents' paying federal taxes and sending their family members to far-off lands to help defend freedom and promote democratic rights in Iraq and Afghanistan. What irony!

In November 2004, Viet Dinh said in his testimony to the Committee on Government Reform: "The right to vote is regarded as a fundamental political right, because preservative of all rights. Such a right is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government. Given these considerations, depriving Congress of the right to grant the district congressional representation pursuant to the District Clause thwarts the very purposes on which the Constitution is based. Allowing Congress to exercise such a power under the authority granted to it by the District Clause would remove a political disability with no constitutional rationale, give the district, which is akin to a state in virtually all important respects, its proportionate influence in national affairs, and correct the historical accident by which District residents have been denied the right to vote in national elections."

To do anything less than passing this DC Voting Rights Bill is to confine the party of Lincoln, Douglass, Eisenhower, Reagan and George H.W. Bush to a minority status in perpetuity among people of color.

Wake up, House Republicans, before it's too late.

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