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## Obama throws Democrat congressman and his brother to the wolves?

Also...sneaking abortion and same-sex marriage through the back door?



Wes Vernon

By [Wes Vernon](#)

Barack Hussein Obama has just presented us with more evidence that his agenda and his ego are so important that he is more than willing to sacrifice his own political allies in order to make the history books on passing his signature Health "Care" bill.

He doesn't care if his party goes under in the 2010 midterm elections. We already knew that. He and his minions are so power-mad and locked into their Marxist ideology and Saul Alinsky's "Rules for Radicals," that they are willing to go down to defeat at the polls — confident that the American people will fall in love with their plot to put themselves between you and your doctor.



Scott Matheson, Jr.

Thereafter — according to their playbook — once they have you addicted to the new entitlement, they can then beat Republicans over the head every election year with their pious claims that anyone who opposes their plot to increase handouts from the program wants to toss seniors, the sick, and the poor out into the snow. They actually think you're stupid.

### From power-grab to criminality?

Now the latest in the long parade of the Obama oddball capers appears to be an attempt to bring Chicago's smashmouth politics to Salt Lake City.

On Tuesday of this past week — the very night the president was hosting at the White House ten "moderate" Democrats who had voted against Obamacare last time — out of that same White House pops an announcement that the president had just announced he was naming Scott Matheson, Jr., to a seat on the Tenth Circuit Court of Appeals. That is the second level of this nation's judiciary, just one level below the Supreme Court itself.

Who is Scott Matheson, Jr.? Aside from being the son of a former two-term governor of Utah, he happens to be the brother of Congressman Jim Matheson, one of ten Democrat lawmakers being entertained at the White House the very moment the announcement of his brother's elevation was being made.

### Hello! Fancy meeting you here!

That this "coincidence" smells out loud is self-evident. Either we are witnessing boss-style corruption

minus the subtlety, or you have a case of a monumental "comedy of errors" incompetence beyond anything imagined in any prior administration.

What the president has done is to put one of his fellow Democrats in a damned-if-he-does & damned-if-he-doesn't position in a district that is not reliably Democrat.

In fact, the only reason Matheson occupies that seat (aside from his family name, which is big in Utah politics) is that in recent years, three Republicans who were elected to represent the district in Congress booted it — got themselves in political hot water over one scandal or another. That gave the opening for a well-known Democrat to win the seat.



Rep. Jim Matheson

Aside from that, the far left is not entirely without some profile in conservative Utah. A liberal group calling itself UtahCitizensCandidate.org is running Claudia Wright, a longtime educator, against Matheson in the upcoming state Democratic convention. She is pounding Matheson not only for voting against Nancy Pelosi's health care bill, but also for voting for the Bush tax cuts. A novice in politics, Wright — who calls herself a "Real Progressive Democrat" — labels Matheson a "Democrat in name only."

Meanwhile, the Republicans view the discord among Democrats and the general conservative trend nationwide as golden opportunities to re-take the district for the GOP. A leading Republican hopeful — Morgan Philpot, recently Vice Chairman of the Utah Republican Party and a former member of the Utah State Legislature — castigates Matheson for backing Obama's multi-billion dollar stimulus package and Cash for Clunkers program. "We can no longer afford Jim Matheson," he says.

Others lining up for the GOP nod include Neil Walter — a financial analyst — and Casey Anderson, a Ron Paul supporter.

The GOP has some "third party" opposition on its right flank in the person of Randall Hinton — candidate of Howard Phillips' Constitution Party.

### Which sets the stage for Matheson's dilemma

It should be mentioned that Congressman Matheson's brother Scott is eminently qualified to sit on the Tenth Circuit Court. A graduate of Yale Law School., he served as dean of the University of Utah law school; as deputy county attorney for Salt Lake County; as U.S. Attorney; as a professor of First Amendment law at Harvard; and years ago as an associate attorney for the Washington white shoe law firm Williams and Connolly. Utah's senior senator, Orrin Hatch — a Republican — has agreed to shepherd the nomination through the Senate.



Rep. Michele Bachmann

So his qualifications are not the issue. Nonetheless, there are legitimate concerns about — at the very least — the appearance of impropriety/attempted vote buying.

That has prompted Congresswoman Michele Bachmann, a Republican from Minnesota, to call for an independent investigation to determine if there was any wrongdoing involved. That in turn prompted a Florida Democrat Alan Grayson — named in a survey by *Human Events* as the "biggest jerk in Congress" — to accuse Bachmann of employing a "weapon of mass distraction." Bachmann responded that "corruption is not a distraction." They argued on *Larry King Live*.

Adding fuel to the fire is that Congressman Jim Matheson — having voted against Obamacare the first time — now says he is "undecided" how he will cast his vote in the upcoming go-round where the

president hopes to ram the health "care" bill through Congress even though an overwhelming majority of Americans don't want it.

### The "appearance"

The congressman labels as "simply absurd" any claim that he is being bought off — i.e., agreeing to vote for the bill in return for a coveted appointment for his brother. The White House says the nomination was vetted over a period of weeks before it was announced.

Which misses the point. That the announcement came just as the president was leaning on Congressman Matheson to change his vote raises a question as to whether it is necessary for President Obama to be so crass as to blurt out "Jim — my good man, I just nominated your brother to a lifetime appointment to the Circuit Court. Now y'know, Speaker Pelosi tells me she needs your vote on our next try on health care, do you think you'll reconsider?"

Those things need not be said. It is the timing that is none too subtle and raises the question of corruption. The very appearance is outrageous, regardless of whether or not it was a deliberate squeeze-play or coincidence of timing.

If it is the latter, it shows sheer stupidity — an administration whose left hand doesn't know what its far left hand is doing. If the former, it shows once again the public-be-damned attitude of Obama and his henchmen in their willingness to throw their own "blue dogs" to the wolves. But to risk charges of criminal wrongdoing? That takes us to different territory.

### "We know how to play politics"

So Congressman Matheson's high-wire attempt to please both sides may be catching up to him, thanks to his own party's White House. If he votes for the bill, he risks looking like he caved in to White House corruption. If he votes against it again, the president won't withdraw his brother's judicial nomination. Even for him, that would be too obvious.

But when the nomination of Scott Matheson, Jr., is up for confirmation in the Senate, don't be surprised if some of Obama's most leftward allies in that body try to use the confirmation hearings to tarnish the nominee's reputation even if — as seems likely — he will be confirmed in the end. There are some vicious smear artists on the Democrat side of that panel, and they have the scalps of other very well-qualified judicial nominees to prove it. Let that be a lesson. You don't want to put anything past an administration whose top leader has said with pride, "We know how to play politics in Chicago."

### Sneaking abortion, same-sex marriage into "rights"

The Supreme Court on March 2 heard four-way arguments in *McDonald vs. Chicago* wherein Otis McDonald — a resident of Chicago's South Side — seeks to strike down the windy city's 28-year gun ban. (For those desiring more details — at least as far into the weeds as a general non-legalistic, non-wonkish column is willing to venture — see *this column December 21, 2009.*)

The issue in this case is whether the justices should or will extend to the states the Constitution's Second Amendment right regarding the right to keep and bear arms *without* at the same



Rep. Alan Grayson



Otis McDonald

time opening up a Pandora's box whereby a huge myriad of so-called "rights" is also extended to the states — i.e., the right to an abortion, to welfare, to same-sex marriage, to government-run health care, to a "living wage," to a "clean environment," or to just about everything you would expect to find in a legal can of worms — everything in the agenda of the oppressives.

Boiling it down, it goes to the basic question of whether the Chicago ban will be struck down by incorporating the "due process" clause of the 14th Amendment — which has been used to incorporate most of the Bill of Rights (and the Second Amendment is conspicuously missing from that group) — or by invoking a long dormant clause of the 14th Amendment which reads "No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States." Libertarians are among those who have argued for using the "privileges and immunities" clause. Far-left George Soros types would love that.



James Taranto

On *Fox News*, James Taranto of *Wall Street Journal Online* opined on Saturday that if you follow much academic literature, "the array of 'rights [abortion, same-sex marriage, et al] that you can discover that they would like to imbed in the Constitution is almost limitless. *I think the danger here is that if we ever went down that route, you are virtually risking a kind of civil war in this country* because so many people of the public do not want to go down that road." (Italics added.)

In Tuesday's oral arguments, Chief Justice John Roberts and Justice Antonin Scalia made the point rather forcefully that they were not prepared to go there.

They feared it would open up a terrible disruption in our society, leading to a widespread disenchantment with the system by a huge number of Americans and a belief that the system — which they have always held so dear — had let them down and that a terrible disruption in our society would ensue.

Right, and that was exactly why on December 21, this column urged that the March 2 oral arguments be thrown open to live television, the internet, and radio coverage — a plea that fell on deaf ears.

Ken Klukowski — an attorney whom we interviewed extensively in the pre-Christmas column — was present for the recent court session. He represented the American Civil Rights Union (ACRU) of which he is Senior Fellow and Senior Analyst, along with Let Freedom Ring, the Family Research Council, and the Committee for Justice. All of them favor gun rights without opening the door to the other super-controversial and nation-changing issues referenced above.

Klukowski noted in a follow-up discussion with us during this past week that the ultra-liberal *New York Times* ran a piece indicating a willingness to open up the "privileges and immunities" clause — presumably even if that means sacrificing the Times' long-held support for gun control. On the other hand, the *Wall Street Journal* ran a piece indicating a concern for the dangers involved in dragging all the other non-gun related issues into the matrix of "rights."

The libertarian *Cato Institute* commented how "amazing" it was that the NYT got it "right" and the WSJ got it wrong.



Ken Klukowski

"No, no," Klukowski insists. "I would say that when the New York Times agrees with you and the Wall Street Journal opposes you [that] might be a good indication that you're on the wrong side of this."

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