

# OBAMA'S RELENTLESS ABANDONMENT OF PROGRESSIVE NOMINEES

Barack Obama was never a hard liberal nor progressive, whatever the supposed difference between the two really is. Those blinded by hope and change who thought otherwise were imprinting their own desires and beliefs on what was a relatively blank slate, which was probably easy enough to do in the despair resultant from the eight years of George Bush. By the same token, however, Mr. Obama cultivated and encouraged such beliefs; this he worked hard at, and it was critical to him being elected president.

Now if you listened to, and read Obama, and paid attention, you knew he was a centrist who worked by increment, compromise and seeking consensus as opposed to a liberal beacon that would take the country in a new and markedly different direction. Again, that said, the liberals and progressives who served as the ground force, heart and soul of Obama's candidacy and election had every right to believe he would at least include them at his table and utilize their talents in his Administration and appointments. There was an implicit deal made in this regard, and Obama purchased on it to his wild success. Now he has defaulted.

I first wrote significantly on the betrayal of the Obama White House toward liberal nominees in relation to the nomination of Dawn Johnsen to the critical post of head of the Department of Justice's Office of Legal Counsel. The scorn for, and abandonment of, the Johnsen nomination still stands out because of the fact it is clearly established that there were 60 votes cloture on a Senate floor vote for Johnsen's nomination. It wasn't that Johnsen could not be confirmed, she absolutely could have been and would have been; it was that Obama did not want

her and would not call for a vote.

Johnsen was not only the best person for a critical job, she was a symbol to a critical part of Obama's and the Democratic constituency. It is far more than Dawn Johnsen however it is a pattern of abuse and scorn the Obama White House relentlessly exhibits to a major portion of the base. Currently the focus of progressives is on the potential nomination of Elizabeth Warren as head of the newly enacted Consumer Financial Protection Bureau. Despite some public platitudes, it is quite clear the Obama Administration does not want a competent crusader for citizens like Warren and, apparently, is working through the cut out of Chris Dodd to see Warren doesn't get the nod.

Maybe the pressure will get to the Obama White House and Warren will get the post she deserves and would be perfect for; but don't count on it because Obama, Geithner, Summers, Rahm and the boys on the Obama bus just do not want her. And they didn't want Christine Romer either, so they let the misogynistic, consistently wrong about everything he touches, Larry Summers push her out. It is becoming a broken record with this White House.

Most distressing to me, because I practice law in the 9th Circuit, is the complete abandonment of two critical liberal judicial nominees, Goodwin Liu and Edward Chen; you may not be aware of because their nominations were tanked in the quiet of the night before those oh so hard working and diligent souls in the United States Senate jetted out of town for a 37 day vacation. Because Senate Rule XXXI specifies that all nominations not voted on and not held over by unanimous consent are extinguished and returned to the White House, the Liu and Chen nominations are toast.

Some of the still starry eyed Obama true believers who care about Liu and Chen (and both are incredibly excellent and worthy nominees) probably still think Obama will renominate them (and there is mention of that by, of course, an

anonymous "White House official"). But even if he did, why in the world would anybody believe it to be anything other than a ruse to get their support leading up to the fall election? Obama renominated Dawn Johnsen and then hung her out to dry twisting in the wind until she finally ended the charade. It was a charade to sucker progressives, and there is no reason to believe he will not do it again. There is a track record with this White House, and it is not a good one; in fact, it is downright pathetic.

If you do not know about Goodwin Liu, you should. Liu is quite arguably the brightest and most accomplished young legal liberal star in the universe. He is the future of any liberal hope on the Supreme Court; like Antonin Scalia or John Roberts on the right, Liu is the future legal heavyweight for the liberal future. At only 39 years of age, Liu's resume and record of accomplishment, service and involvement in the law makes Elena Kagan look like a malnourished piker. He is worth fighting for tooth and nail (and so is Ed Chen for that matter). Except Barack Obama did not lift a finger; didn't ever expend any of his precious political capital in furtherance of the nomination and didn't even utter a peep of protest as Harry Reid and the Senate let him die in the night as they were fleeing town. But that is the hallmark of the Obama Presidency in relation to liberals and/or progressives; they just don't give a damn and won't lift a finger (but they will expect the votes whenever elections come around).

The Obama White House also put up no fight for Peter Diamond, a worthy and critical nominee to the Federal Reserve Board. It is a pattern and practice with the Obama White House. If you are an only marginally qualified centrist Obama toady like Elena Kagan, they will fight like dogs for you; but if you are a strong progressive voice you are toast.

Maybe progressives ought to be considering someone like Elizabeth Warren for a *much* higher office than head of CFPB; or they can continue

to be treated as "f\*\*cking ret\*rds" by the  
current denizens of the White House.