



TRANSCRIPT

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**(HEAD-
LINES)**

MR. ROLAND MARTIN: At the top of our agenda this week, Solicitor General Elena Kagan is nominated for the Supreme Court – but was there ever serious consideration for an African-American woman? How fair was the President’s selection process? And a fight breaks out on the left. Is Supreme Court nominee Kagan liberal enough? Plus, Democrats try to muster enthusiasm as more motivated Republicans look to sweep the midterm elections.

Our “Washington Watch” newsmaker: White House senior advisor Valerie Jarrett has the inside story on how Supreme Court nominee Elena Kagan was chosen by Pres. Obama. And just back from Haiti, Cheryl Mills, counselor and chief of staff for Secretary of State Hillary Clinton, with a firsthand report on the situation on the ground in Haiti.

In our “Washington Watch” roundtable, April Ryan, White House correspondent for American Urban Radio Networks; Karen Finney, Democratic political strategist and MSNBC contributor; and David Frum, former speechwriter for Pres. George W. Bush and editor of TheFrumForum.com.

And Jon Stewart admits defeat in the Ascot Wars. All that and more today on “Washington Watch.”

**(SEG-
MENT 1)**

MR. MARTIN: Pres. Barack Obama’s Supreme Court nominee Elena Kagan is

facing intense political and public scrutiny. Always happens when it comes to Supreme Court nominees. Appointed for life, these justices can have a lasting impact on this and future generations. Just think Dred Scott, Brown vs. Board of Education, Roe v. Wade.

While she is likely to be confirmed by the Senate because Democrats hold 59 seats there, concerns about her diversity record at Harvard Law School when she was the dean, as well as how liberal she is, have raised questions that need to be answered. And here to shed light on Kagan is one of Pres. Barack Obama's closest friends and advisors, White House senior advisor Valerie Jarrett.

Welcome to "Washington Watch."

MS. VALERIE JARRETT: Well, thank you, Roland. I'm delighted to be here –

MR. MARTIN: All right. Glad you're here.

MS. JARRETT: -- at long last.

MR. MARTIN: Oh, well, we had you on before, but [first time] here in the studio, here in the studio.

MS. JARRETT: Exactly.

MR. MARTIN: Pres. Obama had the following to say about Elena Kagan's tenure at Harvard Law: "At a time when many believe the Harvard faculty had gotten a little one-sided in its viewpoint, she sought to recruit prominent, conservative scholars and spur a healthy debate on campus." Yet critics – and I've written about it as well – say, "Look, she also didn't hire significant numbers of minorities." So, how do those two jive? That is [she] sought conservative voices, but, then, not minority voices hired.

MS. JARRETT: Oh, well, there I disagree with you. She certainly did seek minority voices a[s] we- -- as well. She was *very* active in trying to recruit minority faculty to come, but as you know, faculty are hired basically by the faculty; and the dean is just the last step in the process. And one of the things she did is encourage minority faculty to come and have visiting professorships there, so that they would get exposed to their other peers along [sic] the faculty, in the hopes of getting more minority faculty onboard.

But you should also look at her record on minority students, African-American students – in fact, Roland, African-American *men*. It was a real big deal for – for Solicitor General Kagan to try to increase the number of minority students on campus, and from the very first moment an African-American student hit the campus, she went out of her way to make them feel welcome. She went out of the way – her way to recruit them, and she created programs that she thought would help enrich not just their lives, but the lives of the entire student population.

MR. MARTIN: But, clearly, this is an issue that is not limited to her. We've seen other nominees come forth where civil rights organizations and others look at the particular candidate as it relates to issues such as this, Affirmative Action. Politico.com – they've been looking into her papers when she served on the Clinton Administration. We've heard different things as relates to her comments regarding the president's race panel. Has she spoken about her position on Affirmative Action, on executive privilege – those kind[s] of issues that – that a Supreme Court will likely deal with?

MS. JARRETT: Well – so, for example, just recently, she authorized the filing of an *amicus* brief in a lawsuit involving the University of Texas at the lower court – and that’s a little unusual for the Solicitor General to do – to show support for Affirmative Action. So, as the chief lawyer for the country, she’s going to weigh in with a brief that supports Affirmative Action in Texas.

So, I think we should probably, Roland, take a step back and just let’s look at her entire life history. Let’s look at the fact that she and her brother were children of – of parents who were immigrants. Their – their parents were immigrants, and they instilled in them this work ethic to try hard, to do well, and to give back. Her brother’s a teacher. She’s led a life in both education and in the public sector. The first person that she clerked for, and who selected *her* as a clerk, is Thurgood Marshall, an icon in the civil rights community. And now she works for Eric Holder, the attorney general, and, let’s not forget, Pres. Barack Obama; and they’ve all chosen her and seen something very special in her. And so I think that you can glean a lot about her priorities, her values, her commitment to really representing people – *all* people in America – from her track record, which is stellar.

MR. MARTIN: According to various reports, the President interviewed Federal Appeals Court Judge Merrick Garland, Sidney Thomas, and Diane Wood. The Black Women’s Roundtable, other civil rights groups have been asking the question, “Why no African-American women interviewed?” Were there any seriously considered, and were they interviewed? And if not, why not?

MS. JARRETT: They were very seriously considered. What the President did is he asked his team to cast the net broadly and widely, to come to him with a list and do a lot of due diligence. I mean the interview is at the very end of the process, but I think what's important for your viewers to know, Roland, is that there is a very lengthy process, and the President received detailed briefings on a wide range of people, including people of color, including African-Americans. So, yes, they were certainly considered. And I think that as it got down to the final wire, he chose who he decided to interview, but I think what's important to know is how thoroughly and widely he looked as he was looking for *the* person at this moment in time who he thought would be best on the Court.

MR. MARTIN: After her nomination was unveiled on Monday, there was a meeting at the White House on Tuesday. Folks I've talked to said it wasn't the most, uh, uh, nice meeting, if you will; that – that you had folks who – who had some very strong viewpoints. You were there. What happened?

MS. JARRETT: Well, it was my meeting, and I invited in, at the request of Ben Jealous from the NAACP, a group of civil rights leaders who did not know her very well and wanted an opportunity to come to the White House and talk very openly about – about her and her candidacy and why the President selected her. So, I think we had a very good meeting. I've had several subsequent conversations, including this morning with the chairman of the board of the NAACP – Ben Jealous left me a terrific voice mail message – Rev. Sharpton, who was in the meeting, and I think that people are

beginning to appreciate what an extraordinary person she is and her depth and commitment to issues, including civil rights, and – and how well she'll represent us on the bench.

MR. MARTIN: Already, National Urban League, NAACP, Legal Defense Education Fund – they've issued statements; but they've, frankly, been neutral statements, saying they want to see more information. We've seen folks – other folks on the left say the exact, same thing. And so because she does not have a significant paper trail, I mean aren't those important points they're making? And that is they want to know more about her before all of a sudden they begin to say, "Absolutely, we're backing this nominee."

MS. JARRETT: Absolutely. And she's perfectly committed to going through this process. I mean, Roland, this is just the end of week one. She was just nominated by the President on Monday. I think it's very reasonable that all of the organizations you mentioned and many others would want to have an opportunity to get to learn more about her. That's why she's up on the Hill every, single day, meeting with the senators one on one, answering all of their questions. Many of their questions are coming from their constituencies, who want to know about – a little bit more about her. And so she is not looking for a rubber stamp. The *President's* not looking for a rubber stamp. Everybody knows that it's important; that this is a very, very important decision, and it was one that the President took very seriously. But he had a head start on everybody. He's been thinking about this for a while.

And so at the end of week one, I think we are where we want to be. We've had – we've touched a lot of people in the course of this week, a lot of organizations who care deeply about this issue, both on the liberal to the conservative side, and – and we are at the beginning of the process. And I'm confident, as is the President, that at the end of the process, Elena Kagan will win overwhelming support in the Senate, but also in the hearts of the American people.

MR. MARTIN: You spoke about the meeting that you had, and – and I've talked to folks who've been in that meeting, folks who were not there and others, and I've written a column and talked about the delicate dance that exists between Black leaders and this president. This nomination seems to be a flashpoint. Some individuals have said they felt they were not reached out to, it wasn't necessarily inclusive, and that there's a broader issue here as relates to the President and Black civil rights groups, economic groups and religious groups. What is that relationship? Because there – because, again, talking to many individuals, there're folks who do not want to criticize this president publicly, but they have some serious concerns they're ... raising privately that, I think [are], frankly, coming to the surface.

MS. JARRETT: Well, I don't think this is a flashpoint at all, and the people who came to the meeting that day, the ones that we've spoken to in the course of this week – I think everybody is coming in good faith and working constructively together, and so I have – I would disagree with you calling it a flashpoint. I think that it's important for people to feel as though they're a part of the process. This is a process that really only

begins publicly at the time that the President announces his – his decision. We certainly have had a wide open door to anyone who wanted to come in and express an opinion, and many of the people who were there in my office have had an open door since the President was elected [to] come in and talk to us about a wide range of issues, including characteristics that they think are important for a Supreme Court justice; including giving us recommendations not just for the Supreme Court, Roland, but for the lower courts and the court of appeals – also very important appointments that the President would make. And so I think that it is a natural part of the process, and that we look forward to that ongoing engagement and making people feel as though their voices are being heard.

And in this case, by her selection, I think that she is *absolutely* the best person for the job right now. She's qualified. She has an extraordinary legal record. She has a commitment to civil rights, which [has] been demonstrated through her entire career, beginning with her second job, working for Thurgood Marshall and on through working for this attorney general, whose Civil Rights Division has *completely* been revamped, and who – she is the chief lawyer for the United States of America, and has been a strong advocate in her year as a solicitor general.

MR. MARTIN: A poll out this week talking about the enthusiasm. Republicans, 56 percent; Democrats, 36 percent. African-Americans – the strongest constituency, frankly, for Pres. Barack Obama in 2008. Is there a concern that you're not going to see the same level of enthusiasm come November? A Joint Center poll said it could be

anywhere from 76 to 80 – 80 percent. Look, for Democrats, if it's those numbers, that's catastrophic; because they, frankly, have to have Black folks vote at 90 percent or above to win.

MS. JARRETT: Well, Roland, as you will remember from the presidential campaign, this is a long time in advance of November. My goodness. Pres. Obama was 30 points down, and everyone was ruling him out. So –

MR. ROLAND: But he's not on the –

MS. JARRETT: -- we are – [crosstalk]- --

MR. ROLAND: -- ballot in November.

MS. JARRETT: -- no, no, but he's going to work very hard. We were just in New York last night. He's going to be traveling the country and working for Democratic candidates across our country.

Let's face it. This has been a very tough year and-a-half for the American people. The President inherited a mess. We were in the middle of a financial meltdown. Our market was in freefall. The economy was on the brink of disaster, the worst recession in your or my lifetime –

MR. MARTIN: And Black –

MS. JARRETT: -- certainly –

MR. MARTIN: -- unemployment is still 16 –

MS. JARRETT: -- and –

MR. MARTIN: -- and 17 percent.

MS. JARRETT: -- Black unemployment is far, far too high. Unemployment, *generally*, is far, far too high; but we are moving in the right direction. Companies are now beginning to hire again who even six months ago were not. We were losing – we were losing 750,000 jobs a *month* when the President took office. Now we're beginning to see an uptick, and so we're optimistic, as we go through the summer and into the fall, and as we have an opportunity to talk about all the very impressive steps that the Obama Administration has taken, working with Congress, that we'll have a great track record.

MR. MARTIN: All right. We're out of time. Valerie Jarrett, thanks a bunch.

MS. JARRETT: You're welcome.

MR. MARTIN: All right.

Folks, our examination of the newest Supreme Court nominee isn't over. When we come back, some tough critics of the selection process and a lifelong colleague and support of Elena Kagan get right into it. Back in a moment.

[END OF SEGMENT.]

**(SEG-
MENT 2)**

MR. MARTIN: Many had hoped Pres. Barack Obama's second Supreme Court nominee would've been an African-American, but despite candidate suggestions from civil rights groups and Black women's groups, it did not happen. Here to talk about the selection of Elena Kagan is Melanie Campbell, Executive Director and CEO of the National Coalition [on] Black Civic Participation; Barbara Arnwine, Executive Director of

the Lawyers' Committee for Civil Rights Under Law; and Paul Butler, Professor of Law at George Washington University.

Folks, welcome to the show.

MS. MELANIE CAMPBELL: Thank you, Roland.

MS. BARBARA ARNWINE: Thank you for having us.

MR. MARTIN: All right. I want to talk to both of you, Melanie and Barbara. Both of you were part of a group that sent a letter to the President as related to the nomination of Kagan, and in the letter, quote, you said, "Our trepidation regarding General Kagan is premised on the lack of a clearly identifiable record on the protection of our nation's civil rights laws." Explain that.

MS. CAMPBELL: Oh, well, first of all, we – the Black Women's Roundtable was the group that sent the letter, and it was *two* things, actually. One, our – our main focus is really saying, after 221 years, we believe that it's more than time for an African-American woman to be part of that third [branch of] government, which is the p- -- is the Supreme Court. The other [is] just being able to – because she doesn't have a judiciary record, and [not] being able to look at her civil rights record, her women's rights record, we are depending on our civil rights lawyers and legal groups, like the Lawyers' Committee for Civil Rights Under Law and the NAACP Legal Defense Fund and the National Bar and those groups like that. And so we have to have more information before we know whether we're for or against her. And we, as the Black Women's Roundtable, are not saying we're *against* anyone; we're saying we're *for* a Black

woman becoming not just nominated, but, hopefully, one day confirmed, as – to be on the Supreme –

MR. MARTIN: Barbara –

MS. CAMPBELL: -- Court.

MR. MARTIN: -- we heard some names put out there, but the reality is when it came time to actually interview with the President, you – you didn't have, you know, frankly, any diversity whatsoever in that group. Is the whole point of it – the point of inclusion – to say, "Look. Include us in the process," as opposed to no one at all?

MS. ARNWINE: Well, I think what we're saying is that we *want* this administration to do everything ... within its power – and it has considerable power – to make sure that an African-American woman is nominated to the Court and confirmed. And they have the ability to do that. They will have another vacancy a year from now, and they need to – instead of just putting people on lists and talking about it's – you know, "We looked at them," or, "We considered them," they need to really put some people in positions who they *know* they can elevate to the Court.

MR. MARTIN: Paul, a lot of pushback the day after that letter was sent and they actually met. There was a meeting at the White House that took place on Tuesday. I was told there was more listening from the Administration side than talking, but people made it perfectly clear how they felt. And what we've seen so far [is] National Urban League, NAACP, Legal Defense and Education Fund, [are] frankly, lukewarm – not – not even really endorsements, but very *neutral*. The White House has been pushing

back, putting a lot of her supporters out there. Do you think they were surprised by the reaction from African-American civil rights groups?

PROF. PAUL BUTLER: I – I think they understood that people would be disappointed if the nominee wasn't another person of color. Everyone was so proud of Justice Sotomayor. But the point is the nominee we have is Elena Kagan, so if you're concerned about civil rights, *she's the woman*. I met her in law school 25 years ago. Harvard Law School was a *miserable* place when we were there. As dean, she transformed it, including many initiatives that helped people of color. I spoke there a couple of weeks ago. Never seen so many Black, male students at an elite institution. So, she's got a lot of credibility when it comes to economic justice, social justice, racial justice.

MR. MARTIN: But isn't it important, though – I understand recruiting students, things along those lines; but the reality is, with virtually no paper trail, folks don't know where she stands on issues. And so when the President says, "Hey, this is my pick. Trust me," even a lot of folks on the left are saying, "We are not confident to know where she is going to come from, if she's going to be a strong advocate on our interests." Fair point?

PROF. BUTLER: Fair point, and so what I do is look at people who know her really well, like Charles Ogletree. Nobody's done more work for racial justice than he has. He's singing her praises. You know, when she was at Harvard, her chair – her endowed position – was r- -- originally named after a White man who gave money to

Harvard by selling his slaves. She took the name of Charles Hamilton Houston, an African-American lawyer who's the architect of the desegregation litigation. That says a lot about her commitment to racial justice.

MR. MARTIN: Barbara.

MS. ARNWINE: But that's not the only record she has. She has, you know, had a long record. We're looking at every aspect of that record, including her record when she was at the Clinton Administration, which so far is not looking that great. So, we are

—

MR. MARTIN: Explain that.

MS. ARNWINE: -- well, I mean, you know, the — Politico.com has the story about her, you know, fighting with the race panel — with the, you know, race initiative and her differences of opinion with them. There's questions about, you know, where was she on Affirmative Action. There are these issues that have to be sorted out, and we just want *answers*. We want, you know, information. You know, what our duty is as civil rights groups is to look at the *complete* record.

MR. MARTIN: Melanie, one of the points that I — I've also been hearing from people is that civil rights groups have a mission, and the mission — that is what they're — they're supposed to be fighting for, but many of them also want to support this president. They believe he is an ally. This seems to me to be the first time we've truly seen a significant difference of opinion. Was it a question of lack of outreach? Was it a question of not including these groups in the process? Because I heard from people

who said, “Look. We weren’t even given a heads-up.”

MS. CAMPBELL: Well, I think part of it is – first and foremost, this is not about being against the President. That’s the first thing. It’s about doing – Barbara is *right*, and we have to do our due diligence as leaders. You ha- -- for the last two years, even before the President was elected, it was, “He’s not going to be the African-American president. He is the President of the U-“ – “these United States.” So, it’s up to – and so if that’s the case, then you have a *right* to ask questions. You have the right to – to – to probe, because that means he *is* the President of the United States, and that African-Americans and Black folks don’t have to sit back and w- -- and it wa- -- and it’s a new day. It’s a new opportunity. We never had a person who comes from the African-American community who broke that glass ceili- -- ceiling until Pres. Barack Obama. And just –

PROF. BUTLER: And you have –

MS. CAMPBELL: -- like for –

PROF. BUTLER: -- to have – [crosstalk]- --

MS. CAMPBELL: -- for that point, as we – as for Black women – and I – and I reiterate in 221 years, there has to be at least *one* of us who [has] ma- -- who – who [has] made enough of a mark in this society to be represented.

MR. MARTIN: Paul.

PROF. BUTLER: -- couldn’t agree more. We need an African-American justice. At the same time, we need somebody who can bring the conservatives and the

moderates on this Court together. Roland, they're –

MR. MARTIN: But – [crosstalk] –

PROF. BUTLER: -- *out of control.*

MR. MARTIN: -- but – but couldn't an African-American woman do that?

[CROSSTALK.]

PROF. BUTLER: Oh, sure, but Elena is known for her people skills. She did that with the Harvard faculty. When we were there, it was miserable, 'cause the people weren't getting along. She transformed that faculty. You know, Roland, n- -- under this court, *Brown v. Board of Education* is under attack, *voting rights, Affirmative Action.*

We need somebody who can talk to Clarence Thomas –

MR. MARTIN: But –

MS. ARNWINE: We need to know –

PROF. BUTLER: -- talk to John Roberts –

MS. ARNWINE: -- who she is.

PROF. BUTLER: -- and[?] to[?] –

MS. ARNWINE: But that's what we *don't* –

MS. CAMPBELL: Well[?] –

MS. ARNWINE: -- know.

MS. CAMPBELL: -- right.

MS. ARNWINE: That's where –

MS. CAMPBELL: Exactly.

MS. ARNWINE: -- that's where the record is so devoid -- is we don't know *where* she's going to stand on these vital issues. She's done a good job as --

MR. MARTIN: And -- and --

MS. ARNWINE: -- SG --

MR. MARTIN: -- and keep in mind --

MS. ARNWINE: -- but she's speaking[?] --

MR. MARTIN: -- Republicans --

MS. ARNWINE: -- [crosstalk].

MR. MARTIN: -- are *still* angry with David Souter.

MS. ARNWINE: Right.

MR. MARTIN: They thought he was going to be a conservative. All of a sudden, he gets on the Court, becomes a l- -- a strong liberal voice, and you're hearing the left say the exact, same thing.

PROF. BUTLER: -- but are -- are you saying --

MR. MARTIN: "We're not sure."

PROF. BUTLER: -- you don't have confidence in the President's judgment? He selected --

MS. CAMPBELL: No, it's n- -- no --

PROF. BUTLER: -- her for a *reason*.

MS. CAMPBELL: -- no, no, no, no, no.

MS. ARWINE: No. That's not --

MS. CAMPBELL: I – I – I – [crosstalk] –

MS. ARNWINE: -- what it's about. [Crosstalk] –

MS. CAMPBELL: -- say this again –

MS. ARNWINE: -- like that.

MS. CAMPBELL: -- that – that –

MS. ARNWINE: That's so unfair.

MS. CAMPBELL: -- he is the President of the United States. He is *not* the African-American president. It is – for those of us who are civil rights leaders and advocates, it is *our* responsibility –

PROF. BUTLER: I agree.

MS. CAMPBELL: -- to make sure that –

PROF. BUTLER: I agree.

MS. CAMPBELL: -- who goes on that Court – guess what? She is 50 years old. She could be there, if she lives well and her health is well –

MR. MARTIN: Thirty, 40 –

MS. CAMPBELL: -- 30-plus –

MR. MARTIN: -- years.

MS. CAMPBELL: -- years. And so those people who have a one-year-old, they'll be 31 years old. The people – it's – it's – it's our responsibility at the –

MS. ARNWINE: Absolutely.

MS. CAMPBELL: -- end of the day. It is not – we're not against –

PROF. BUTLER: I agree.

MS. CAMPBELL: -- the President.

MS. ARNWINE: It's *everybody's* --

PROF. BUTLER: I agree.

MS. CAMPBELL: We're not against --

MS. ARNWINE: -- legacy.

PROF. BUTLER: I agree.

MS. CAMPBELL: -- Kagan. That is not the issue.

MS. ARNWINE: Right.

MS. CAMPBELL: The issue is that we have to do our due diligence on *any* of the nominees. And from what I understand from the civil rights I- -- community, from our legal community, they -- there [were] things that were not maybe done as well in the process, and so that's --

MS. ARNWINE: Right.

MS. CAMPBELL: -- *important*. And so the confirmation process is going on right now.

MR. MARTIN: And we're actually --

MS. CAMPBELL: And so --

MR. MARTIN: -- actually out -- out of --

MS. CAMPBELL: -- we'll have --

MR. MARTIN: -- time, and we'll, of course, probably be dealing with this for the

next two or three months.

MS. ARNWINE: Yes.

MS. CAMPBELL: -- yes, indeed.

MR. MARTIN: So, it will not be our last conversation.

MS. ARNWINE: Okay, great.

MR. MARTIN: Thanks a bunch.

MS. CAMPBELL: Thank you so much.

PROF. BUTLER: Thanks for –

MS. ARWINE: Thank you –

PROF. BUTLER: -- having us.

MS. ARNWINE: -- so much.

MR. MARTIN: Folks, fasten your seatbelts. Our roundtable discussion is up next, and we're not shying away from the tough topics. The pressure is mounting as midterm elections heat up. Plus, April Ryan of American Urban Radio Networks; Karen Finney, MSNBC contributor; and David Frum, former speechwriter for Pres. George W. Bush, will join me after the break.

[END OF SEGMENT.]

**(SEG-
MENT 3)**

MR. MARTIN: Let's get – [chuckles] – right down to it. April Ryan, White House correspondent for American Urban Radio Networks –

MS. APRIL RYAN: [Laughs.]

MR. MARTIN: -- Karen Finney, Democratic political strategist and MSNBC contributor; and a *newbie* to our panel – and we'll haze him appropriately –

[CHUCKLING.]

MR. MARTIN: -- David Frum, former speechwriter for Pres. George W. Bush, noted conservative thinker and editor of TheFrumForum.com.

MS. RYAN: Give him an ascot.

MR. MARTIN: Huh? Yeah, that's ri- -- that's right.

MS. RYAN: [Laughs.]

MR. DAVID FRUM: You stole – I was going to make that joke. Now I can't.

MR. MARTIN: You just *totally* messed it up, April!

MS. RYAN: [Throws up her hands sheepishly.] Hey.

MR. FRUM: I – I think the joke's dead anyway.

[CHUCKLING.]

MR. FRUM: I – I – I think it's just – it's like grass. It's been walked on too many times.

MR. MARTIN: Well, it's a- -- it's happened, though. You know, Luke Russert all of a sudden said he's now going to go out and get him an ascot, so *it's catching on*.

MS. RYAN: Oh.

All right. Let's get right down to it.

[CROSSTALK.]

MR. MARTIN: Big news this week. Elena Kagan nominated for – for the

Supreme Court. It's interesting here, David, because the left *and* the right are sort of so- -- saying, "We're not quite sure what's going on here." I -- I can't recall the last Supreme Court nominee that folks were saying, "M-m-m, I'm not quite sure."

MR. FRUM: Yes. Well, look. The people on the right don't like her, because she's nominated by Pres. Obama, and they -- they have an idea, "He's a law professor. He knows what he wants" -- and your lack of information is not the same as *his* lack of information.

MR. MARTIN: Right.

MR. FRUM: So, they don't -- they don't trust anything they're getting from the President. Meanwhile, the left is saying, "She doesn't come from the heart of the left. She doesn't have a big public- -- "publication record, and we are not absolutely sure we know what we are getting."

And, nonetheless, I think the President's personal authority with his party is going to be sufficient to carry it, and brute force of numbers is going to be sufficient to overawe the Republicans.

MR. MARTIN: But, Karen, when you listen to folks on the left -- and, obviously, we've heard all this week, even on this show, [that] African-Americans making it perfectly clear that, hey, th- -- they even in ma- -- took[?] -- in many ways are neutral. She has to win over the left, because they're saying, "Look. We don't really know where you stand."

MS. FINNEY: Sure. Well, and on the left, I mean, there're a couple of things

going on – right? They want to not be seen as just rubberstamping whoever the President puts up. That’s one thing, and a number of them have talked about that. In addition to that, a lot of them have some concerns about where she is on corporate governance and the role of the executive – beyond the traditional, you know, firebomb issues that we hear about in terms of privacy and abortion and all that.

But at the end of the day, that’s why we have a process – right? We have a process so that we learn about this nominee. We will learn more during the hearings, hopefully. It’ll be very interesting to see how she, in fact, responds to her *own* criticism of –

MR. MARTIN: Right.

MS. FINNEY: -- hearings and, actually, will she answer some *questions*.

MR. MARTIN: April, what about that? Because, obviously, normally the hearings lately – you – you – you learn nothing. They just sit there and say, “Can’t answer,” “Can’t answer,” “Can’t answer.” She has said before that she hates the – you know, that – that kind of process. So, what are you expecting her to do?

MS. RYAN: Well, she’s going through that process right now, actually, before she even goes through the hearings, in the public – in the – in the court of public opinion, because right now you have the NAACP, you have the National Urban League, and you have the National Association for Black ... Civic Participation. They’re sitting out. They’re trying to find out *what is she about*. What is she about on Affirmative Action? Where does she stand on issues of race? And one thing that we have found

out from the Clinton years [is] that she was involved in somewhat putting down the issue of race on the – the – the President's race book 'cause they were fighting fiercely

–

MR. MARTIN: Well – well, i- -- i- --

MS. RYAN: -- *in* the White House –

MR. MARTIN: -- in terms of that – in terms of the race – national race conversation –

MS. RYAN: -- yes.

MR. MARTIN: -- that Clinton had. And – and, look. And I must say I thought that was a joke of a conversation as well.

MS. RYAN: No –

MR. MARTIN: I mean I – I mean – no, seriously.

MS. RYAN: -- [crosstalk]- --

MR. MARTIN: -- I thought it was – I thought it was a lot of – a lot of –

MS. FINNEY: It was – [crosstalk]- --

[CROSSTALK.]

MS. RYAN: -- but here's –

MR. MARTIN: -- bluster.

MS. RYAN: -- and this – and this –

MR. MARTIN: I thought it was –

MS. RYAN: -- and this is –

MR. MARTIN: -- a lot of bluster, but it wasn't enough --

MS. RYAN: -- and this is the --

MS. FINNEY: -- but --

MS. RYAN: -- part that -- that -- Clinton wanted it to have more teeth, and there was a faction in the White House, and she was on that side of the faction where she wanted to water it down. So, there was a big in-fight; and, therefore, you did not have the race book --

MS. FINNEY: -- right.

MS. RYAN: -- and it didn't --

MS. FINNEY: But --

MS. RYAN: -- come out with --

MS. FINNEY: -- similar --

MS. RYAN: -- major things.

MS. FINNEY: -- to some of the arguments that I heard from my friends on the right during the John Roberts process, it -- there's a difference when you are representing, or a lawyer for, the President --

MR. MARTIN: Right.

MS. FINNEY: -- working in the Office of the President, trying to make an argument, or give him counsel on a particular issue, than how you would be in terms of jewishpru- [sic -- phonetic] -- jew- [sic] -- jurisprudence -- I want say that right -- as a Supreme Court justice. And it's true we -- there is something of a thin record; but,

again, folks on the right made the same argument with John Roberts [and] –

PROF. BUTLER: No.

MS. FINNEY: -- said that was okay.

MR. FRUM: No, the difference – here's the difference with John Roberts. I- -- the right has a judicial network, the Federal Society.

MR. MARTIN: Yes.

MR. FRUM: I – I was president of the Harvard Law School chapter of it. And we *knew* these people, so they didn't have to tell you anything, because you'd had this conversation eight years before –

MR. MARTIN: [Chuckles.]

MR. FRUM: -- [chuckles] -- and – and – and there is a deep knowledge and trust. This was the thing that Harriet Miers ran into – was that it was not only [that] people didn't know where she came out of, but also that – i- -- the fact that they didn't know was itself a problem, because “why weren't you part of this network?” “Why hadn't you joined” –

MR. MARTIN: Right.

MR. FRUM: -- “joined, played by” – “played the game by our rules?” And – and in Harriet Miers' case, there was also a lack of competence. That was a big part –

MS. FINNEY: Well, but –

MR. FRUM: -- of the problem.

MS. FINNEY: -- then, to some –

[CHUCKLING.]

MS. FINNEY: -- degree, doesn't that exactly go to this whole point that she wasn't part of this elite network. Instead, she was -- [crosstalk] -- presi- --

MR. FRUM: Elena Kagan?

MS. FINNEY: -- elected president --

MR. MARTIN: A- -- actually --

MS. FINNEY: -- a- -- and so --

MR. MARTIN: -- actually -- she --

MS. FINNEY: -- no, no.

MR. MARTIN: -- she -- [crosstalk] --

[CROSSTALK.]

MR. FRUM: She was --

MS. FINNEY: She wasn't part of the --

MR. FRUM: -- the *chairman of the board* --

MR. MARTIN: Wait a minute.

MR. FRUM: -- of the elite --

MR. MARTIN: Wait a minute.

MR. FRUM: -- network.

MS. FINNEY: -- but she was --

MR. FRUM: What are you *talking* about?

MS. FINNEY: -- but she was -- okay, but she also -- she served f- -- for -- she

clerked for Abner Mikva. She clerked for Thurgood –

MS. RYAN: Thurgood –

MS. FINNEY: -- Marshall.

MS. RYAN: -- Marshall.

MS. FINNEY: So, there are some way- -- other ways we can –

MR. MARTIN: I –

MS. FINNEY: -- learn about who she is –

MR. MARTIN: -- I – I –

MS. FINNEY: -- and –

MS. RYAN: She's the only[?] –

MS. FINNEY: -- where she stands –

MS. RYAN: -- appointment.

MS. FINNEY: -- on issues.

MS. RYAN: We know she's a brilliant woman, but *we're* hearing –

MS. FINNEY: We[?] know[?] –

MS. RYAN: -- examples of Lani Guinier now when it comes to –

MS. FINNEY: Yeah.

MS. RYAN: -- Elena Kagan.

MS. FINNEY: Yeah.

MS. RYAN: So – and I mean that's a major issue.

MR. MARTIN: David made the point about elite networks. If she is confirmed,

frankly, this all of a sudden is an Ivy League Supreme Court.

MR. FRUM: Yeah.

MR. MARTIN: You know, S- -- John Paul Stevens, University of Chicago, Northwestern Law School. The fundamental problem I have that we have not – we are sending a signal that if you don't go to Harvard, if you don't go to Yale, if you don't go to Princeton, you – you have no shot on the Supreme Court. So, I have a serious problem with that all of a sudden becoming, you know, in terms of how we define –

MR. FRUM: Yeah.

MR. MARTIN: -- who's on the Supreme Court. Final comment on this topic –

MR. FRUM: Well, it – i- --

MR. MARTIN: -- [crosstalk] – I move to the next one.

MR. FRUM: -- this 'll be – John – with – there 're no – there'll be no veterans on the Supreme Court with John Paul Stevens gone.

MR. MARTIN: No –

MR. FRUM: There wo- --

MR. MARTIN: -- Protestants.

MR. FRUM: -- no Protestants. There won't be people with a lot of private-sector advi- -- we've got *litigators* – but people with private-sector counseling expertise.

There're whole areas of – of *life* that are not represented on the –

MR. MARTIN: It has truly –

MR. FRUM: -- Supreme Court.

MR. MARTIN: -- become an elite Court. Now, let's get to this -- this *Wall Street Journal* poll that has come out. Fifty-six percent Republican enthusiasm; Democrats, 36 percent. The President -- they're trying to retool this message. He was in Buffalo, New York, this week. He announced a couple of weeks ago they were trying to kick off -- or, restart the coalition that put him in office. I see some issues here, because it's like all of a sudden in May, you go -- [claps his hands] -- "Okay. We need to get our coalition going" --

MS. FINNEY: Yeah.

MR. MARTIN: -- when you didn't do that for 15 months.

MS. FINNEY: Yeah. You know, look. I mean I think the poll showed a couple of things that we've known for some time. Very strong anti-incumbency, anti-establishment. That is only growing. I have to think that the BP oil spill only plays into that narrative. And, certainly, the numbers between Democrats and Republicans [are] not very good. I think par- -- frankly, as someone who -- for whom this used to be part of my job, under the President's leadership, we really haven't been talking about the brand of Democratic leadership. They're not making an argument in terms of why we should be returned to power; and, yet, we actually *have* a record to run on.

MS. RYAN: What are we --

MS. FINNEY: Instead --

MS. RYAN: -- galvanizing around?

MS. FINNEY: -- instead, we're -- we're, you know, talking at cross purposes, and

in the – in the interim, the Republicans are taking out the oxygen in –

MR. MARTIN: Is that –

MS. FINNEY: -- the room.

MR. MARTIN: -- narrative –

MR. FRUM: Yeah.

MR. MARTIN: -- important, laying out, “This is what we’ve done. This is why we must continue to lead”? Are they missing that?

MR. FRUM: I don’t think it would work. The gr- --

[LAUGHTER.]

MR. FRUM: -- the – the – the – people – look. People don’t want to know what you’ve done to put – pass legislation in Washington. They want to know what have you done –

MS. FINNEY: You know –

MR. FRUM: -- for *them* –

MR. MARTIN: [Unintelligible.]

MS. FINNEY: -- David, I –

MR. FRUM: -- and – and – and they’re – and especially the President’s key constituencies: African-Americans, minorities, the young. All of these groups are at the point of the spear for unemployment. They’re suffering the most. They’ve got not only the worst numbers, but the longest numbers. *They are not better off.*

MS. FINNEY: -- but I think the – here’s the –

MR. MARTIN: And we just –

MS. FINNEY: -- thing.

MR. MARTIN: -- saw the Senate –

MS. FINNEY: But there's –

MR. MARTIN: -- this week strip out the summer jobs out of the – out of the bill.

So now, all of a sudden, they're trying to fight to get that back in.

MS. FINNEY: -- right.

MR. MARTIN: And so the reality is, as you said, those are the people who you need to come out in record numbers. If they're saying –

MS. FINNEY: Well –

MR. MARTIN: -- "I haven't been" –

MS. FINNEY: -- and –

MR. MARTIN: -- "helped" –

MS. FINNEY: -- and they're also –

MS. RYAN: But people –

MS. FINNEY: -- people who don't traditionally vote in midterm elections.

MS. RYAN: -- right, but they – but what they're looking at right now is trying to see where that surge – that core Obama surge group – where they will go. Will they sit down? Will they vote for people Obama is pu- -- are pushing –

MR. FRUM: He- -- here's –

MS. FINNEY: Right.

MR. FRUM: -- and here's -- here's --

MS. RYAN: -- the Obama --

MR. FRUM: -- a part --

MS. RYAN: -- campaign.

MR. FRUM: -- of this that doesn't get nearly enough attention. When you lose your job, if you move, what happens to your registration? And when you have --

MR. MARTIN: Great point.

MR. FRUM: -- lots of young people and minority people moving, looking for work, they *de*-register. And if they're demoralized, they don't --

MS. FINNEY: But, again --

MR. FRUM: -- reregister.

MS. FINNEY: -- Obama brought in a new coalition of voters -- independents, Black, Brown, young. Those voters saw themselves at the end of the 2000 election as Obama voters. They did not see themselves as --

MR. MARTIN: And --

MS. FINNEY: -- Republican or Democratic Party voters --

MR. MARTIN: -- a- -- and then[?] --

MS. FINNEY: -- and so --

MS. RYAN: But can that --

MS. FINNEY: -- in a m- --

MS. RYAN: -- translate into --

MR. MARTIN: -- i- -- and -- right.

MS. FINNEY: -- but I think that's a --

MS. RYAN: -- political --

MS. FINNEY: -- local question. And what I think both the Republican Party and the Democratic Party have not fully understood is --

MR. FRUM: Right.

MS. FINNEY: -- those voters are up for grabs, so you're going to have to make an argument. *You can't just --*

MR. MARTIN: And w- --

MS. FINNEY: -- count *on Obama*.

MR. MARTIN: -- a- -- a- -- and --

MS. RYAN: -- you've got to galvanize 'em --

MR. MARTIN: -- and -- and -- a- --

MS. RYAN: -- find something to galvanize and run on.

MR. MARTIN: -- and we saw in Virginia, in Massachusetts, New Jersey -- when you saw the exit polling data --

MS. FINNEY: That's right.

MR. MARTIN: -- they didn't show up, but we also saw elections in Houston; in New York City; in Atlanta; in Greensboro, North Carolina; in Dayton, Ohio, where you had African-American candidates running for mayor, and you had overall low turnout. But even among those core groups, I say these elections spell danger for the

Democrats.

MS. RYAN: But for the Black –

MS. FINNEY: Yeah.

MS. RYAN: -- for – for the Black voter – and this is something that we talked about earlier – this administration this year has gone to 11 Black -- HBCU college campuses, and they're trying to reinvigorate, right now – especially this weekend. You[ve] got Valerie Jarrett going to Morgan State, my –

MR. MARTIN: And, of cour- --

MS. RYAN: -- *alma mater*.

MR. MARTIN: -- of course, you had –

MS. RYAN: Yes.

[CHUCKLING.]

MR. MARTIN: -- the President at Hampton – you had the President at Hampton University.

MS. RYAN: The President –

MR. MARTIN: You had others.

MS. RYAN: -- the First Lady at –

MR. MARTIN: But – but – but —

MS. RYAN: -- Pine Bluff.

MR. MARTIN: -- again – but – but – but, April, giving a speech at a commencement address – I *understand* –

MS. RYAN: But you get –

MR. MARTIN: -- that.

MS. RYAN: -- the parents. You get the parents, and you get the students. The
– the Black vote – 90 percent – he received 90 percent of the Black vote, and the Black
HBCU – the Black students –

MR. MARTIN: But here's –

MS. RYAN: -- at those HBCUs went out in numbers and helped put this
President –

MR. MARTIN: -- David –

MS. RYAN: -- in office.

MR. MARTIN: -- real quick – the Joint Center for Political and Economic Studies
released a survey a couple of months ago showing that betw- -- between 74 to 80
percent of Black voters [are] likely to turn out in November. Democrats – they don't win
with 74 to 80 percent of the Black turnout. They need 90-plus.

MR. FRUM: Yeah.

MR. MARTIN: A drop-off of 10, 15 percent – they're toast.

MR. FRUM: But this is -- this is about economic delivery and performance. And
there're all kinds of things that go into elections – all the – the branding and the voter
regis[-tration] – in the end, these are referendums on "What have you done for me?"

MS. RYAN: Um!

MS. FINNEY: Yeah.

MR. FRUM: And – and – and –

OFF CAMERA: Etta James – [crosstalk] –

MR. FRUM: -- the Pr- -- the people who put –

OFF CAMERA: -- “for me lately?”

[CHUCKLING.]

MR. FRUM: -- faith in the President, th- -- he did not *deliver* for them. This has not been a good economy. It is a slow recovery. The job portion is especially slow. I think it has to do with choosing bad policies, myself, but the fact is the fact. It is a slow recovery.

MR. MARTIN: Karen –

MS. FINNEY: But –

MR. MARTIN: -- final –

MR. FRUM: People are –

MR. MARTIN: -- comment.

MR. FRUM: -- disappointed.

MR. MARTIN: About ten seconds.

MS. FINNEY: -- while that may help Republicans in the midterm elections, in a national election you can't win without Black and Brown voters, and the Republican Party so far has done nothing to bring 'em in.

MR. MARTIN: But I will say this here: if they lose the House or the Senate, come November, that makes it difficult for his agenda, and it might set up a – a great,

you know, left-right fight. But the reality is every move –

MS. FINNEY: Which people –

MR. MARTIN: -- you –

MS. FINNEY: -- are sick of, anyway.

MR. MARTIN: -- yeah, but here's the deal. Every move he makes, now you have congressional hearings. Now you have subpoenas. Now you have testimony, and so it becomes a lot more a- -- a- --

MS. FINNEY: Gridlocked.

MR. MARTIN: -- acrimonious. But at the end of the day, the economy will drive this debate.

MS. RYAN: "What have you" –

MS. FINNEY: I agree.

MR. MARTIN: At the end –

MS. RYAN: -- "done for me lately?"

MR. MARTIN: As simple as that.

MS. RYAN: Exactly.

MS. FINNEY: That's it!

MR. MARTIN: April –

MS. RYAN: [Crosstalk.]

MR. MARTIN: -- Karen, David –

[CHUCKLING.]

MR. MARTIN: -- we appreciate it. Thanks a bunch.

MR. FRUM: Thank *you*.

MR. MARTIN: All right. Look forward to having you back again.

Folks, if you want to get in on this discussion, go to TVOneOnline.com and leave your comments there.

Coming up next, we'll look at what the United States is doing to help Haiti rebuild from that country's deadliest earthquake in history.

[END OF SEGMENT.]

**(SEG-
MENT 4)**

MR. MARTIN: It's been nearly four months since an earthquake devastated Haiti, killing 230,000 people and leaving a million homeless. My next guest is helping to make sure America stays focused on helping Haiti rebuild. She is Cheryl Mills, counselor and chief of staff for Secretary of State Hillary Rodham Clinton.

Welcome to "Washington Watch."

MS. CHERYL MILLS: Thank you. Very nice --

MR. MARTIN: N- --

MS. MILLS: -- of you to have me.

MR. MARTIN: -- now, you returned to Haiti this week.

MS. MILLS: I did.

MR. MARTIN: Give us a sense of what's happening on the ground there after the earthquake.

MS. MILLS: Well, a lot's been happening on the ground, and in that sense there's a lot of reason for hope. There [have] been programs that have been established to ensure that everybody has access to food, and so what we've seen is about over 4 million people who have – actually have been able to have the access that they need to make sure that they have food. Similarly, with respect to water, we're at a place where 150 percent of the quality of the water is – is at 150 percent better standard than where it was before we – before the earthquake even hit. So, in that sense it's improved.

People have – actually now have access to places where they have shelter, so instead of actually worrying about where they're going to be, they are in tents and other shelter structures. And so in that sense, we also have managed to take care of the needs of about 100 – 1.5 million people who have needed shelter.

But all that said, there's still an *enormous* amount to do, and I think you have that sense when you're there – both the sense of that the Haitian people have pulled together, that they are stepping through how to rebuild their lives; but they are also looking for, “What is going to be the next stage? “What's going to be the next phase?” “And how can I ensure that, as we get there, the needs of my family, of my children, and of the things that I most want to have for my future are addressed?”

MR. MARTIN: You clearly had issues before the earthquake hit in terms of economic development, in terms of housing, I mean poverty – all of those different things. Is it really going to require a Marshall Plan type, you know, plan of action, if you

will, that looks at, holistically, how to deal with this country, from – from the economy, from living standards to housing, to jobs, to food – all that sort of stuff? Because, frankly, you have an opportunity to rebuild a nation.

MS. MILLS: Yes. And I think that's one of the things that the government and people of Haiti are focused on. They put forward a plan in March that articulated how to think about the redevelopment not just of Port-au-Prince, which was devastated by the earthquake, and some of its surrounding communities, but a plan for *all* of Haiti: "How do we think about developing some of the other regions, so that that isn't actually a pull, where there are jobs and schools and communities where folks could actually decide that they are going to relocate to on a permanent basis, so we decongest Port-au-Prince?" And I think that was very smart. I think it was smart for the people of Haiti and the Government of ... Haiti to say, "Let's not look at this as a moment to rebuild what was there. Let's use this as a platform for seeing a fundamentally different Haiti." And that's what they're stepping toward.

MR. MARTIN: You also have on the Haitian side this sort of discourse as relates to folks wanting *direct* aid, as opposed nongovernmental organizations, but you also have the issue of trust, to make sure that the millions and billions going through [are] actually put to use; and it's not, frankly, taken away via corruption.

MS. MILLS: You've put your finger on a very important issue, and that's the issue of transparency. The reality is in Haiti, there has been a long history of both donors and the Government of Haiti not always being as transparent about where the

resources are going, how those resources are being organized to ensure they're actually changing people's lives, and that they're making a difference, as opposed to just going in. And so part of the commitment that was made not only by the Government of Haiti, but also by all of the donors who are participating in and seeking to support Haiti's rebuilding of its own future, is, "How do we make sure everything we do is transparent?"

One of the ways that we are seeking to do that as a collective community is that the Haitian parliament passed, and Pres. Préval signed into law, a – a development authority. It's called the Interim Haitian Reconstruction Authority. The purpose of it is to oversee the planning and the coordination and the implementation of the redevelopment of Haiti, but one of its key responsibilities will be an Office of Public Transparency and Accountability to say everything that they're doing; where every dollar is going; and how that is, or is not, transforming people's lives. And I think that's going to be really important.

MR. MARTIN: A lot of Americans have given money. They've given resources, time as well; but what else are you asking of the American people to do? Because this is going to be a long process.

MS. MILLS: Well, I do think one of the most incredible things about being an American is the pride that we should feel in the fact that more than 50 percent of Americans have given to Haiti. That's an *enormous* – an enormous gift in so many ways, both of our – of our commitment and of our willingness to actually help others

that are in need. I think there is always an enduring need for additional resources, because it was a *devastating* earthquake. It eliminated 50 percent of their GDP. We can't begin to imagine that.

In addition to the resources that they need, lots of people here have technical skills. We're getting ready to enter the phase where there is going to be an all[-out] call for people who have technical skills, who can help in the rebuilding of Haiti. To the extent people have the luxury or the will to be able to say, "I'm going to take a period of my life, set it aside," and be able to go down and provide support in Haiti, we're getting to a place where people will be able to embrace that support in an effective way.

MR. MARTIN: And we certainly plan on continuing to stay on top of this, because, again, this show's all about benchmarks, how are we progressing – not the huge announcements – and making sure that we're on track to do it better.

Well, Cheryl, we certainly appreciate it.

MS. MILLS: I'm glad you're doing that, and I – I hope I have an opportunity to come back and speak again about –

MR. MARTIN: Anytime.

MS. MILLS: -- our progress, or what we *aren't* doing –

MR. MARTIN: Let –

MS. MILLS: -- yet.

MR. MARTIN: -- us know.

MS. MILLS: Thank you so –

MR. MARTIN: Thanks –

MS. MILLS: -- much.

MR. MARTIN: -- a bunch.

MS. MILLS: I appreciate it.

MR. MARTIN: Thank *you*.

Folks, up next: “Web Watch” with NewsOne.com’s web guru Smokey Fontaine and what folks online are saying about the President’s Supreme Court nominee.

[END OF SEGMENT.]

**(SEG-
MENT 5)**

MR. MARTIN: All the talk this week is about Solicitor General Elena Kagan being the next Supreme Court justice. NewsOne.com’s Smokey Fontaine will take us to what’s happening online.

Smokey, what’s happening?

MR. SMOKEY FONTAINE: I’m good. Well, we’ve seen this debate online’s really been raging since Obama made his announcement. We’ve seen professional writers talk about it on our Black news sites, like TheRoot; Griot; and, of course, NewsOne; but what’s more interesting to me is what real people are saying in their own commentary. Let me talk – first start with comments *against* Obama’s pick. This is from a member called avoiceofreason. He says, “Elena Kagan has real diversity problems – and no amount of platitudes by prominent Black jurists, friends, professors, activists, leaders, [etc.,] can change that fact. My people, please keep your eye on the ball.”

Here's another against. "Thank God somebody has guts enough to call THE PRESIDENT on this. I'm starting to get the feeling that Jesse Jackson was right about Obama talking down to black people. Personally, I think we're being outright ignored."

Emotion, passion – we know we're going to get that online, but what's also interesting is as we go deeper into the issues, some of our commenters are also bringing in s- -- in some interesting facts into the dialogue.

MR. MARTIN: Okay.

MR. FONTAINE: Here's a comment that was made *for* the pick. "For all these people complaining about Kagan's hiring practices, out of 24 years of service, Thurgood Marshall only had *nine* minority clerks." That's something to think about.

MR. MARTIN: Well, you know what? Also, what's interesting is a – a lot of Black women have been really weighing in on this issue, because, you know, an African-American woman wasn't interviewed for this nomination, or even the previous pick. And so have you also been given the sense that Black women, who were *major* voters for the President, also are sort of let down by this pick?

MR. FONTAINE: *Absolutely*. I mean here's another comment. "Why else would Obama feel it was more important to have three women on the bench for the first time in history, rather than two Blacks? Couldn't he have found a Black woman? He knows that probably would've been politically expedient, and here we are back to, quote, unquote, 'politics.'"

MR. MARTIN: And your e- --

MR. FONTAINE: So, that feeling is real.

MR. MARTIN: -- and Smokey, you talked about in terms of a lot of people who -- who worked with Elena Kagan coming out. The White House has really been blasting out e-mails, these column[s] that -- that I've -- that I've seen on TheRoot, other websites as well -- on Huffington Post -- touting her credentials for the Supreme Court.

MR. FONTAINE: It's true, but what -- what I like to see also is if the debate's going to be pro and con, it's also important for us to not make excuses.

MR. MARTIN: Well, I'll tell you what, Smokey. I think some folks might be surprised that Pres. Barack Obama would have so much talk, criticism, if you will, online. So, certainly what is happening in hallways, what's happening in homes, [what] we're seeing on Capitol Hill is also playing out on the Web as well.

All right, Smokey. Thanks a bunch. I appreciate it.

Okay, folks. Now time for "My Perspective."

What in the world is Bud Selig thinking? Here he is, the commissioner of Major League Baseball, and there've been calls for them to remove the All-Star Game from Arizona in 2011. So, what does he do this week? He comes out and says, "Oh, our record about diversity is wonderful. It's great. We have no problem with our minority fans."

But that's not the point! The point is you have a significant number of Major League ballplayers who are Latino. You have many of them who have criticized the plans in Arizona to cause people to actually carry their papers around.

What are you thinking?

He then talked about the history of Major League Baseball when it comes to various social issues. Uh, I'm sorry. I know Jackie Robinson – his number was retired, but it's not like baseball has been on the cutting edge when it comes to the social issues.

Selig, it is not a smart move for you to dismiss those calling for the All-Star Game to be pulled out. You risk the possibility of your best players not playing if it stays in Phoenix.

I'm Roland Martin, and this is my perspective.

Folks, we'll be right back.

[END OF SEGMENT.]

**(SEG-
MENT 6)**

MR. MARTIN: Okay, folks. As we told you last week, "The Daily Show"'s Jon Stewart took a good-natured shot at me about my fashion style, specifically my penchant for ascots. I answered this attack forcefully here on "Washington Watch" – and, of course, on CNN, and apparently that was too much for Sir John.

[VIDEO CLIP.]

[STEWART IS SEATED ON SET, WEARING A ROLLED-UP TIE TO FAKE AN ASCOT. A SCREEN SHOT OF ROLAND MARTIN IN AN ASCOT IS IN THE BACKGROUND.]

MR. JON STEWART: You win this round, Roland.

[AUDIENCE LAUGHTER.]

MR. STEWART: It took a man of courage, boldness and true style to bring back the ascot.

[SCREEN SHOT SWITCHES TO ONE OF ROLAND MARTIN WEARING A WIDE-BRIMMED HAT.]

MR. STEWART: Oh! By the way, Indiana Jones' gay brother called. He wants his hat back.

[AUDIENCE LAUGHTER.]

MR. STEWART: [Fist jab.] *Boo!* ... I gotta tell ya, Roland Martin – [points to his ascot] -- this feels *awesome!*

[AUDIENCE LAUGHTER.]

MR. STEWART: Hey, that's our show, everybody. I just wanna say to Roland Martin tomorrow I'm goin' back to ties. And you know why, Roland Martin? I am not cool enough for this.

[AUDIENCE LAUGHTER.]

MR. STEWART: It is clear to me that only a cool man can pull this off, and I am, in fact – [in a falsetto voice, and pantomiming an "L" atop his forehead] – a loser.

[AUDIENCE LAUGHTER, APPLAUSE.]

[END OF VIDEO CLIP.]

MR. MARTIN: Well, Jon, everybody's not cool; they don't have the swagger. But, yes, Jon, you *do* need a real ascot – and not some necktie masquerading as an

ascot. Now, Jon, check *this* out. The actual ascot that you were sitting here, ribbing me on – I actually have a second one, and we will drop it in the mail and actually send it to you. So, you'll be receiving it very soon.

All right, folks. It's time for our feedback segment with my HP Touch Smart computer. Now, many of you had your own take on my perspective last week on Sandra Bullock's adoption of a Black child. Here's what Heyward had to say. He said, "Those of you who are so offended and outraged, may I ask, how many Black foster or adopted Black children do you have living with you?" Good comment.

Here's how Julia M. sees the situation. Julia M. says, "As a Black person raised by Caucasian parents, I must wholeheartedly disagree with your Perspective. I'm not saying that I would prefer to have grown up in an orphanage, but I would have liked to have had a family that I looked like and shared more common ground."

All right, folks. That's it for this edition of TV One's "Washington Watch." I'm Roland Martin. Goodbye, and have a blessed week – and I'll see you in your ascot next time.

[END.]