

# The Foley affair: A snapshot of the depraved state of American politics

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The sudden resignation of Florida Congressman Mark Foley, a six-term incumbent and Republican deputy whip in the House of Representatives, is a serious political blow to the Bush administration and its efforts to retain control of the House and Senate in the November 7 midterm election.

Foley quit within hours of media reports of his sexually explicit emails and instant messages to teenage male pages and former pages at the House of Representatives. The scandal cuts across Republican efforts to use anti-gay bigotry and concerns over Internet pornography as key components of their drive to mobilize Christian fundamentalist elements. Republican campaign aides have admitted the demoralizing effect on their “base.”

As an exposure of the hypocrisy and cynicism of the Republican Party appeal to “family values,” the Foley affair has few equals. Foley was the Republican co-chairman of the Congressional Missing and Exploited Children’s Caucus, a group whose announced purpose included fighting against “online child sexual exploitation.” President Bush hailed Foley and his colleagues as a “SWAT team for kids” only two months ago—at a time when Foley’s conduct was widely known within the top leadership of the House Republicans.

At the same time, the enthusiasm with which congressional Democrats have seized upon the scandal stands in sharp contrast to their unwillingness to oppose the Bush administration and the Republicans on far more significant issues. The same Democrats who issue moralizing pronouncements against the verbal abuse of 17-year-old boys have no problem voting military appropriations so that the Bush administration can send 19-year-olds to their deaths in imperialist wars in Iraq and Afghanistan.

The Foley affair underscores the descent of both big business parties to the point where all issues of political substance are suppressed in favor of scandal-mongering and mudslinging. This process has debased political discourse in the United States and stultified public consciousness. At the same time, ever-larger sections of working people are becoming alienated from the entire political establishment.

After resigning from Congress on Friday, Foley checked himself into a rehab center and issued a statement that he had an alcohol problem. Late Tuesday afternoon, Foley’s attorney issued a statement on behalf of the ex-congressman, confirming that Foley was gay and revealing that he had been molested by a clergyman as a teenager. Foley had never had sex with an underage boy, his attorney said.

This account, which seems plausible, only underscores the element of political savagery in the response by congressmen of both parties to Foley’s evident psychological and emotional problems. Both parties react by calculating the advantages and disadvantages in their struggle over positions and political power, while seeking to outdo one another

in denouncing their erstwhile “esteemed colleague.”

Press reports since Foley’s resignation indicate a widespread mood of despair among Republican Party organizers and activists. With the election only five weeks away, there are increasing indications that the Republicans stand to lose not only their 15-seat margin in the House, but also the six seats in the Senate that would cost them control of the upper chamber as well.

Foley is the fourth Republican congressman to be forced out of office by scandal since January—a significant fraction of the 232-member party caucus. Randy Cunningham of California resigned after his arrest on charges of taking bribes from military contractors. He is now serving a prison term. Former House Majority Leader Tom DeLay stepped down in June in the face of charges of money-laundering and other campaign finance violations in Texas. Congressman Robert Ney of Ohio, the former head of the House Administration Committee, resigned last month and pleaded guilty to corruption charges in the federal investigation into Republican influence-peddler and lobbyist Jack Abramoff.

The DeLay seat was effectively lost by the Republicans after a federal judge rebuffed DeLay’s attempt to have his name removed from the ballot. The Texas Republican Party has named a replacement candidate, but her write-in campaign is unlikely to win 50 percent of the votes against both DeLay and his Democratic opponent.

A similar electoral quandary confronts the Republicans in Foley’s Florida district. His resignation came so late that most ballots have already been printed. Under Florida election law, the Republican Party has named a replacement candidate who would win the seat if Foley got the most votes. But House Majority Leader John Boehner of Ohio virtually conceded the seat to the Democrats, telling Fox News that to elect the replacement Republican “you have to vote for Mark Foley. How many people are going to hold their nose to do that?”

According to reports in the *Washington Post* Tuesday, at least five other Republican-held seats, in Arizona, Pennsylvania, Colorado, Iowa and Indiana, have been effectively written off by the national party, which actually stopped financial support for the Republican candidate in Arizona’s eighth congressional district. The *Post*’s detailed analysis of pre-election polling results found that of the 25 seats most vulnerable to a shift in control, 23 were held by Republicans and only two by Democrats, a margin more than sufficient to shift control of the House as a whole.

This prospect has touched off open internecine warfare among right-wing lobbying groups and various factions of the Republican Party. On Monday night, the ultra-right *Washington Times*—edited by Tony Blankley, former press secretary to Newt Gingrich—called for the resignation of House Speaker Dennis Hastert for his failure to

properly manage the Foley case. Several other right-wing spokesmen followed suit.

Hastert is under fire because the House Republican leadership continued to promote and protect Foley even after his serious personal problems had become evident. Hastert initially claimed that he learned of Foley's conduct only recently. This story changed after the speaker was publicly contradicted by two other House Republican leaders, Majority Leader Boehner and Thomas Reynolds, head of the National Republican Congressional Committee.

The claim now is that the House leadership learned last November that Foley had exchanged suggestive, but not explicitly sexual, emails with at least one former page. Congressman John Shimkus, an Illinois Republican who heads the committee supervising the pages, met with Foley to demand that he cease contact with the page, but the incident and the reprimand were not reported to Shimkus's Democratic counterpart, Congressman Dale Kildee of Michigan.

Instead, Shimkus reported the problem to Reynolds, whose main responsibility within the leadership is to insure the reelection of members, thus clearly demonstrating that for the Republican leadership, Foley's conduct was a problem in political damage control, not protection of the pages.

That Foley was gay was hardly a secret, either on Capitol Hill or in Florida. When Foley first sought a congressional seat, in 1994, a Republican primary opponent raised the issue. More recently, when Foley contemplated seeking an open US Senate seat in Florida, a whispering campaign about his sexuality began again, this time attributed to Democrats.

Foley's preference for teenage boys was well-known long before 2005. The *Los Angeles Times* interviewed a young man who had served as a page in 1995, Foley's first year in Congress, and found that even then he had become notorious among the pages as someone whose attentions should be avoided. Each new incoming class of pages was given the same message by word of mouth—a fact that makes the Republican claims of ignorance even more preposterous.

The *Times* also reported accounts that Foley's then-chief of staff, Kirk Fordham, "would sometimes accompany the congressman to keep him out of trouble." Fordham left Foley's office last year to become chief of staff for Congressman Reynolds, bringing with him his firsthand knowledge of Foley's conduct.

At least one Democratic Party-aligned group, Citizens for Responsibility and Ethics in Washington, was involved in bringing the Foley scandal fully into public view. CREW officials said they had obtained copies of some Foley emails on July 21 and turned them over to the FBI immediately. The FBI field office concluded that these emails, which were not explicitly sexual, "did not rise to the level of criminal activity."

The legality of the instant messages is more problematic—ironically, in part, because of Foley's own efforts in Congress. The age of consent in the District of Columbia is 16, so anything Foley may have done or said to a 17-year-old would not be a crime in that jurisdiction. However, one of the achievements of the Foley-led Missing and Exploited Children's Caucus was to pass a law making it a federal crime to use the Internet to solicit sex with anyone under 18. Foley could thus be prosecuted and sent to prison for up to 30 years if convicted.

Since the story broke on ABC News last Thursday night, the congressional Democratic leadership has been in full-throated roar, denouncing Foley as a monster and his Republican colleagues as enablers and protectors of a sexual predator. Their remarks echo the

rantings of Independent Counsel Kenneth Starr and the congressional Republicans who forced through the impeachment of Clinton.

The case gives House Minority Leader Nancy Pelosi and Senate Minority Leader Harry Reid their fondest wish: the opportunity to attack the Republican Party from the right and wrap themselves in the banner of morality and "family values."

Democratic candidates in congressional districts all across the country have taken up this theme, demanding that their Republican opponents renounce Foley and all his ways, return any campaign funds contributed by him—Foley was an avid and successful fundraiser and sent \$100,000 to the National Republican Congressional Committee and thousands more to Republicans in marginal districts—and indicting the Republican House leadership for its cover-up.

This corresponds to the strategy developed by Pelosi and Reid at the beginning of the year, of running against a Republican "culture of corruption." Their goal was to enable the Democrats to regain control of the House and Senate on the basis of incremental gains, picking off individual Republicans who could be portrayed as corrupt, while allowing the Democrats to evade the central issues facing the American people: the war in Iraq, the attack on democratic rights spearheaded by the Bush administration, and the steady erosion of working class living standards.

The *New York Times* reported Tuesday that the Foley issue is already being featured in campaign advertisements in southern and Midwestern districts where Democratic strategists believe that "morality" is a winning issue. In North Carolina, the state Democratic Party issued a statement attacking Republican Congressman Robin Hayes, asking, "Who does Robin Hayes stand up for—Mark Foley and the Republican House leadership or under-age children?"

If the Democratic campaign should prove successful and Pelosi becomes the next speaker of the house, the political character of the new Democratic majority is suggested by the candidate now deemed the favorite to succeed Foley in his Florida district. Democrat Tim Mahoney is a computer technology multimillionaire-turned rancher, a Republican until recently, who is running on a socially and fiscally conservative program.

At a campaign event before Foley's political self-destruction, Mahoney called for measures to "better secure the nation's borders," and said, in response to a question from the audience, "The war in Iraq is still winnable, but not with this administration's strategy," calling for redoubled efforts to involve other countries in the occupation of the country.



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