Former House Republican leader convicted of money laundering

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27 November 2010

Culminating a five-year legal battle, a jury in Austin, Texas, found former House Majority Leader Tom DeLay guilty on charges of money laundering and conspiracy to commit money laundering. Sentencing is set for December 20, with penalties ranging from 5 to 99 years in prison.

After a three-week trial, the jury deliberated for only 19 hours before convicting the former congressman. DeLay denounced the prosecution and verdict as politically motivated retaliation by Texas Democrats. His lawyers are expected to file an appeal.

DeLay was compelled to step down in 2005 as Majority Leader and de facto top Republican in the House of Representatives, after the corruption charges were filed against him in Texas. He eventually resigned his seat in Congress as well.

The case arose from DeLay's efforts to pack the Texas congressional delegation in favor of the Republican Party. In 2002, a political action committee set up by DeLay sent $190,000 to the Republican National State Elections Committee, which then sent an identical sum back to Texas, divided up among seven Republican state legislative candidates.

The money contributed by business interests to DeLay's PAC, Texans for a Republican Majority, was funneled through the committee in Washington in order to evade a state ban on corporate campaign contributions to state candidates. DeLay's aides supplied the names of the seven state legislative candidates who received the donations a month later.

DeLay's purpose was to support candidates who would give the Republican Party control of the state legislature, which sets the boundaries of federal congressional districts in the state. The political maneuver was successful; most of DeLay's favored candidates won, giving the Republican Party control of both houses of the state legislature for the first time since the Reconstruction era after the Civil War.

Soon after the state legislature convened under Republican control—and with a Republican governor to sign the law—it took up an unprecedented mid-decade redistricting effort. US congressional districts boundaries are traditionally reviewed the year after each census, and the 2001 redistricting in Texas, worked out by a legislature split between the two parties, left Democrats with a 17-15 majority in the state's congressional delegation.

No state had ever before revisited its redistricting after a change in party control in the state legislature, but DeLay's office drafted a plan that packed black and Hispanic voters into a handful of majority-minority districts and left numerous Democratic incumbents in districts with a presumptive Republican majority.

DeLay proceeded with complete ruthlessness, in keeping with his favored nickname, "The Hammer." When the Democratic minority in the state legislature boycotted sessions to block the redistricting plan, some even fleeing the state, DeLay contacted the Federal Aviation Administration and the Department of Homeland Security in an effort to capture their planes and force the legislators to return.

The gerrymandering was ultimately pushed through, and DeLay's redrawing of the district lines was so successful that five incumbent Democrats lost their seats in Congress in the 2004 elections, while another switched to the Republican Party to save his seat.

Travis County District Attorney Ronnie Earle, a Democrat, brought charges against DeLay and two aides in September 2005. Travis County includes the state capital, Austin, and Earle's office has jurisdiction over the enforcement of state election laws.

While DeLay denounced the charges as the

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"criminalization of politics"—an ironic comment coming from one of the principal architects of the Republican impeachment of Democratic President Bill Clinton in 1998—the Travis County office has prosecuted numerous legislators of both parties on corruption charges. Earle subsequently retired and the case was brought to trial under his successor.

DeLay was one of the most powerful leaders of the congressional Republicans for 11 years, from the 1994 election, when the Republicans won control of the House for the first time in 40 years, until he was forced to relinquish his position under House ethics rules.

He first won the position of House Majority Whip in 1994, over the opposition of the top Republican in the House, Newt Gingrich, who became Speaker of the House soon afterwards. When Gingrich stepped down in 1998, after the Republicans lost seats in the mid-term election, DeLay engineered the election of his close ally and deputy whip, Dennis Hastert, as the new Speaker. When the number-two House Republican, Majority Leader Richard Armey, retired in 2002, DeLay succeeded him, effectively running the House with Hastert as his front man.

The owner of an extermination business when he was first elected to a congressional seat in suburban Houston, DeLay is a Christian fundamentalist and rabid supporter of big business, long known as the most successful fundraiser for the Republicans among corporate lobbyists.

Several of DeLay's former aides were prosecuted and convicted in the scandal involving Republican influence-peddler Jack Abramoff, whom DeLay publicly defended long after he had gone to prison for vote-buying. DeLay himself was long under investigation, but in August of this year the Justice Department announced it would not seek any indictment against him for his close ties to Abramoff.

The prosecution of DeLay was indirectly responsible for the rise of Ohio congressman John Boehner to the top leadership position. DeLay was replaced temporarily as majority leader by Roy Blunt of Missouri, but Boehner challenged Blunt for the position and won a narrow victory in the Republican caucus.

After the Republicans lost control of Congress in the 2006 election, Hastert resigned and Boehner became minority leader. He will become speaker when the new Republican-controlled House is sworn into office in January.

Neither Boehner nor the other two top Republican House leaders, Eric Cantor of Virginia and Pete Sessions of Texas, would make any comment to the press about DeLay's conviction

While DeLay fell afoul of the laws of the state of Texas, he could well win reversal of his conviction on appeal, given the precedents set by US Supreme Court rulings in recent years. The Supreme Court has already upheld mid-decade gerrymandering of state legislative boundaries pioneered by DeLay.

In its decision of January 2010 in the *Citizens United* case, a 5-4 majority ruled that corporations have the same free speech rights as actual human beings, and are thus entitled to make unlimited campaign contributions to favored candidates. (A 1975 high court decision declared that giving money to a candidate is a form of speech.)

It is quite possible that if DeLay appeals to the Supreme Court, it will strike down the Texas ban on corporate campaign contributions as a violation of the corporation's "rights," thus voiding the law under which the former congressman was convicted.

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