

People

By Mike Wagner



Debo Adegbile

After his Justice Department nomination died in the Senate, the civil-rights attorney found a new job—and retained his optimism.

FEW PEOPLE EMERGE FROM the Washington meat grinder with the resilience of Debo Adegbile. In March, the lawyer was blocked by the Senate from a post that seemed an ideal match for his talents, and one that in succeeding months begged for strong leadership—head of the Civil Rights Division at the Justice Department.

Born in New York City to a Nigerian father and an Irish mother, Adegbile, 47, had established himself as an ardent defender of civil rights when President Obama nominated him for the high-profile assistant attorney general job last November. He appeared to be well on his way to confirmation after the Senate Judiciary Committee,

where Adegbile had been hired as a counsel by Chairman Patrick Leahy earlier in 2013, backed his nomination in a 10-8 party-line vote in February. The committee then sent the matter to the floor, where new rules now require only a simple majority to break filibusters of most presidential appointees.

Then came media reports that Adegbile, as an attorney at the NAACP Legal Defense Fund in 2009, had helped overturn the death sentence of Mumia Abu-Jamal, a former Black Panther who was convicted of killing a Philadelphia police officer in 1981. Seven Democrats—some doubtless fearing attack ads for backing the defender of a “cop killer”—abandoned their support for Adegbile, and the vote to end debate on his nomination failed, 47-52.

This September, after he had waited six months to see if Senate Democratic leaders could change a few votes and bring his nomination back to the floor, Adegbile took a job with legal powerhouse Wilmer Hale and withdrew his name from consideration for the Justice post. As a partner, he'll handle a variety of cases—including voting-rights and

civil-rights issues—and, although he'll be based in New York, he expects to spend considerable time in Washington. In an interview at WilmerHale's office two blocks from the White House, Adebile reflected on this year's roller-coaster ride without a trace of bitterness.

"It's hard to know exactly what the combination of factors is that leads to something unfolding in the way this particular nomination did," Adebile says. "What I will say is that politics, we know, is a contact sport, and nominations over time have become increasingly difficult."

When he was vetted for the position, Adebile says, the White House was fully aware of his appeal on behalf of Abu-Jamal but felt confident that the Senate, dominated by lawyers, would understand the legal profession's obligation to vigorously represent every defendant. Ultimately, the federal court that heard Adebile's appeal found that Abu-Jamal's death sentence was unconstitutional because of confusing jury instructions given by the trial judge.

"What we had in that case was a situation where, but for the intervention of lawyers, my former client could have been executed in violation of the Constitution," Adebile says. "Whatever one feels about the death penalty, I think there is widespread consensus that we should not be executing people in violation of the rules that we set for ourselves in the Constitution."

Adebile knows that some believe a lawyer who has defended violent criminals should not serve in the Justice Department, though that would, of course, shrink the pool of available appointees. (Even Supreme Court Chief Justice John Roberts once represented a man who had been convicted of multiple murders.) "It's not a view that should carry the day, but it's a view that some people earnestly hold," Adebile says. "It's contrary to our system of law, but people come to it and believe it in their hearts."

Does he think that some of the opposition to his appointment went beyond the Abu-Jamal case, to concerns about his advocacy for civil rights? Adebile says, "There are folks that did not perhaps want an advocate who had shown himself to be effective, a lawyer who had shown himself to be effective, a leader who had shown himself to be effective and was committed to the principles of democratic inclusion."

ADEGBILE'S NEW YORK CITY upbringing put him on a path toward public service



early in life. His parents divorced when Adebile was 10, leaving his mother and her three sons in an Upper West Side apartment, with little income. "We had a period where we were actually evicted from our apartment, and I lived briefly in an infamous New York welfare hotel, the Martinique, which Jonathan Kozol has written about in a rather searing way," Adebile says, referring to Kozol's book *Rachel and Her Children: Homeless Families in America*. Adebile was able to help out a bit after the family moved to a neighborhood where the PBS children's show *Sesame Street* was filmed; he landed a role interacting with Oscar the Grouch and other characters off and on for most of the 1970s. He played a boy named Debo, the shortened version of his Yoruba name, Adebowale, but he didn't catch the acting bug. "I think I drew some things from the show," he says, "but by and large it was sort of just a fun thing to do."

At home, Adebile says, he was encouraged to converse with adults, "so I became that person where people said, 'You need to be a lawyer.' ... And then, separately, very early on, I learned about the important and nation-altering effort of the civil-rights movement."

Thurgood Marshall, the first black Supreme Court justice, became one of his heroes, and later when Adebile was in private practice after graduating from New York University Law School, he worked with former federal judge and influential civil-rights advocate A. Leon Higginbotham Jr. That led Adebile to the NAACP Legal Defense Fund in 2001, where he was a counsel for 12 years and the lead attorney on voting rights—he twice argued Voting Rights Act cases before the Supreme Court—before

Leahy brought him to Washington full time.

Adebile says he's deeply troubled by the recent erosion of voting rights in America, but he is confident the pendulum will eventually swing back. "I am an optimist," he says. "I believe the way for our country to thrive is to, at the end of the day, commit ourselves again and anew to the principle of inclusion, and to resolving our differences in a process where we all engage, we make our best arguments, and then we live with the results. I've done that in my life as a lawyer, and I'm confident that view will carry the day in the fullness of time. It has to be the case. It cannot be the case that we have people yearning to participate, people who by our laws and by our rules, by the highest law of the land, are entitled to have their voices counted, and that we engage in different types of rules, schemes, and traps to keep them away from the ballot box."

It does not escape Adebile that he might have been the head of the Civil Rights Division when national turmoil over race relations erupted this summer after an unarmed black teenager was shot and killed by a white police officer in Ferguson, Missouri. "Ferguson is an example of why we need a Civil Rights Division as an entity at the federal level, to make sure that people are not being deprived of their civil rights in a way that's contrary to the rule of law," he says. "We don't want people being deprived of their life, liberty, and property on street corners because they were at the wrong place at the wrong time, or because they look a certain way. That's contrary to who we are as a people, and I think the Justice Department has an important role to play."

"The state of equality and opportunity—it's not a destination you arrive at and declare yourself there," Adebile says. "It's an ongoing effort that requires vigilance and monitoring, and it requires citizens to be engaged and hold their officials to account for the well-being of the populace and of the people. I count myself as someone who believes the future will be brighter. It doesn't mean there won't be dark days. It doesn't mean that there will not be crises that we have to see ourselves through. We're living through some of them; I suspect we'll live through more. But if you have people of conscience and principle and commitment, who are committed to the American project of respecting the role of the individual, committing yourselves to equality and opportunity, that story is too powerful to be stopped." ♦

(Photos by Chet Susslin)