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The rot in the Supreme Court goes beyond Clarence and Ginni Thomas (/stories/2022/9/30/2126202/-Spousal-ethics-problems-at-the-Supreme-Court-go-well-beyond-Ginni-and-Clarence-Thomas)



Joan McCarter (/users/joan mccarter)
Daily Kos Staff

2022/09/30 · 11:56

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Gosh, why would anyone question their ethics?

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More than a decade ago, Ginni Thomas's political activities drew scrutiny to her more public husband. More to the point, the failure (<https://www.latimes.com/politics/la-xpm-2011-jan-22-la-na-thomas-disclosure-20110122-story.html>) of that husband, Supreme Court Justice Clarence Thomas, to declare decades of his wife's income from that political activity drew attention, resulting in him revising 20 years' worth of financial disclosure forms. That included \$686,589 she earned between 2003 and 2007 from the conservative Heritage Foundation think tank.

It also included her work at Liberty Central, a conservative "political education" group she co-founded in January 2009. It ceased operations in 2012. The timing of the organization's existence is critical, because its primary mission seemed to be opposing President Barack Obama's Affordable Care Act. Ginni Thomas wrote an article (https://abcnews.go.com/Politics/Supreme_Court/justice-clarence-thomas-amends-financial-disclosure-reports-virginia/story?id=12750650) for the organization's website in 2010 declaring that the new law was unconstitutional. Guess how hubby Clarence voted on that in the Supreme Court? That was in 2012, when one tenuous vote from Chief Justice John Roberts saved the ACA, and when Liberty Central disbanded.

#SCOTUS
(/tags/SCOTUS)

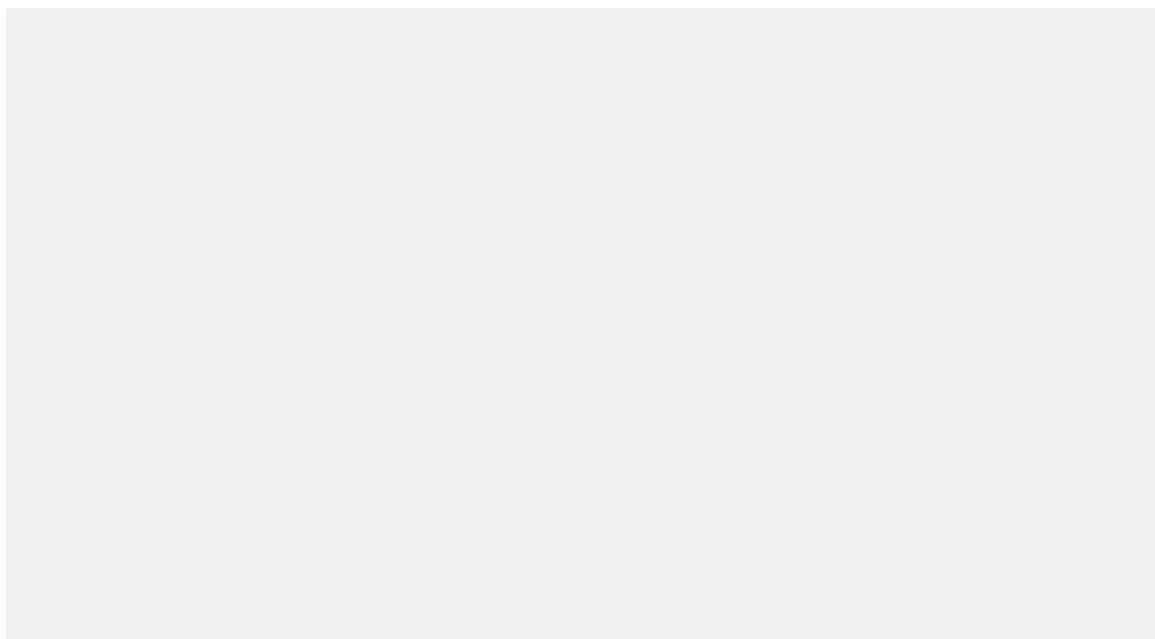
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Fast forward 10 years and the Supreme Court code of ethics, transparency, and disclosure that good government groups have been clamoring for has yet to be enacted, and Clarence and Ginni Thomas are in the news again because she helped try to overthrow the government. Thomas reportedly

There are no unread comments at this time.

(https://www.cbsnews.com/news/ginni-thomas-jan-6-committee-interview/) told the House select committee investigating the Jan. 6 insurrection that “she has ‘never’

spoke with her husband about pending cases before the Supreme Court, calling it an ‘iron clad rule in our home.’” Maybe she also never told him about all the money she was earning from conservative groups thanks to her proximity to a Supreme Court justice.

RELATED: The two Supreme Court cases that could blow up our democracy (https://www.dailykos.com/stories/2022/9/29/2126031/-The-U-S-Supreme-Court-extremist-majority-is-an-existential-and-imminent-threat-to-democracy)

The Thomases are the most enduringly egregious examples of why there needs to be not just an expansion of the Supreme Court, but real reforms that include finally making the court comply with a code of ethics—just like every other branch of the judiciary is compelled to do. But the Thomases are definitely not the only Supreme culprits in fishy spousal entanglements.

Meet [Jesse M. Barrett and Jane Roberts](#)

(https://www.politico.com/news/2022/09/29/justices-spouses-conflict-of-interest-disclosures-00059549), spouses to Justice Amy Coney Barrett and Chief Justice John Roberts, and subject to a deep investigative dive by Politico

Jesse Barrett's law firm, SouthBank Legal (<https://southbank.legal/about/>), just happened to expand from its South Bend, Indiana, base to Washington, D.C., a year after his wife reached the Supreme Court. His specialties are "white-collar criminal defense, internal investigations, and complex commercial litigation." His firm of fewer than 20 lawyers has clients in "virtually every industry," including "over 25 Fortune 500 companies and over 15 in the Fortune 100." Chances are pretty darned good that at some point, a case involving one of those companies has come before the Supreme Court.

But we don't know, because Barrett doesn't have to disclose any of her husband's clients in her disclosure documents, much less recuse herself in any of those cases. Politico reports that in her most recent disclosure, she redacted the name of her husband's firm. On his law firm bio (<https://southbank.legal/team/jesse-barrett>) Barrett says he has "tried several dozen federal cases to jury verdict and has handled numerous appeals, including successful arguments in state and federal appellate courts." So his own work, and his firm's, could definitely come before the Supreme Court. But in those appellate courts, every judge is going to know who is arguing in front of them: a Supreme Court justice's husband, just one wrinkle in the complicated judicial ethics/spousal debate.

In 2007, Jane Roberts quit her job as a partner at Pillsbury Winthrop Shaw Pittman to become a legal recruiter—a headhunter for law firms. John Roberts became chief justice in 2005. The other Roberts is now managing partner at the Washington, D.C., office of Macrae, a firm which exists for the purpose of placing high-powered attorneys with high-powered firms. "Macrae knows law firms," their website boasts (<https://www.macrae.com/>). "Their practices. Their geographic markets. Their cultures. Our passion built an inclusive transatlantic network to identify optimal affinities."

It's a lucrative business. Politico reports that "A single placement of a superstar lawyer can yield \$500,000 or more for the firm." A superstar lawyer and a high-powered law firm can only be helped by having that connection made by someone in such proximity to real power. The guy who hired Jane Roberts for her previous job admitted it freely, telling Politico that they wanted the benefits of having the wife of the chief on their staff because "her network is his network and vice versa."

Robert does list the name of her company on his disclosures, but not the lawyers and the firms she's worked with, "even though her clients include firms that have done Supreme Court work, according to multiple people with knowledge of the arrangements with those firms," Politico found in its investigation of Supreme spouses and ethical conflicts.

Politico contacted both Barrett's and Roberts' firms, and heard back from a Supreme Court spokesperson in the case of Barrett: "Justice Barrett complies with the Ethics in Government Act in filing financial disclosure reports." Which is the crux of the problem: She's complying with the Swiss cheese of judicial ethics requirements, and taking full advantage of all the holes.

Pushed further on the broader question of disclosures by justices of their spouses work, the spokesperson pointed to a statement the court issued in 1993 (<https://www.politico.com/f/?id=00000183-8648-d513-a19b-9fdc5acd0000>), rejecting

the idea that there could be any kind of conflict of interest for a justice in a spouse's work.

"We do not think it would serve the public interest to go beyond the requirements of the statute, and to recuse ourselves, out of an excess of caution, whenever a relative is a partner in the firm before us or acted as a lawyer at an earlier stage," the seven justices who adopted the policy declared. "Even one unnecessary recusal impairs the functioning of the court."

That was back when 80% of the population (<https://news.gallup.com/poll/4732/Supreme-Court.aspx>) had at least some confidence in the Supreme Court, and 47% had a great deal/quite a lot of confidence in it. Now 68% express some degree of confidence, but just 25% say a great deal or quite a lot, and 30% of people now have very little confidence in it. That might be because the modern Supreme Court has done little to show that it's anything but a partisan political entity intent on imposing its out-of-the-mainstream will on the American people.

The arrogance the court showed in 1993 is still on display today. Earlier this year, Barrett participated in an interview with Fred Ryan, former Politico chief executive officer and current publisher of *The Washington Post*. He asked about the potential for conflict with her husband's work, and Barrett said that it wasn't the court that had to change, but public expectations.

There are no unread comments at this time.

"But you know, I think we're living in a time when we have a lot of couples who are both, are working, and so I think that the court and, you know, society has to adjust to expect that," Barrett said. Asked about whether the court should adopt some guidelines to address the problem of spousal conflicts, she blew the question off. "I don't think most of the spouses would be very happy about those guidelines," she answered. "Certainly when I try to give my husband guidelines about what to do and not to do in the house even that doesn't go over very well."

That kind of arrogance and untouchability makes trusting the justices to do the right thing difficult. As does the work of the people they share their personal lives—and finances—with. Sen. Sheldon Whitehouse (D-RI) puts it succinctly: "The ethical rot at the court continues to spread, and public faith in the court erodes along with it."

"The questions about financial conflicts of interest are one area of concern among many. There's also the flood of dark-money influence bearing down on the court, from the nameless donors behind judicial selection to the orchestrated flotillas of anonymous amici curiae lobbying the justices to the spate of partisan decisions handing wins to corporations and big donor interests," Whitehouse said.

After the last term of absolutely trash decisions out of the court (with the next term promising more of the same), the other two branches of government need to get serious about fixing it. That means imposing a code of ethics and expanding the court.

Good judges are more important now than ever. In some states, judges are on the ballot this November. Tune in to ***The Downballot*** (<https://podcasts.apple.com/us/podcast/michigans-first-blind-supreme-court-justice->

with/id1609094461?i=1000579531430) to listen to Justice Richard Bernstein talk about what being on the Michigan Supreme Court has been like, and how his re-election campaign is shaping up.



Michigan's first blind Supreme Court justice, wit...

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Joan McCarter (/users/joanmccarter) There are no unread comments at this time.

Sep 30, 2022 at 11:56:18 AM
(/comments/2126202/84636275#comment_84636275)



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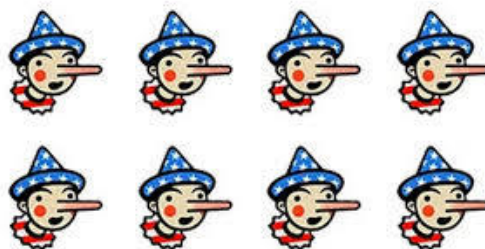


LamontCranston (/users/lamontcranston)

Sep 30, 2022 at 12:07:42 PM
(/comments/2126202/84636370#comment_84636370)



Thomas reportedly (https://www.cbsnews.com/news/ginni-thomas-jan-6-committee-interview/) told the House select committee investigating the Jan. 6 insurrection that ***“she has ‘never’ spoken to her husband about pending cases before the Supreme Court, calling it an ‘iron clad rule in our home.’”*** Maybe she also never told him about all the money she was earning from conservative groups thanks to her proximity to a Supreme Court justice.



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DarkPhoenix (/users/darkphoenix) ▶ LamontCranston

Sep 30, 2022 at 02:09:15 PM

[\(/comments/2126202/84637389#comment_84637389\)](/comments/2126202/84637389#comment_84637389)


There are no unread comments at this time.

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Aynsley (/users/aynsley) ▶ LamontCranston

Sep 30, 2022 at 03:37:08 PM

[\(/comments/2126202/84638031#comment_84638031\)](/comments/2126202/84638031#comment_84638031)

Per Alito (recently & paraphrasing), “you can criticize us but questioning our Integrity crosses the line.”

In my world, Integrity is Earned by one’s actions and Granted by OTHERS. Additionally, (generally) a Loss of Integrity requires twice as much ‘good’ to recoup. As far as I know, THAT’S the way Integrity works.

However, ‘some’ in our world grant Integrity to themselves (ie-Alito). Typically, such persons have a religious underpinning to this arrogance.

Sadly, that’s who these people are and have No Place in America’s Democracy. Vote them out this ROEVEMBER (or in the case of Alito, vote in people who can minimize him & his arrogance...along w/his cohorts Thomas, ACB, Roberts, Kavanaugh, etc.).

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Astronut (/users/astronut) ▶ Aynsley

Sep 30, 2022 at 03:59:30 PM

(/comments/2126202/84638201#comment_84638201)

I agree about integrity. Like so many other judgements of one's character they matter only if made by others. And those who occupy high public positions are, in what's left of our democracy, legitimate targets of criticism, good or bad.

In that vein I must ask why some many of your words are capitalized. Nouns in German are always capitalized, but why so many in English?

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• **Aynsley (/users/aynsley) ▶ Astronut**

Sep 30, 2022 at 04:14:02 PM

(/comments/2126202/84638317#comment_84638317)

It's easier for me than using BF. :-)

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• **doinaheckuvanutjob (/users/doinaheckuvanutjob)**

▶ **Astronut**
There are no comments at this time.

Sep 30, 2022 at 09:30:41 PM

(/comments/2126202/84640308#comment_84640308)

There's an English & American literary tradition, of capitalizing the first letter, to emphasize a word, rhetorically, as a literary device. The Beatnik Poets did it, a lot, as have many other American writers. It works as a device, for emphasis...

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• **CalGoldenBear (/users/calgoldenbear) ▶ Aynsley**

Sep 30, 2022 at 05:33:00 PM

(/comments/2126202/84638859#comment_84638859)

There are SIX Catholics on the Supreme Court, FIVE of them make up the 6-member conservative cabal: Chief Justice John Roberts and Associate Justices Clarence Thomas, Samuel Alito, Sonia Sotomayor, Brett Kavanaugh and Amy Coney Barrett.

AJ Sotomayor is the only Catholic on the Court who seemingly doesn't let her religious beliefs get in the way of applying the law, including precedents or *stare decisis*, to the facts of cases appealed to the Supremes.

The others bring great joy to the U.S. Conference of Catholic Bishops.

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doinaheckuvanutjob (/users/doinaheckuvanutjob)

► **CalGoldenBear**

Sep 30, 2022 at 09:35:07 PM

(/comments/2126202/84640319#comment_84640319)

It is an unusual lineup, that brings the question of a Leo Leonard Federalist Society conspiracy, to load up the Court, with justices all having the same peculiar RW Catholic judicial ideology, that is incompatible with a real American Court that would seek true justice, for our people, instead of bizarro RW returned horse shit...

◀ Reply ★ Recommend 0 Recommend



rkief (/users/rkief) ► **CalGoldenBear**

Sep 30, 2022 at 10:10:32 PM

(/comments/2126202/84640429#comment_84640429)

.....and to the Republican Party.

◀ Reply ★ Recommend 0 Recommend
There are no unread comments at this time.



Proginoskes (/users/proginoskes) ► **Aynsley**

Sep 30, 2022 at 08:39:51 PM

(/comments/2126202/84640126#comment_84640126)

And speaking of Alito and crossing, Alito wants to turn this country into a theocracy, or at least the Supreme Court.

(<https://www.dailykos.com/stories/2022/9/29/2126120/-Countdown-with-Keith-Olbermann-Episode-44-ALITO-IS-THREATENING-SUPREME-COURT-CRITICS>)

◀ Reply ★ Recommend 1 Recommend



midnight lurker (/users/midnight lurker) ► **LamontCranston**

Sep 30, 2022 at 09:00:32 PM

(/comments/2126202/84640193#comment_84640193)

Psst, Ginni. I've got this historic structure connecting Manhattan and Brooklyn that I'll let go cheaply to the right person. You seem like the kind of person who could make the deal.

◀ Reply ★ Recommend 1 Recommend



Naturist (/users/naturist) ► **LamontCranston**

Sep 30, 2022 at 11:55:21 PM

(/comments/2126202/84640734#comment_84640734)

If Ginni Thomas never spoke to her husband about pending cases, how did John Eastman, per his emails, know that there was "intense debate" among the Justices regarding election cases? Jamie Raskin speculated that there was a possible back channel from the WH/election seditonists to the Supreme Court. Sure sounds like Ginni Thomas knew a little something about her husband's work after all.

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polecat (/users/polecat)

Sep 30, 2022 at 12:12:46 PM

(/comments/2126202/84636408#comment_84636408)

Rosemary Alito (his sister) has been going after nurses unions. Speaking of wielding the halo of power.

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Joan McCarter (/users/joan mccarter) AUTHOR ▶ polecat

Sep 30, 2022 at 12:23:32 PM

(/comments/2126202/84636501#comment_84636501)

There are no unread comments at this time.

I didn't know this. Thanks. Will start reading up on that, too.

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Jewelweed (/users/jewelweed) ▶ polecat

Sep 30, 2022 at 01:17:25 PM

(/comments/2126202/84636968#comment_84636968)

These anti-women women really make me sick. What is wrong with them?

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FargoSam (/users/fargosam) ▶ Jewelweed

Sep 30, 2022 at 01:58:31 PM

(/comments/2126202/84637303#comment_84637303)

Any woman that would vote for a GQP candidate is a traitor to her sex. The GQP are the US version of the Taliban and they say no rights for women, children, POCs, LGBTQs and immigrants. Anyone from these groups who have voted GQP have been sold a bill of goods. Check out their Taliban guidelines in Afghanistan. [ttps://editorials.voa.gov/a/taliban-further-restricting-women-s-rights/6600169.html](https://editorials.voa.gov/a/taliban-further-restricting-women-s-rights/6600169.html). And don't forget your daughters can only go to school through 6th grade.

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• **CalGoldenBear (/users/calgoldenbear)** ▶ FargoSam

Sep 30, 2022 at 05:39:47 PM

(/comments/2126202/84638922#comment_84638922)



There is also an article by Kiana Hayeri in today's *NY Times*:

09/30 Kiana Hayeri (text and photos), NYT – A Year Under the Taliban. [?]

= “A single year of extremist rule has turned life upside down for Afghans, especially women. A photographer who has long called the country home captured the jarring changes.”

www.nytimes.com/...

(https://www.nytimes.com/2022/09/30/world/asia/afghanistan-kabul-taliban-women.html)



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• **buddhistMonkey (/users/buddhistmonkey)** ▶ Jewelweed

Sep 30, 2022 at 02:06:01 PM

(/comments/2126202/84637361#comment_84637361)



What is wrong with them?

Religion.



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• **Moe Lasses (/users/moe lasses)** ▶ buddhistMonkey

Sep 30, 2022 at 02:39:16 PM

(/comments/2126202/84637603#comment_84637603)



And one of the usual suspects: GREED.



4 Recommend



• **demcratos (/users/demcratos)** ▶ Jewelweed

Sep 30, 2022 at 03:15:17 PM

(/comments/2126202/84637837#comment_84637837)



White women voted against D-party presidential candidates since 1964

White voters, men and women, have not given D-party presidential candidates a majority vote since 1964. The reason? Racism. White supremacism. White nationalism.

Lyndon Johnson, while supporting civil rights legislation 1965-1968, stated quite clearly that white D-party members would desert the party. This they did, throughout the Old South and mid-West.

When HRC *won* the 2016 vote by 3 million ballots, the result perfectly encapsulated continued white women's rejection of the D-party.

Overall 57% of the white vote went to Ubu xPrez. *Women voted 53% R-party*; men voted 61%. MI, PA, WI tilted to the red-side of a biased EC ledger.

With EC bias, it skews rightward in line with a biased Senate, even CA's massive support of 55 EC votes could not overcome HRC's EC deficit.

Only a permanent minority, white supremacy totalitarian movement can "save" the so-called R-Party by destroying the US itself.

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• **democratos (/users/democratos)** ▶ democratos

There are no unread comments at this time.

Sep 30, 2022 at 03:32:30 PM

(/comments/2126202/84637990#comment_84637990)

supremacism → supremacist

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• **Girasol (/users/girasol)** ▶ democratos

Sep 30, 2022 at 05:48:14 PM

(/comments/2126202/84638996#comment_84638996)

I've always wondered why women would vote against their own interests. Is it that: that they identify more as white than woman? That given the choice of voting for the interests of women-and-minorities, they'd sacrifice their own interests to vote against minorities? That surely fits my mother's saying of "cutting off your own nose to spite your face."

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• **Astronut (/users/astronut)** ▶ Jewelweed

Sep 30, 2022 at 04:02:26 PM

(/comments/2126202/84638223#comment_84638223)

I recently watched part of a series about the rise of Nazism in Germany. It asserted that female Nazis were among the most devoted followers, the most stubborn in defending Der Führer.

Go figure. Doesn't make sense to me.

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RgbyRef (/users/rgbyref) ▶ Astronut

Sep 30, 2022 at 05:21:32 PM

(/comments/2126202/84638782#comment_84638782)

Most women back then (here, too!) lived lives of household labor and drudgery from dawn until after dusk. Hitler didn't promise any change in that but he at least offered them recognition.

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sweetthesound (/users/sweetthesound) ▶ polecat

Sep 30, 2022 at 02:30:34 PM

(/comments/2126202/84637545#comment_84637545)

Sounds more like the pitchfork of power to me.

There are no unread comments at this time.

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Rainmantim (/users/rainmantim)

Sep 30, 2022 at 12:39:27 PM

(/comments/2126202/84636643#comment_84636643)

I highly recommend this article, Joan. I also recommend the Politico article, particularly to anyone looking for a peek behind the curtain, if you will; at the money and power influences presently infecting our Supreme Court. Their corruption touches everything.

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John in Denver (/users/john in denver)

Sep 30, 2022 at 12:44:53 PM

(/comments/2126202/84636686#comment_84636686)

Is there a complete list of the 9's spouses, siblings, and children? And what they do?

I'd also be interested in the publishers of their books, the agents/agencies for their speaking gigs, and people controlling any other source of income.

It is **WAY** past time to have the Supreme Court under the same Judicial Code as the rest of the federal judiciary.

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f pie (/users/f pie) ▶ John in Denver

Sep 30, 2022 at 01:41:53 PM

(/comments/2126202/84637160#comment_84637160)

Who would enforce the ethics code? It is up to Congress and that enforcement is impeachment. That system depends on the ethics of that body. Been there. Done that. Didn't even get a T-shirt.

Expanding the court is the solution. Ya can't shame 'em. Ya gotta out-vote 'em.

Speaking of...Roeverember is comin'

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John in Denver (/users/john in denver) ▶ f pie

Sep 30, 2022 at 03:10:13 PM

(/comments/2126202/84637801#comment_84637801)

There could be standards for the Supreme Court just like for every OTHER federal judge. As Sen. Murphy puts it: **There is Absolutely No Reason Why Supreme Court Justices Shouldn't Be Subject to a Code of Conduct Just Like Every Other Federal Judge** There are no unread comments at this time. (<https://www.murphy.senate.gov/newsroom/press-releases/murphy-there-is-absolutely-no-reason-why-supreme-court-justices-shouldnt-be-subject-to-a-code-of-conduct-just-like-every-other-federal-judge>)

Currently, there are **Rules for Judicial-Conduct and Judicial-Disability Proceedings** (https://www.uscourts.gov/sites/default/files/judicial_conduct_and_disability_r) a set of enforcement practices that allow the judicial conference to consider matters that impact judges, but fall between civil law, criminal law, and impeachment.

While imposing those rules on the Court, we could also improve them by insuring they continue to apply to matters that happened while the person was an active judge, and are not abandoned when the individual resigns, retires, or is elevated to the Supreme Court. That is one of the suggestions of a group called Fix The Court: **How Can We Hold Misbehaving Federal Judges Accountable?** (<https://fixthecourt.com/2019/08/can-hold-misbehaving-federal-judges-accountable/>).

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Laurel in CA (/users/laurel in ca)

Sep 30, 2022 at 12:59:35 PM

(/comments/2126202/84636801#comment_84636801)

Every year I fill out a conflict of interest form for my School of Medicine faculty position. It includes my spouse’s potential conflicts. Every time I serve on an NIH study section or a Data and Safety Monitoring Board for a clinical trial, I fill out a conflict of interest form; it includes potential conflicts with not only my husband, but my immediate colleagues and at least recent students/ post-docs.

Supreme Court decisions affect at least as many lives as my medical research. Of course they should have to disclose things that might influence their decision process! And we shouldn’t have to trust their professions of innocence and dispassion; just like me, they should be required to recuse themselves if there is a potential for conflict.

In NIH study sections, if a conflict of interest is uncovered during or after the reviewers’ discussion for an application, and the person in conflict was not “out of the room” (virtually or physically) during the discussion, that whole discussion has to be redone. Gosh, maybe Supreme Court decisions where someone was in conflict should be vacated and re-done??

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jakebob (/users/jakebob) ▶ Laurel in CA

Sep 30, 2022 at 01:16:02 PM

(/comments/2126202/84636956#comment_84636956)

There are no unread comments at this time.

Stare Decisis, ya know, unless it’s a “D”-cision. RTFP

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word is bond (/users/word is bond) ▶ Laurel in CA

Sep 30, 2022 at 01:27:07 PM

(/comments/2126202/84637040#comment_84637040)

maybe Supreme Court decisions where someone was in conflict should be vacated and re-done

Yes! Yes! Yes!

(One extra Yes for the justices of an expanded court who will do it. Another extra Yes for the lawyers and plaintiffs who bring the cases needed to make new decisions happen.)

 Reply  Recommend 8 Recommend



Christopher (/users/christopher)

Sep 30, 2022 at 01:05:32 PM

(/comments/2126202/84636869#comment_84636869)

Conservatives: "How dare you accuse Ginni Thomas of talking to her husband about political issues! This is guilt by association! It's a witch hunt!"

Also conservatives: "Hey, you know that laptop, which Hunter Biden apparently owned at one point, that has the chain-of-custody documentation of a top-secret classified document at Mar-A-Lago, that's proof Dark Brandon should be impeached for, um, REASONS YOU GUYS! Let's have us some witch trials! Yee-haw!"

 Reply  Recommend 27 Recommend



hopeful4life (/users/hopeful4life)

Sep 30, 2022 at 01:09:07 PM

(/comments/2126202/84636899#comment_84636899)

Yes, we live in a time with more working spouses — which is all the more reason to address that societal change with new guidelines so as to avoid both the appearance and the reality of conflicts. Barrett’s ‘get used to it because my hubby doesn’t like to be told what to do’ is dismissive and insulting, and shows her contempt for the law and the courts. (Not to mention her deferral to patriarchal authority.)

 Reply  Recommend **There are no unread comments at this time.** 37 Recommend



Jewelweed (/users/jewelweed) ▶ hopeful4life

Sep 30, 2022 at 01:19:51 PM

(/comments/2126202/84636986#comment_84636986)

Maybe she’s worried about getting slapped around by her masters (husband and priest) if she questions male authority.

 Reply  Recommend 8 Recommend



Colorado Blue (/users/colorado blue)

Sep 30, 2022 at 01:25:57 PM

(/comments/2126202/84637032#comment_84637032)

Ruth Marcus in The Washington Post has a piece today explaining how cocksure, “heedless” and radical the Court has become. She says we ain’t seen nothing yet.

It’s likely on issues of race we are to return to “color blindness,” ie, no consideration whatsoever for bigotry against Black voters, no attempt to right historic wrongs, and more oppression of Black voices especially in the South.

The lines between Church and State are similarly disintegrating with LGBTQ people targeted as well as women.

Affirmative action may also be in their sights. The government's ability to protect people and environment are already weakened.

They are impatient to seize this moment and impose a far right wing theocratic vision on the US, regardless of the fact that they lack popular support, that some of their actions are in themselves blatantly anti-Constitutional and of course the anger and human suffering that will arise because of their actions are not their problem.

Trump really did break the country, with a huge assist from Putin, McConnell, GW Bush, the Federalist Society and the GOP.

Reply

★ Recommend

34 Recommend



dmhlt 66 (/users/dmhlt 66) ► Colorado Blue

Sep 30, 2022 at 03:30:06 PM

(/comments/2126202/84637972#comment_84637972)



It's wild that **a third** of the Supreme Court was appointed by a man who **attempted to overthrow** the United States government, **and we just continue to let those judges hand down decisions.**

-Jan Miller

Reply

★ Recommend

23 Recommend



underwriter505 (/users/underwriter505) ▶ dmhlt 66

Sep 30, 2022 at 04:34:04 PM

(/comments/2126202/84638461#comment_84638461)



Because we have no simple, clear mechanism to remove them. I suggest we ammend the Fourteenth Amendment to include among people who may not hold office, anyone appointed by anyone removed ar precluded from office under this amendment. that's badly writte, but IANAL.

↩ Reply

★ Recommend

6 Recommend



Colorado Blue (/users/colorado blue) ▶ dmhlt 66

Oct 01, 2022 at 12:01:32 AM

(/comments/2126202/84640755#comment_84640755)



As noted, there's no easy way out of this conundrum. We are kind of in a trap, which ensnared Al Gore too. Uphold the law and the power of the Court and suffer their bad decisions or — or what?

↩ Reply

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0 Recommend

There are no unread comments at this time.



RoIn (/users/roin)

Sep 30, 2022 at 01:39:37 PM

(/comments/2126202/84637136#comment_84637136)



This is what happens when Democrats don't vote.

2000 — no difference between Gore and Bush

2010 — Obama didn't give us single payer like he promised (which he never promised)

2014 — we already voted two years ago, we have to again?

2016 — but her e-mails

↩ Reply

★ Recommend

13 Recommend



doinaheckuvanutjob (/users/doinaheckuvanutjob) ▶ RoIn

Sep 30, 2022 at 09:53:34 PM

(/comments/2126202/84640380#comment_84640380)



Those excuses are all so familiar, and so lame, haha, they musta been originally made up, by some Putin type, or our own weak excuses, he'd love us to have...

↩ Reply

★ Recommend

0 Recommend

● **healejd (/users/healejd)**

Sep 30, 2022 at 01:53:33 PM

(/comments/2126202/84637267#comment_84637267)



It was true 10 years ago. It is a crisis now. But...integrety and stuff.

Reply

Recommend

2 Recommend

● **DrDiva (/users/drdiva)**

Sep 30, 2022 at 01:56:27 PM

(/comments/2126202/84637288#comment_84637288)



South Bound, Indiana? Do you mean South Bend?

More on topic: The Supreme Court should not only have to abide by the same ethics as every other court, but there should be a standing committee in Congress to monitor conflicts of interest.

Reply

Recommend

15 Recommend

● **touchdown (/users/touchdown) ▶ DrDiva****There are no unread comments at this time.**

Sep 30, 2022 at 02:14:25 PM

(/comments/2126202/84637438#comment_84637438)



Where is the American Bar Association on all this, and all the state bar associations? Lawyers are officers of the court and should be very concerned about this, where are all the lawyers? Probably too busy making money on other matters. Our system of justice is teetering, with Trump committing 55 crimes since 2015 and not being charged for any of them. Ethics among judges stinks, start with Thomas and then Cannon. If the justice system fails and goes down, everything else will also because the law will not mean anything. This is serious!

Reply

Recommend

13 Recommend

● **doinaheckuvanutjob (/users/doinaheckuvanutjob) ▶ touchdown**

Sep 30, 2022 at 09:57:10 PM

(/comments/2126202/84640393#comment_84640393)



The ABA does their job, rating judges. The RW refused, back in the old '80's, to use their ratings ("too liberal biased"), and came up with their own Federalist Society. Yet you bash the ABA, based on nothing, but a mistaken harmful impression without understanding, doing the RW's job...

Reply

Recommend

1 Recommend

● **Not Sure (/users/not sure)**

Sep 30, 2022 at 02:04:45 PM

(/comments/2126202/84637352#comment_84637352)



With the exception of the Warren court, the Supreme Court has always been awful. Hopefully enough people will pay attention now to fix it.

Reply

★ Recommend

5 Recommend



• **PsychoSavannah (/users/psychosavannah)**

Sep 30, 2022 at 02:07:21 PM

(/comments/2126202/84637371#comment_84637371)

Congress doesn't want to give up their insiders either, so it will never happen unless and until The People start choosing their politicians a lot more carefully. Why hasn't Pelosi brought the changes to the STOCK Act to a vote? Two versions are written and ready to go.....

Also, dkos needs a copy editor — badly.

Reply

★ Recommend

0 Recommend



• **doinaheckuvanutjob (/users/doinaheckuvanutjob)** ▶ PsychoSavannah

Sep 30, 2022 at 09:59:00 PM

(/comments/2126202/84637371#comment_84637371) ~~There are no unread comments at this time~~

Copy editing? Everything here is DIY, no, or yes, not maybe, lol...

Reply

★ Recommend

0 Recommend



• **Missourilefty (/users/missourilefty)**

Sep 30, 2022 at 02:12:27 PM

(/comments/2126202/84637421#comment_84637421)

Brett Kavanaugh perjured himself twice, once during his first confirmation to the federal bench, then again during his confirmation to the SC. Thomas also perjured himself during his confirmation hearing. Barrett, Gorsuch and Kavanaugh certainly misled Senators (Susan Collins is so upset) with their disingenuous blather about Roe, precedents and settled law. Two of the seats were stolen by Moscow Mitch and his ever changing "rules" about when justices can and can't be confirmed. The SC has no rules for recusals and no binding ethics rules about what outside activities are and are not acceptable. And that's even talking about misuse of the shadow docket and dubious legal reasoning, like citing a judge who believed in demons and burning witches. So yes, there are serious doubts about the Court's integrity and legitimacy, as evidence by the low opinion of the Court now held by a significant portion of the electorate.

Reply

★ Recommend

14 Recommend



• **shmuelman (/users/shmuelman)**

Sep 30, 2022 at 02:16:17 PM

(/comments/2126202/84637453#comment_84637453)

If only we could get past that gosh darned Senate filibuster, maybe we could reform or even expand the Supreme Court. But it certainly could be politically fraught for Democrats. Would it be worth the risk to face the wrath of Politico and New York Times editorial staff?

Reply Recommend 1 Recommend



RiveroftheWest (/users/riverofthewest)

Sep 30, 2022 at 02:23:35 PM (/comments/2126202/84637489#comment_84637489)

The current SC is a disaster; it is corrupt and getting worse.

Reply Recommend 4 Recommend



Betty Lou (/users/betty lou)

Sep 30, 2022 at 02:52:22 PM (/comments/2126202/84637685#comment_84637685)

The rotten Republican liars on the Supreme Court should be removed! There's NO way that disgusting bunch have any credibility now ~~There are no unread comments at this time~~ and who they work for and it's certainly not the people. They work for the religious nuts and corporations because it was those on the right in that court that said corporations are people!!! The Supreme Court is now a standing joke a joke that's not funny as so many lives are going to be upended because they will do the bidding of whatever the religious nut jobs want. It's beyond disgusting what we are seeing not only with the lying thieving twice impeached instigator of Jan 6th Trump and the pathetic Republicans who refuse to admonish him but support this vile man but now a Supreme Court that supports him and the religious nut jobs! God only knows what happened to separation of church and state!

Reply Recommend 1 Recommend



AttorneyT (/users/attorneyt)

Sep 30, 2022 at 02:54:06 PM (/comments/2126202/84637694#comment_84637694)

Do you really think a Supreme Court Justice would decide a case in a way that would financially benefit their spouse or their family? Or would they perhaps recuse themselves but then their colleagues on the bench would decide the case in their favor? Once upon a time, a case involving an extremely valuable long term land lease went before the Supreme Court of the state where I practiced law. The wife of one of the Justices on the state Supreme Court was a one-third owner of the land that had been leased several years before. She and her sisters stood to make millions of dollars if the lease was somehow declared to be terminated. They filed suit to set aside the lease and the case reached the Supreme Court. The Justice recused himself and, in declaring the lease to be terminated, his colleagues on the bench overturned case law that had been in place for over 150 years. It can and does happen. If you are on the other side of a case in which a Supreme Court justice or a member of their family has a financial interest, watch out. It's not a question of whether you will lose — you will. Its just a matter of how they will justify their decision.

Reply Recommend 1 Recommend



rockyjoe (/users/rockyjoe)

Sep 30, 2022 at 02:55:10 PM

(/comments/2126202/84637704#comment_84637704)

The rot goes way back. Cheney and Scalia were buddies and it clearly was a conflict of interest, not just the appearance — this was in 2004.

www.nbcnews.com/... (https://www.nbcnews.com/id/wbna4185177)

Reply Recommend 2 Recommend



uptowndoug1 (/users/uptowndoug1)

Sep 30, 2022 at 03:09:03 PM

(/comments/2126202/84637789#comment_84637789)

If memory serves me, Ginny was working for the Bush campaign in 2000 and Clarence failed to recuse himself from the Bush v. Gore decision that awarded the presidency to a guy before they finished counting all the votes in Florida. This little bit of corruption gave us the war in Iraq. ~~There are no unread comments at this time.~~

Reply Recommend 5 Recommend



mcmom (/users/mcmom) ▶ uptowndoug1

Sep 30, 2022 at 03:56:27 PM

(/comments/2126202/84638179#comment_84638179)

Not to mention the havoc that climate change has had on the world and here in our country. Imagine if Gore had the bully pulpit in 2000 where we could be now.

Reply Recommend 3 Recommend



ElimuNzuri (/users/elimunzuri)

Sep 30, 2022 at 03:19:26 PM

(/comments/2126202/84637874#comment_84637874)

Great article. Our first step, of course, is to maintain and expand Democratic majorities in Congress, as well as throughout the country. Then we need to launch investigatios based on the evidence presented in this article. I'd also suggest that Democrats make the corrupt conservative majority on SCOTUS a campaign issue. After all SCOTUS may declare Social Security and Medicare unconstituional. In the wake of hurricane Ian, what would happen in the future of SCOTUS shut down FEMA?

Reply Recommend 2 Recommend

delver (/users/delver)



Sep 30, 2022 at 03:53:23 PM

(/comments/2126202/84638153#comment_84638153)

Clarence failed to declare it as part of his position, did he also hide some from the IRS?

Reply Recommend 1 Recommend



wikwox (/users/wikwox)

Sep 30, 2022 at 03:53:39 PM

(/comments/2126202/84638156#comment_84638156)

The almighty court and the politicians that defend it will not change until we make them change. Read the history of the court, this is nothing new, they have always been this bad. It's yet another failure of American democracy that it goes on and on, and mostly unquestioned. Get ready for far worse in coming days, if you think striking down Roe vs. Wade was outrageous you ain't seen nothin' yet.

Reply Recommend 1 Recommend



woodstocknative (/users/woodstocknative)

Sep 30, 2022 at 03:56:04 PM

There are no unread comments at this time.

(/comments/2126202/84638175#comment_84638175)

Further proof that we have the best government money can buy.

Reply Recommend 3 Recommend



mjw51295 (/users/mjw51295)

Sep 30, 2022 at 04:30:47 PM

(/comments/2126202/84638433#comment_84638433)

Evangelical Catholics who break the law, lie, cheat and steal.

Reply Recommend 0 Recommend



waerven (/users/waerven)

Sep 30, 2022 at 04:31:23 PM

(/comments/2126202/84638438#comment_84638438)

And Gorsuch is definitely channeling his mother, the sagebrush rebel, Anne. They are all consummate lawyers. They are very talented at hiding the truth.

Reply Recommend 2 Recommend



BennyCaleb (/users/bennycaleb)

Sep 30, 2022 at 04:41:30 PM

(/comments/2126202/84638506#comment_84638506)

You've misspelled his name, it's Qlarence Thomas.

Reply Recommend 2 Recommend



Talmas (/users/talmas)

Sep 30, 2022 at 04:55:06 PM

(/comments/2126202/84638608#comment_84638608)

The six conservatives on the SCOTUS have ZERO integrity. They are all Zealots for a USA Theocracy. They care not for the rule of Law but how much they can bend it to their will.

Reply Recommend 4 Recommend



RtRhead (/users/rtrhead)

Sep 30, 2022 at 07:40:05 PM

(/comments/2126202/84639815#comment_84639815)

"when I try to give my husband guidelines about what to do and not to do in the house even that doesn't go over very well." There are no unread comments at this time.

And likely rarely does, being that this union is allegedly grounded in her being far more compliant to the stronger vessel. I mean, other people can skip that if they want, but being a layman does have advantages.

Reply Recommend 0 Recommend



NYVegan (/users/nyvegan)

Sep 30, 2022 at 07:47:06 PM

(/comments/2126202/84639852#comment_84639852)

Fortunately, we now have an inside source (https://www.newyorker.com/humor/borowitz-report):

KETANJI BROWN JACKSON BRAVELY INFILTRATES SHADOWY ALT-RIGHT GROUP

Having already plotted to destroy women's bodily autonomy, the group is currently scheming to eliminate voting rights and marriage equality.

By Andy Borowitz 1:44 P.M.



Reply Recommend 1 Recommend

doinaheckuvanutjob (/users/doinaheckuvanutjob) NYVegan



• Sep 30, 2022 at 10:11:13 PM
(/comments/2126202/84640433#comment_84640433)

Great satires...

Reply Recommend 0 Recommend



• **Liberal Thinking (/users/liberal thinking)**

Sep 30, 2022 at 08:02:48 PM
(/comments/2126202/84639934#comment_84639934)

We should reduce its size by at least three. As I've said
(<https://www.dailykos.com/stories/2021/1/23/2011041/-Applying-Leverage-To-Unpack-the-Supreme-Court>).

Reply Recommend 0 Recommend



• **domestic goddess (/users/domestic goddess)**

Sep 30, 2022 at 08:06:24 PM
(/comments/2126202/84639954#comment_84639954) **There are no unread comments at this time.**

little scalia, covid, uncle tom and the beer guy debase the court. They are legal lightweights with no business on the supreme court. They are tearing up the constitution. Congress has to act to pass ethic requirements and to add justices to the court to save it and us.

Reply Recommend 1 Recommend



• **jplanner (/users/jplanner)**

Sep 30, 2022 at 08:25:06 PM
(/comments/2126202/84640062#comment_84640062)

Much easier to pass...a code of ethics for the S.C. Start there. I bet vast swaths of Americans would agree to it, not that our opinion tends to matter so much.

Reply Recommend 1 Recommend



• **fredmonger (/users/fredmonger)**

Sep 30, 2022 at 08:36:51 PM
(/comments/2126202/84640112#comment_84640112)

It goes straight to complicit republican leadership. Speak out already. No?

Like I already said. Complicit.

Reply Recommend 0 Recommend



Skribbler (/users/skribbler)

Sep 30, 2022 at 09:36:52 PM

(/comments/2126202/84640328#comment_84640328)

Judicial rot and corruption go beyond the Supreme Court (qv Aileen Mercedes Cannon).

↩ Reply

★ Recommend

0 Recommend



necturus (/users/necturus)

Sep 30, 2022 at 09:57:33 PM

(/comments/2126202/84640395#comment_84640395)

“Nine for mortal men doomed to die”. These are our Nazgul, with John Roberts starring as the Witch-king.

↩ Reply

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(<https://www.dailykos.com/blacklivesmatter/>)

There are no unread comments at this time.

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