

H A R L A N R I C H A R D S

February 19, 2016

Supreme Court Justice Antonin Scalia Dies
Leaving Behind His Clone Rebecca Bradley

I generally do not like to speak ill of the dead. Once they're gone, they deserve to rest in peace. But I'm going to make an exception in this case because of all the undeserved accolades Justice Scalia has been receiving.

In my opinion, he is par with Osama bin Laden, Saddam Hussein and ISIS - pure evil. Justice Scalia spent his entire career destroying civil rights, protecting the interests of the wealthy and increasing police power. He is the worst of the worst. Before Justice Scalia, federal judges impartially applied the law and sought to see justice done whenever possible. Scalia brought a right-wing conservative ideology to the court and made no secret of his desire to impose his own twisted view of the constitution on the rest of the country. He was intelligent and effective. As part of a 5 member conservative majority he gave us such precedents as Bush v Gore (where the court stole the election from Al Gore and gave it to George Bush - arguably the worst president this country has ever had) and Citizens United (which turned our electoral process to whomever has the most money). His attitude and the damage he has done during his time on the supreme court has been unequalled by any other justice. He was the vanguard of result-driven jurisprudence, where any sort of twisted rationalization would be applied to achieve the desired result. And all the time he was wreaking devastation upon our national jurisprudence, he was touting himself as a conservative fighting activist judges. Perhaps his hypocrisy was the worst of his qualities. He was the most activist justice ever appointed to the court and spawned a generation of like-minded activist judges who also disingenuously claim to be standing up against so-called liberal activist judges.

Another conservative (i.e., right-wing ideologue) justice cut from the same cloth as Scalia is Justice Thomas. Perhaps he'll drop dead, too, and we'll finally get the poison out of our supreme court.

Of course, the right-wing ideologues who control the Republican party see it much differently. They do not want Obama to appoint anyone, asserting that he should let the next president make the appointment. Their fear is that Obama will appoint

an impartial justice to the bench and remove the conservative majority that devastated this country for decades.

Republican senators need to be careful. If they stonewall Obama's appointment without good reason, they'll face a backlash in the November election and lose control of the senate. If a Democrat wins the white house, they'll end up with a justice even more distasteful to their pander-to-the-wealthy agenda. Their best option is to confirm any moderate justice Obama nominates. At this point, it looks as if any Republican presidential candidate who gets the nomination will have virtually no chance of winning the general election (can you imagine who Donald Trump would nominate if he became president?). We need a fair and balanced court, not a bunch of ideologically driven justices cast in Scalia's mold.

This brings me to my final comment. Rebecca Bradley is running for the Wisconsin Supreme Court (election to be held on April 4th). She has touted herself as a justice cut from the same cloth as Scalia. In other words, a right-wing ideologue who is claiming to be impartial while furthering her conservative agenda. Bradley has never won a judicial election. She has been appointed 3 times in the last 3 years by the poster child for right-wing ideologues: Gov. Scott Walker. He appointed her because her loyalty and right-wing agenda are unquestionable. Wisconsin is in the same place as the federal supreme court - there is a 4-3 split with the conservative majority (only because Walker appointed Bradley to fill a vacancy on the court). If Bradley wins, Wisconsin will be subject to many more years under the boot heel of court-sanctioned corruption and oppression.

Bradley's opponent, Appellate Court Judge Joann Kloppenberg, has the advantage of having been an elected judge for years. She is moderate and even-handed. I don't like her because she was an assistant attorney general who represented the DOC in numerous legal actions I filed. But she does not bring an agenda to the bench. She will rule in the most even-handed way possible. When people come before the court, they'll get a fair hearing from Kloppenberg. With Bradley, she'll put on her conservative ideological goggles and view all cases in terms of how her decision can further her activist agenda.

Clearly, we can do without ideologically-driven activist judges like Scalia, Thomas and Bradley.

If you are a Wisconsin resident, I urge you to show up on April 5th and vote for Justice Kloppenberg.