



## Ugly stoush looms for Supreme Court spot

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Supreme Court Justice Antonin Scalia, who died Saturday at the age of 79, wrote many notable opinions and dissents during his 30 years on the bench.

This time, the focus is on the arrangement the Obama administration worked out to spare faith-based hospitals, colleges and charities from paying for contraceptives for women covered under their health plans, while still ensuring that those women can obtain birth control at no extra cost as the law requires.

Still, not every member of the Republican presidential field is adamant that the Senate should not consider an Obama nominee this year.

The idea that Republicans want to deny the president of the United States his basic constitutional right is beyond my comprehension. The state holds its Republican nominating contest on February 20. "If you want to be a strict constructionist, as Justice Scalia was, the president should nominate", he said.

Texas Sen. Ted Cruz is threatening to filibuster any Supreme Court nominee made by President Barack Obama to replace the late Supreme Court Justice Antonin Scalia.

But it is breathtaking that Senate Majority Leader Mitch McConnell sent out a statement shortly after Scalia's death decreeing that "the vacancy should not be filled until we have a new President".

The court also will decide whether Obama has the authority as president to protect millions of illegal immigrants from deportation, as well as a challenge by religious groups to his signature Affordable Care Act.

Obama is likely to be forced into picking a moderate with little or no history of advocating for liberal causes.

Appointed to the Supreme Court by Reagan in 1986, he championed "originalism", the legal theory that the Constitution should be interpreted strictly in the light of the intentions of its authors, or changed through the Constitution's own amendment process. As Trevor Burrus at the Cato Institute noted after Scalia's death, "Now, two qualifications are paramount for possible

Supreme Court justices: 1) youth; 2) ideological conformity". Republicans hope to preserve their majority in the Senate in the same election.

Reid said it would be unprecedented to have a vacancy on the court for a year.

The Senate's Republican leader, backed largely by his party's White House candidates, essentially told a Democratic president in his final year in office not to bother asking lawmakers to confirm a nominee for the lifetime seat.

Sen. Bernard Sanders, a Vermont independent who is challenging former Secretary of State Hillary Clinton for the Democratic presidential nomination, echoed Ms. Warren, saying the Constitution is "pretty clear" about what should happen when there is a vacancy.