



Newell: When should the next SCOTUS justice be nominated?

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Newell Normand

The passing of Ruth Bader Ginsburg brings with it an opening on the United States Supreme Court and the question that everyone wants an answer for is - when should that seat be filled? Newell invited Trevor Burrus, a research fellow with the CATO Institute, onto the program Tuesday morning to discuss.

“It didn’t take long for this to become contentious, all of about five seconds!” Newell began. “I got the notification on my phone Friday night, and immediately thereafter started getting comments from both sides of the aisle. Was your experience the same?”

“Oh yes, and of course the first thing was the question about what the Republicans did to Merrick Garland,” Burrus said. “Hypocrisy will only get you so much traction in a political debate, it’s not going to dissuade any voters. This has been going on for fifteen years at fever pitch, these horrible political battles over the filibuster and previous nominees... this is going to make the Kavanaugh hearings look like a minor-league game... it’s going to be a woman, and if it’s someone like Amy Coney Barrett, the reason they decide to choose her is that she’ll be hard to impeach along the lines of Kavanaugh. They’ll figure out whatever they can.”

“I don’t even get caught up in the hypocrisy argument, it is what it is, and we can find clips from both sides of the aisle to say otherwise,” Newell continued. “It seems to me, in different perspectives, it all comes back to Roe v Wade, and that singular issue has been the most divisive issue as it relates to the court. Your thoughts?”

“I think that is true, Roe v Wade is the galvanizing force for the conservative movement, and it became the force that split the two sides and shows the way you don’t decide these issues in a huge diverse country like the United States,” Burrus said. “There are other issues like gun rights, size of government, scope of Congressional power that also divide us, but I don’t disagree. Roe v Wade is the start of this.”

“It looks as though with Mitt Romney coming on board, the GOP is kind of lining up and say they have the votes,” Newell said. “Is that your feeling as well?”

“I see 51 votes right now, unless there’s some pressure put on.. The Democrats raised a ton of money on this question, and they’ll put a lot of that money into trying to sway Collins and

Murkowski in particular,” Burrus said. “We will probably see this confirmation go through. It will be interesting to see if it happens in the ale duck session - Democrats might try to employ a similar delay tactic like they did with Kavanaugh. It’s not going to be fun, it will be a shameful and embarrassing few weeks in American politics.”

Hear the entire interview in the audio player below.