

THE DAILY CALLER

Bernie Sanders ‘Confused’ On How The Supreme Court Works

Guy Bentley

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Democratic presidential candidate and senator Bernie Sanders is being lambasted for misunderstanding the Constitution and the role of the Supreme Court, following a tweet Friday he has since deleted.

Sanders tweeted “any Supreme Court nominee of mine will make overturning Citizens United one of their first decisions.”

“Senator Sanders seems rather confused about Supreme Court practice,” Randal John Meyer, a legal associate at the Cato Institute who has authored several Supreme Court briefs, told The Daily Caller News Foundation. “Supreme Court Justices do not issue court decisions on their own. A Court opinion, to be considered the definite law, must be affirmed by a majority of the sitting Justices—five of nine.”

“In fact, even to hear a case where overturning Citizens United would be an option, not only must that issue be squarely presented before the Court, but four justices would need to agree to hear the case,” Meyer continued. “While Senator Sanders may be able to make some impact on those votes with the change of a single Supreme Court appointment, it is by no means a guarantee that such a person would be able to garner the other four votes necessary to overturn any case, let alone such a recent one.” Twitter users quickly pounced on the Sander’s tweet, and mocked the Democratic candidate’s lack of understanding of how the Supreme Court works.

Sanders is a long-standing critic of the Court’s decision in the Citizens United, which allowed private companies to make political expenditures. Sanders supports public funding of political campaigns to prevent the “wealthy and the powerful” from buying elections.