



Dems' Supreme miscalculation and other notable comments

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Conservative: Real Reason Dems Once Backed Gorsuch

Ten years ago, recalls Philip Wegmann in the Washington Examiner, Democrats took “a gamble” in 2006 by backing President George W. Bush’s nomination of Neil Gorsuch to the US Court of Appeals. Yet now — led by Minority Leader Chuck Schumer — they’re raising loud objections to his confirmation to the Supreme Court. Why? Back then, they didn’t think he’d “become a Supreme Court justice anytime soon.” And that, says Wegmann, is standard procedure: “Schumer allows those he deems unremarkable to advance while blocking those he believes have High Court potential.” Which is precisely why Dems blocked another qualified Bush nominee, Miguel Estrada, from the Court of Appeals in 2001-3. In other words, “they voted for Gorsuch before they opposed him because they miscalculated his potential.” That’s “naked partisanship.”

Legal expert: Why Trump Wins Emoluments Battle

A high-powered federal lawsuit with lots of famous names has been filed, asking the courts to rule that President Trump’s business interests “violate the Constitutional clause forbidding officeholders to accept ‘emoluments or presents’ from foreign governments,” notes Walter Olson at Quartz. But there’s a notable lack of “legal standing — the right to bring a lawsuit against the president.” Still, “the wider problems for Trump on this issue aren’t going away. The court cases still to come could cause him vexation and force him to play defense, even if, for reasons of constitutional structure, judges are unlikely to land a knockout blow.”

Foreign desk: Is Belarus Next on Putin’s Wish List?

Belarus, governed since 1994 by a “Soviet-era throwback strongman” and long bemoaned as “Europe’s last dictatorship,” is rarely in the Western public eye. But John Schindler at The Observer says its leader, Aleksandr Lukashenko, has begun “currying Western favor.” That’s because “given perennial Russian fears of invasion from the west, Belarus looms large in Moscow’s military imagination — and war plans.” Once-close cooperation with the Kremlin has begun to change, with Lukashenko “quietly distancing himself from his longtime patron [and] seeking discreet ties with the West,” and that has “set off alarm bells in Moscow.” Indeed, relations “are now on the verge of a full-blown crisis.” But “Belarus is on NATO’s doorstep,

unlike Crimea or eastern Ukraine, and the possibility for any military crisis there spiraling dangerously out of control is real.”

Law prof: Churches Play Politics All the Time

Unlike some of his other proposals, Trump’s call to repeal the Johnson Amendment, which bars tax-exempt groups from engaging in political activity, isn’t “constitutionally suspect,” says Noah Feldman at Bloomberg. Moreover, the amendment’s “basic premise is flawed,” because “many religious teachings have political implications, and the government shouldn’t be in the business of monitoring how far toward politics a sermon has strayed.” Fact is, “churches, synagogues and mosques of all denominations are breaking the rules set by the Johnson Amendment all the time.” Strict enforcement “would threaten the free exercise of religion and potentially veer into an establishment of religion.” Indeed, repealing the amendment would actually be “a big win for liberals.”

Libertarian: Drain DC’s Earmarks Swamp

President Trump’s proposals for \$1 trillion in infrastructure projects aren’t the only indication that Washington “has not changed its big-spending ways,” argues Michael Tanner at National Review. The best evidence “is the continued push by some members of Congress to revive ‘earmarks.’” House Speaker Paul Ryan killed a GOP push to eliminate the earmark ban last November. “But in Washington, bad ideas never die. Like the latest incarnation of Freddy Krueger, earmarks have risen from the grave and are once again being pushed,” now dubbed “line item appropriations.” They would “allow representatives to insert specific spending for district projects without subjecting those proposals to full scrutiny.” But “call it what you will — it is a recipe for pork-barrel spending and corruption.”