



Trump Nominates Kavanaugh to Supreme Court

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U.S. President Donald Trump's Supreme Court nominee, Brett Kavanaugh, is taking his first step Tuesday toward securing his place on the high court, when he begins meeting with senators to shore up support for his nomination ahead of a major confirmation battle.

In what is likely to be one of the most consequential decisions of his presidency, Trump selected Kavanaugh to replace retiring Justice Anthony Kennedy.

"There is no one in America more qualified for this position, or more deserving," the president said of Kavanaugh during Monday night's prime-time television announcement from the White House East Room. He called Kavanaugh a "brilliant jurist" who has "devoted his life to public service."

Kavanaugh, a 53-year-old conservative-leaning federal judge for the past 12 years, is no stranger to executive branch politics and controversy.

Prior to his time as a judge he oversaw an investigation into the death of a deputy counsel for President Bill Clinton. It was ruled a suicide, but conspiracy theorists were not so certain. Kavanaugh also did preliminary work that led to Clinton's impeachment for an affair with a White House intern. And he worked on the vote recount in the state of Florida that made George W. Bush president. After that he became a staff secretary for Bush, often traveling with the president.

Swift partisan reaction

Kavanaugh's selection was met with predictable reaction from both Republicans and Democrats.

Senate Majority Leader Mitch McConnell praised the appellate judge as "an impressive" nominee who is "extremely well qualified" to sit on the nation's highest court.

Iowa Republican Chuck Grassley, the chairman of the Senate Judiciary Committee, which will hold hearings on Kavanaugh's nomination before it goes to a vote before the full Senate, echoed

McConnell's sentiments, calling him a "superb mainstream candidate worthy of the Senate's consideration."

Concerns that Kavanaugh will join with the court's other four conservative members to overturn *Roe versus Wade*, the Supreme Court's ruling that legalized abortion in the United States, prompted Senate Democratic leader Chuck Schumer to announce he would try to defeat his nomination "with everything I have."

Outside the Supreme Court building, scores of demonstrators led by Democratic party Senators Cory Booker and Elizabeth Warren, protested Kavanaugh's selection. The two Democrats cited Kavanaugh's written opinion that a president should not be subject to civil litigation or criminal prosecution while in office in opposing his nomination.

Observers believe if Special Counsel Robert Mueller tries to compel the president to testify in his investigation of the Trump campaign's possible links to Russia, or even bring charges against the president, the issue will go all the way to the Supreme Court, which could return to its 5-4 conservative majority if Kavanaugh is confirmed.

'Humbled'

Kavanaugh, whose wife and two daughters were with him Monday night, said he was "deeply humbled" by the nomination. He described how his mother was a trailblazer who went to law school, became a prosecutor and then a trial judge. His father went to law school at night, he added.

"Tomorrow I begin meeting with members of the Senate," he said. "I will tell each senator I revere the constitution. ... If confirmed by the Senate, I will keep an open mind in every case."

With Republicans hoping to confirm a justice before the court resumes its session in October, as well as prior to the upcoming midterm congressional election in November, many perceived the timing as critical. "Trump did not move too fast in naming a nominee," said Trevor Burrus, a research fellow at the Cato Institute's Robert A. Levy Center for Constitutional Studies.

What is almost certain -- and those across the political spectrum agree — is that Kavanaugh's selection will spark a major confirmation battle in the U.S. Senate, where Republicans hold a narrow 51-49 majority and opposition Democrats say they will fight to prevent the high court from swinging further to the right.

A handful of Senate Democrats running for re-election in states that Trump won handily in 2016 could face a difficult vote on the court nominee, potentially providing Republicans with an additional buffer if they decide to support the president.

Kennedy was often a member of five-to-four majority decisions on the high court. Those included a number of high-profile cases, including same-sex marriage and upholding a woman's right to an abortion.

No middle position

Kennedy's departure "leaves the court in a calcified state of a hardened left and right with nobody in that middle position," says Jonathan Turley, a George Washington University constitutional law professor.

"Most of the time Kennedy swung to the conservative side, especially on questions of the limits of congressional power, the First Amendment, and the Second Amendment," Burrus, who also is managing editor of the Cato Supreme Court Review, tells VOA. "He swung to the other side on the question of gay rights and abortion, and those are the particular issues that concern those on the left."

The Supreme Court, sitting atop one of the three branches of American government, "has grown in importance over the past few decades," Burrus said. "This is partially due to the cases it has been asked to decide, such as the constitutionality of the Affordable Care Act, and it is partially due to the divided nature of American politics."

Unlike presidents or members of Congress, however, Supreme Court justices in the United States do not have terms — they usually serve until they resign or die, giving presidents who select them a judicial legacy sometimes lasting decades beyond their terms in office.

Kennedy, who is 81, had been nominated for the court by President Ronald Reagan in 1987.

Trump, just days after becoming president in January of last year in a similar televised event, selected the reliably conservative Neil Gorsuch to succeed Antonin Scalia, who had died at the age of 79 in February 2016.