

SCOTUS vs the USA

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How does it feel to be a pawn in the giant game that the Federalist Society is playing with our country? It reads like fiction. A reality TV personality with multiple allegations of sexual misconduct, fraud, and very likely treason, entertains the real possibility of a second term as the most powerful leader in the world; shadowy internet organizations with a grip on the perception of reality of a significant portion of US citizens by convincing them of the demonic nature of the other half of the citizenship; the historical precedent of separation of church and state is unceremoniously erased by radical justices who falsely claim to adhere to legal precedent and call themselves “originalists”; black is white, truth is lies, women are screwed.

Remember back when POTUS 45 was reversing 100 Environmental Rules?

(<https://www.nytimes.com/interactive/2020/climate/trump-environment-rollbacks-list.html>) The seeds he planted in the Supreme Court may well succeed where he failed during his presidency. “West Virginia v. E.P.A., No. 20–1530 on the court docket, is also notable for the tangle of connections between the plaintiffs and the Supreme Court justices who will decide their case. The Republican plaintiffs share many of the same donors behind efforts to nominate and confirm five of the Republicans on the bench — John G. Roberts, Samuel A. Alito Jr., Neil M. Gorsuch, Brett M. Kavanaugh and Amy Coney Barrett.” (<https://www.nytimes.com/2022/06/19/climate/supreme-court-climate-epa.html>) According to this same article, there are many climate cases currently advancing through the courts, supported by the same donors who helped POTUS 45 place more than 200 federal judges. “At least two of the cases feature an unusual approach that demonstrates the aggressive nature of the legal campaign. In those suits, the plaintiffs are challenging regulations or policies that don’t yet exist. They want to pre-empt efforts by President Biden to deliver on his promise to pivot the country away from fossil fuels, while at the same time aiming to prevent a future president from trying anything similar.”

“The ultimate goal ... is to overturn the legal doctrine by which Congress has delegated authority to federal agencies to regulate the environment, health care, workplace safety, telecommunications, the financial sector and more.”

“The Federalist Society has put a lot of time and energy into this, and a lot of intellectual power,” said Ms. Katzen, former head of the White House office of regulatory affairs in the Clinton administration. “All that effort has paid off. But I don’t think this is the culmination of their agenda. I think it’s just the beginning.”

And so it begins, because, in addition to the June 24, 2022, ruling to regulate ovary and uterus, as of June 30, 2022, the Supreme Court of the United States (SCOTUS) limited the EPA’s ability to regulate emissions. (<https://www.nytimes.com/2022/06/30/us/epa-carbon-emissions-scotus.html>) “In dissent, Justice Kagan wrote that the court had substituted its own policy judgment for that of Congress.

“Whatever else this court may know about, it does not have a clue about how to address climate change,” she wrote. “And let’s say the obvious: The stakes here are high. Yet the court today prevents congressionally authorized agency action to curb power plants’ carbon dioxide emissions.”

“The court appoints itself — instead of Congress or the expert agency — the decision maker on climate policy,” she wrote. “I cannot think of many things more frightening.”

So, a cadre of so called conservatives (remember the root of that term, because conservation has nothing to do with the current so-called conservative agenda) have decided that they, not you, should determine whether you get to breath clean air. And ask yourself if the organizations behind the funding of judges who will do their bidding, have you, your kids, or your grandkids interests in mind. Does loosening gun safety rules achieve that? Do they care about the health and safety of your sisters, mothers, aunts, daughters, or granddaughters? The rollback of the constitutional rights of self-determination of the female half of our population should answer that question.

In line with the current state of reality (or lack thereof) the court thinks it knows more about issues than experts hired for their expertise do. Alternate facts: good information is always what an internet search provides; doctor's advice is not nearly as true as a politician's statements; the mystical tenets of religion, or an organization of conspiracy mongers, are a great substitute for science.

All is not lost. Despite the efforts of a very vocal minority, we can still vote, although it may be harder to do so in many states. If it was not clear before how important our votes are, it certainly should be clear now. The equal rights of women can be codified and the undeniable rights of 50% of the population can be restored as full partners in this democratic nation. Things can change, as amply demonstrated by the SCOTUS strike down of established legal precedent, aided in large part by three justices who lied to congress to get on to the court, and appointed to SCOTUS by a self-serving con man whose apparent crimes are currently being exposed in horrifying detail. These outrageous rulings should not, will not, be the final word.

This will be a difficult journey. A long journey well worth it to counteract the long game the radical right has been playing with our lives. The 14th Amendment may be brought into prominent play in restoring the rights taken away by this court. The long con of POTUS 45, and his radical right wing enablers, may finally become apparent to all, even those who were dazzled by their promises fabricated from whole cloth.

Other Notes:

14th Amendment: <https://heathercoxrichardson.substack.com/p/july-8-2022>

The faulty history behind Dobbs v. Jackson decision:

<https://divinity.uchicago.edu/sightings/articles/bad-faith-history-end-roe-v-wade-and-supreme-courts-myth-about-abortion-united>

How the EPA will go forward: <https://www.nytimes.com/2022/07/07/climate/epa-greenhouse-gas-power-plant-regulations.html>

Local efforts increase in importance: <https://www.nytimes.com/2022/07/01/climate/climate-policies-cities-states-local.html>

Beck, Thomas W., Together We Build, "SCOTUS vs the USA", *Estes Park Trail Gazette*, Friday, July 13, 2022, <https://www.eptail.com/2022/07/13/together-we-build-scotus-vs-the-usa/>