

# One Wisconsin Institute: Americans deserve independent, consensus pick for U.S. Supreme Court. Neil Gorsuch is not it.

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Senate Republicans in Washington, D.C. are set to begin confirmation hearings for Judge Neil Gorsuch, Donald Trump's appointee to the U.S. Supreme Court. This comes after their unprecedented partisan obstructionism, refusing a hearing or a vote on President Obama's nominee to fill the vacancy created by the passing of Antonin Scalia in February 2015, nearly a full year before the end of the President's term.

Republicans now want a completely different standard for themselves, arguing Democrats should neither scrutinize Gorsuch's record nor oppose his nomination.

The reward for stealing a seat on the Supreme Court ought not be the lifetime appointment of a right-wing judge who could shape the direction of the court for decades. In fact, it is incumbent upon those who care about democracy to ensure there are consequences to prevent unprincipled obstruction from becoming an ongoing tactic.

The challenge to rational discourse and the very principles of our democracy from a Trump administration with a well documented animus to a separate and equal judicial branch add urgency to the need for independent jurists and for extremist views to be rejected.

We deserve, and need, a consensus justice on our high court whose loyalty is to all of the American people and our American values, not one president nor one party.

But the record reveals Judge Gorsuch is far from that, finding him to be far to the right on nearly every issue. As a judge, he repeatedly sided with insurance companies that wanted to deny disability benefits and employers who wanted to cut pension benefits to employees, revealing himself as a staunch backer of corporations and willing accomplice in limiting worker's rights. Gorsuch also regularly sided with employers in the employment discrimination cases on which he sat.

The courts are where average Americans seek redress for wrongs and ensure they are treated fairly. But in private practice, Gorsuch fought for corporations to protect them from being held accountable in class actions lawsuits. And on the bench he supported giving judges more power to strike down federal rules that protect consumers and protect the environment.

According to Gorsuch's ideology corporations can be persons when it comes to exercising rights. This is a foreboding omen for those concerned about the unlimited corporate spending in elections unleashed by the *Citizens United* decision.

It is an unfortunate reality for women and families, because this ideological extremism led to his vote deciding corporations have a right to religious beliefs, and to put those rights before an employee's right to make personal health care decisions. Gorsuch literally put corporations in the bedroom, joining an opinion saying your boss ought to be able to decide if you can have access to birth control through your insurance.

And the hostility which Trump and his administration have shown towards immigrants and rational immigration policy demands a commitment to judicial independence that Gorsuch has shown no signs of bringing to the job.

Our federal courts are critically important to protecting voting rights and participation in the political process; ensuring equal treatment for all regardless of

gender, race, ethnicity or sexual orientation; protecting access to comprehensive health care; making sure our air is safe to breathe and our water is safe to drink and ultimately providing a check and balance on the powers of Congress and the President.

Our elected officials don't pledge their fealty to a president, they swear an oath to uphold the U.S. Constitution. For the health of our democracy now is the time for these legislators to put duty and patriotism before partisanship, to reject extremism and to stand against a lifetime appointment of a right-wing judge to the United States Supreme Court.