

[Sotomayor Court Cases](#)

Analysis of key issues. Court cases heard by Sotomayor, 1992 to present
www.leagle.com



Ads by Google



FRIDAY, JULY 22, 2005

Bush: Roberts Is A Strict Constructionist

by Michael in New York on [7/22/2005 03:30:00 PM](#)

Bush is going around the country insisting [John Roberts is a strict constructionist](#) -- if so, that makes Roberts WAY out of the mainstream of judicial beliefs. That makes him someone who refuses to respect previous Court rulings, precedent or settled law in favor of fringe philosophical beliefs that insist we haven't learned anything in the last 230 years -- ie. a judicial activist, the very sort of person most Americans don't want.

How does Bush know this? It isn't in Roberts' limited record. Did Bush ask Roberts? Did Roberts tell Bush? Did Roberts indicate so through third parties or some other way? Is he or is he not a strict constructionist? If so, how will that impact his voting on Roe v Wade? Isn't it impossible for a strict constructionist to uphold that ruling? If Bush doesn't know this for a fact, why is he lying to the American people? These questions cannot be sidestepped or dismissed as intrusive. They go to the heart of what sort of justice Roberts would be.

Sen. Durbin, for one, is unimpressed.

Mr. Durbin's initial response to the nominee on Tuesday was not even lukewarm.

"The president had an opportunity to unite the country with his Supreme Court nomination, to nominate an individual in the image of Justice Sandra Day O'Connor," the senator said on Tuesday, alluding to the justice Judge Roberts would replace. "Instead, by putting forward John Roberts's name, President Bush has chosen a more controversial nominee and guaranteed a more controversial confirmation process...."

The senator has said he voted against Judge Roberts two years ago because the nominee was not sufficiently responsive to questions. Today, Mr. Durbin told The Associated Press, "If he is open and honest, I think it will go a long way."

In other words, no free passes anymore for nominees who want to pretend they have no opinion on landmark Supreme Court rulings. Speak up or head for the door.

So lots of questions for Scotty tomorrow -- after we're done pounding him on Rove. And everyone remember -- you can't be a strict constructionist and uphold Roe v Wade. You can't be a strict constructionist and believe in privacy rights. (So what if the govt wants to comb through your bank records. If you want privacy, you'll have to pass a Constitutional amendment.) You can't be a strict constructionist and overturn sodomy laws -- so if states want to throw 20 million people into jail just for being gay, that's ok. If you don't like it, you'll have to pass laws state by state or through a Constitutional amendment.

So if that's Roberts -- someone who believe the right to choose MUST be overturned, that the states can throw millions of people into jail because they're gay, that the fed govt has no right to make certain our air is pure and our water clean -- is that the sort of Supreme

JOHN'S PHOTOS



We the People
The Debate on the Constitution
 2 books • 2,300 pp.
Only \$5.95

Over 100 voices, including Washington, Jefferson, Madison, Franklin, Hamilton, Patrick Henry, & more

PLUS: Get a free 1,600-page book!
No obligation to purchase anything else—ever!

The Library of America

HOT OFF THE WIRE

- Eschaton**
 Pretty Much - I think this encapsulates nicely our modern media environment.
1 hour ago
- HuffPost Politics**
 Huckabee's Huck Pac In Turmoil With Staff Turnover, Mounting Debts - Former Arkansas Gov. Mike Huckabee's political action committee, Huck Pac, is undergoing a "restructuring," Executive Director Sarah Huckabee said Wednesday....
1 hour ago
- Ben Smith**
 Going small - My story tonight: President Barack Obama came alive about 50 minutes into Wednesday night's news conference - when somebo
1 hour ago
- Firedoglake**
 Late Late Night FDL: What Eclipse? - A new video from Fatoumata Diawara, and and oldie from Bob.
2 hours ago
- Daily Kos**
 Open Thread and Diary Rescue - *Today, srkp23 (pulling a double shift), ybruti, taylormattd, ItsJesMe and vcmvo2 combed through hundreds of diaries to find this powerful list. Today's...
2 hours ago

Show All

AMERICABLOG TV



Next 6



In honor of Senator DeMint



Traditional media has to debunk the birthers



One small step...



The right-wing media, the voices of the GOP, in

I collect with  vodpod [see all 322 videos >](#)
Visit our AMERICAblog TV site.

GAY POLITICS



Visit our new gay politics section, [AMERICAblog Gay](#).

FEEDS

-  [Blog RSS](#)
-  [1,482 readers](#)
-  [AMERICAblog TV RSS](#)
-  [Twitter RSS](#)
- [Twitter Feed](#)
-  [Mobile Version](#)
-  [Google](#)

Get the blog by email:

[Subscribe me!](#)

AMOLATINO.COM
BROWSE
 THOUSANDS
 OF EXCLUSIVE
 PHOTO SETS



FREE PREVIEW

[AmoLatino.com](#)
[Ads by Google](#)

Top Ad

[Advertise in this spot.](#)

HEALTH CARE REFORM

The Treatment
 Obama Has a Grown-Up Talk With America (Gulp)
3 hours ago

Ezra Klein
 Tab Dump
7 hours ago

Wonk Room
 Sen. Byron Dorgan: The 'Trade' In Cap-And-Trade 'Makes No Sense To Me'

SEARCH

AMERICAblog
 Web

Search

SEND US TIPS & COMMENTS

americablog@starpower.net

BLOG ARCHIVE

Blog Archive

SITES WE LIKE

- [Air America Radio](#)
- [Alan Colmes' blog](#)
- [Ari Melber \(The Nation\)](#)
- [Ben Smith](#)
- [BicycleMark's blog & podcast](#)
- [Bilerico](#)
- [BradBlog](#)
- [Bring It On](#)
- [Carrie Fisher](#)
- [Crooks and Liars](#)
- [DailyKos](#)
- [Dan Savage's "Slog"](#)
- [Daou Report](#)
- [Democratic Underground](#)
- [Eschaton](#)
- [Ezra Klein](#)
- [Fire Dog Lake](#)
- [FiveThirtyEight.com](#)
- [Freeway Blogger](#)
- [The Gavel \(Speaker Pelosi's blog\)](#)
- [Good As You](#)
- [Glenn Greenwald](#)
- [Holy Bullies and Headless Monsters](#)
- [Huffington Post](#)
- [Hullabaloo \(Digby\)](#)
- [Jack and Jill Politics](#)
- [Jed Report](#)
- [Jesus' General](#)
- [Kenneth in the 212](#)
- [Margaret and Helen](#)
- [Matthew Gross](#)
- [Media Matters](#)
- [Mike Signorile's "The Gist"](#)
- [Mudflats](#)
- [MyDD](#)
- [Open Left](#)
- [Plum Line](#)
- [Political Punch \(Jake Tapper\)](#)
- [Political Wire](#)
- [Politics 1](#)
- [Pop Surfing](#)
- [Progressive Blog Digest](#)
- [Queers United](#)
- [RawStory](#)
- [Rex Wockner](#)
- [Rude Pundit](#)
- [Smirking Chimp](#)
- [Talk Left](#)
- [Tapped](#)
- [Taylor Marsh](#)
- [Think Progress](#)
- [TowleRoad](#)
- [VetVoice.com](#)
- [Washington Note](#)
- [WayneBesen.com](#)
- [Wonkette](#)
- [Worth Repeating](#)



NEWS LINKS

- [US](#)
- [Washington Post](#)

PLEASE SUPPORT AMERICABLOG

One-time donation

\$

Donate

Recurring monthly donation

\$

Donate

Donations are not tax-deductible.

LABELS

Select a label

LAST 100 VISITORS

Recent Visitors

[Click to Get FEEDJIT](#)

ABOUT AMERICABLOG

Why AMERICAblog?

Because a great nation deserves the truth.

What issues do you cover?

US politics overall with a particular focus on the Obama Administration, the radical right, and civil rights.

Who are you?

John Aravosis
Editor
Washington, DC

Joe Sudbay
Deputy Editor
Washington, DC

Chris Ryan
Associate Editor
Paris, France

Robert Arena
Contributing Editor
Baltimore, Maryland

Jacki Schechner
Contributing Editor
Washington, DC

