



THURSDAY, AUGUST 04, 2005

Harry Reid On John Roberts

by Michael in New York on [8/04/2005 08:06:00 AM](#)

Have you read ["The New Yorker" profile of Senate Minority Leader Harry Reid](#) we linked to earlier? It's worth checking out. Here's the most important stuff: Reid's impressions of Supreme Court nominee John Roberts. Reid compares him to Souter (his lips to God's ears!) and thinks Roberts was a non-controversial choice Bush made because he felt in a weak position. Reid insists they named a number of people that would have had the Dems jumping up and down in anger and Roberts wasn't one of them.

One thing [Reid] asked [Roberts] was how he felt about Supreme Court precedents -- in particular, on what grounds they might be overturned. "Precedent is so important to me in the law," Reid told him.

Roberts, Reid recalled, said, "'Oh, on the Supreme Court you can change precedent only if there's this and this,' and he was rattling them off. I hope I didn't act surprised, but I'd never heard anything like that before." Roberts, in Reid's view, left no doubt that he would be very reluctant to overturn precedents. To do so, Roberts had said, the Court would first have to consider a series of objective criteria, two of which stood out: whether a precedent fostered stability in the nation; and the extent to which society had come to rely on an earlier ruling, even a dubious one. **"I thought it would be more of a weaselly answer than that, but he said you have to meet all these standards before you can change a precedent," Reid said.**

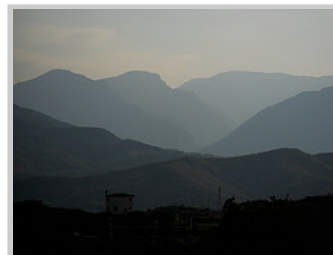
The more I read about Roberts, the less I'm convinced. Certainly, it seems unlikely he is the sort of broad, mainstream judge that most Americans want -- the average Joe wants to leave radicals to academia and think tanks, not the highest court in the land. True, Roberts doesn't seem to espouse a truly fringe judicial philosophy like Bork, just one that is very, very, very far to the right. He's **not strong on voting rights**. Heck, Roberts thought the Reagan Administration was too moderate at times and NEVER thought it was too conservative on any issue. Not one. (If you know of one, let us know.)

Roberts seems like a far right conservative who wants to pay undue deference to the executive and legislative branch. Doesn't Roberts know it's "checks and balances," not "whatever you say, Mr. President"?

Still, Reid has spoken to him and quizzed him and gotten some answers that reassure him. And as we posted, **Roberts did pro bono work that benefitted the gay rights cause**. I sure hope Reid is right.



JOHN'S PHOTOS



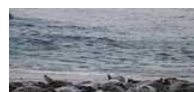
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