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TUESDAY, APRIL 26, 2005

Supreme Court Scandal: Right Wing Activist Scalia and Thomas Pay Deference to Foreign Courts

by Michael in New York on [4/26/2005 04:02:00 PM](#)

So make up your minds already. Scalia et al yelled and screamed when other Justices mentioned in one ruling that virtually every country in the world refuses to kill the mentally retarded and minors.

But now, in another ruling, **Scalia and Thomas insist it's perfectly fine to pay attention to the legal rulings of courts overseas.** A man filling out a form said he'd never been found guilty of a crime punishable by more than a year in prison by "any court." His lawyers argued that "any court" meant simply any US court and not any court in the world, so he was fine to not mention his conviction in Japan. Today the Supreme Court agreed.

But in a dissent, Scalia and Thomas and Kennedy said the statutes were clear and that the man's conviction in Japan meant he was prohibited from possessing a gun in the US. I'm sure the NRA will denounce Scalia as an activist judge trying to put our country under the thumb of foreign leaders, right? Either you can take international law into consideration or you can't, so they need to make up their minds and get a little consistency.

In this particular case, it seems not unreasonable. But imagine: you fight for human rights and democracy in China and get jailed for five years and then you move to the US and get treated like a criminal? Is that what Scalia wants to do? Give the dictatorial rulings of commies the same weight as a conviction in Texas? Outrageous! Dang activist justices.



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