

# Biden proposes token Supreme Court reforms, knowing they are doomed

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In a speech delivered Monday from the Lyndon Baines Johnson Library and Museum in Austin, Texas, outgoing President Joe Biden proposed a series of Supreme Court reforms aimed at restoring legitimacy to the corrupt and widely despised United States Supreme Court.

“In recent years, extreme opinions that the Supreme Court has handed down have undermined long established civil rights and protections,” Biden said.

“What is happening now is not normal, and it undermines the public’s confidence in the court’s decisions,” Biden warned, “including those impacting personal freedoms.”

“Most recently and most shockingly, the Supreme Court established in *Trump v. United States* a dangerous precedent,” he continued. By instituting his proposals, Biden promised to “restore trust and accountability to the court and our democracy.”

Throughout his rambling, and at times incoherent remarks, Biden attempted to present the Democratic Party as a vessel capable of defending democratic rights against the “extremist” Republicans. This is, in fact, becoming an increasingly difficult sell. In the lead-up to, and following the January 6 coup, Biden and the Democrats did everything in their power to cover up the danger of dictatorship in the United States.

Two days after the attack, and several times since, Biden himself has called for the building of a “strong Republican Party,” and implored his “Republican colleagues” to work with him in passing trillion-dollar war budgets and anti-immigrant legislation.

After the failed coup, Biden lent his support to the sham January 6 House Select Committee. The Select Committee, co-chaired by far-right Rep. Liz Cheney, daughter of war criminal and former Vice President Dick Cheney, presented a false “one-man coup” narrative and refused to investigate the role of federal institutions in assisting Trump’s attack. This includes the Supreme Court, specifically the under-reported roles of justices Samuel Alito and Clarence Thomas, and Thomas’ wife Ginni.

Biden’s speech was originally scheduled to be delivered on July 15. At that time, he was still the presumptive Democratic presidential nominee. However, he was unable to make the trip after falling ill from COVID-19 for a third time.

Now, less than 100 days before the 2024 election, Trump is tied or leading in national polls against Vice President Kamala Harris, recently installed to replace the rapidly deteriorating Biden at the head of the Democratic ticket.

Biden’s three reform proposals, which were laid out in a *Washington Post* editorial published the same day, include 18-year term limits for the nine judges and an enforceable code of ethics, which would require justices to publicly disclose the numerous and expensive “gifts” they receive from their billionaire patrons.

Biden also proposed overturning the July 1 *Trump v. United States* Supreme Court decision through a constitutional amendment dubbed the “No One Is Above the Law Amendment.” The amendment would state that the Constitution does not grant any federal criminal immunity to former presidents.

None of Biden’s proposals, which would require broad support from Republicans, will be enacted in the near or even distant future.

The process of amending the Constitution requires broad bipartisan support across Congress and state legislatures. An amendment is agreed to after a two-thirds majority vote in the House and the Senate, or a constitutional convention called by two-thirds of the state legislatures. Once the amendment is agreed upon by either Congress or a constitutional convention, it must be ratified by three quarters, or 38 out of 50, states.

Trump, the figurehead of the Republican Party and its nominee for president, has the loyalty of a large majority of congressional Republicans, many of whom owe their current position to Trump’s endorsement.

Speaker of the House Mike Johnson (Republican-

Louisiana) wrote on X/Twitter that Biden's suggestions were a "dangerous gambit" by the Biden-Harris administration and were "dead on arrival in the House."

On Tuesday, Senate Minority Leader Mitch McConnell (Republican-Kentucky) likewise characterized Biden's proposals as "unconstitutional" and "dead on arrival" in the Senate.

McConnell said he couldn't be "more disappointed" in Biden. "He absolutely knows what he recommended is unconstitutional, to try to limit the terms of the Supreme Court justices who under the Constitution are appointed for life," he said.

Biden's proposals also met with fury from the editorial board of the *Wall Street Journal*, the unofficial press organ of the financial oligarchy. The newspaper called Biden's reforms "an assault on judicial independence and the constitutional order." The editorial continued: "You might call it an attack on democracy."

Former *Wall Street Journal* editorial writer Jason Willick, in an opinion column published Tuesday in the *Washington Post*, likewise attacked Biden's proposals as "[f]undamentally revising the constitutional balance of power."

In fact, the ruling by the far-right dominated Supreme Court effectively transforms the office of president into a dictatorship, whose occupants cannot be prosecuted for violations of law carried out in the course of "official business."

The howling from large sections of the bourgeois press comes despite the fact that the Democratic Party, and Biden, have no intention of following through on the proposals. In the face of overwhelming evidence of corruption and outright bribe-taking, neither Biden nor the chairman of the Senate Judiciary Committee, Dick Durbin (Democrat-Illinois), has moved to hold public hearings, let alone impeach any of the justices.

Nor have Biden and the Democrats sought to expose the complicity of Justice Samuel Alito and Clarence Thomas' wife Virginia in the plot to overthrow the 2020 election results and the US Constitution, which culminated in the nearly successful January 6, 2021 fascist assault on the US Capitol.

As Biden made clear in his remarks in Texas, his main concern is to counter the discrediting of the Supreme Court and government institutions more broadly among ever wider sections of the population.

Biden's proposals are aimed at providing a democratic gloss as the Democrats and Republicans carry out their bipartisan agenda of war in Ukraine against Russia, genocide in Gaza, and soon war with Lebanon and Iran and then with

China. In order to pursue this policy of global war, the Democrats have joined with the increasingly fascist Republican Party to slander anti-genocide protesters, many of them Jewish, as "antisemitic."

Biden's call for bipartisan reforms to the Court comes directly after majorities in both parties hailed the mass killer Benjamin Netanyahu in Congress. The "Butcher of Gaza," wanted by the International Criminal Court and the International Court of Justice for war crimes, brayed for war with Iran while smearing anti-war protesters in America as "useful idiots" in the service of Iran. The following day, Kamala Harris welcomed Netanyahu to the White House and echoed the Zionist leader's use of his appearance before a Joint Session of Congress to witch-hunt anti-genocide protesters, calling them "unpatriotic."

Under conditions of staggering levels of inequality at home and the global economic decline of US imperialism, there is no constituency in the ruling class for defending the democratic rights of the working class. Far from "defending democracy," the Democratic Party is leading the charge to bar independent candidates and third parties from the ballot.

Democratic rights won in previous eras cannot be defended through the increasingly rigged bourgeois political system. In the United States, the Socialist Equality Party and its candidates for president, Joseph Kishore, and vice president, Jerry White, are running against both political parties and the capitalist system they defend.

It is only through building a mass movement in the working class, across national boundaries and against all capitalist parties, that democratic rights won in previous eras can be defended and expanded in the fight for socialism.



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