

Senate Republicans change rules to force final vote on Supreme Court nominee

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Three separate votes in the US Senate, exactly following the script set by leaders of the Republican and Democratic parties, have set the stage for the final confirmation vote for President Trump's first nominee to the Supreme Court, Appeals Court Judge Neil Gorsuch, now set for sometime Friday night.

First came a vote on a motion to close debate on the Gorsuch nomination, which failed on a 55-45 vote Thursday morning. Three Democrats joined all 52 Republicans, but the cloture motion failed to reach the 60-vote threshold set in Senate rules to end a filibuster against Gorsuch conducted by the Democrats since Tuesday.

Senate Majority Leader Mitch McConnell (R-Ky.) then carried out his threat, long foreshadowed and then announced officially on Tuesday, to change Senate voting rules to forbid filibusters of Supreme Court nominations, the so-called nuclear option. He raised a point of order against the filibuster, a move requiring only a simple majority vote, and was upheld by a straight party-line vote of 52-48, with the 46 Democrats joined by two nominal "independents" who vote with them, Bernie Sanders of Vermont and Angus King of Maine.

The rules change was then followed by a 55-45 majority vote, exactly the same as the vote on cloture, but this time without a 60-vote requirement, limiting debate on the nomination, leading to a final confirmation vote that will take place sometime Friday, and will undoubtedly place Gorsuch on the highest US court.

The latest partisan combat over judicial nominations was set in motion by the sudden death of ultra-right Justice Antonin Scalia in February 2016. When President Barack Obama chose Appeals Court justice Merrick Garland, among the most conservative

potential Democratic nominees, the Republican majority in the Senate announced that it would not consider his nomination or even hold a hearing, preserving the vacancy to be filled by the winner of the presidential election in November.

Senate Majority Leader McConnell calculated that using the vacancy as an election campaign issue would help boost turnout among Christian fundamentalists. Trump made the same calculation, issuing a list of 21 names from which he promised to choose the nominee to fill the Supreme Court vacancy. Gorsuch's name was on the list, and the nominee was well known for his right-wing record on such issues as abortion, gay rights and other issues of concern to the fundamentalists as well as other elements of the Republican base.

Trump followed through with the Gorsuch nomination within days of his inauguration in January, and the Senate Judiciary Committee began three days of hearings last month, to fill a seat that has remained vacant for nearly 14 months. The nominee sidestepped many issues in Senate questioning, as expected, but his record makes clear that, while he may project a blander persona than the provocative and arrogant Scalia, his votes on the Court will be quite similar.

The use of the "nuclear option" was accompanied by hand-wringing predictions by both capitalist parties and the corporate media of even greater partisan warfare in the future. McConnell, well known for his parliamentary maneuvers, called the Democrats' attempt to halt Gorsuch's nomination "the latest escalation in the left's never-ending judicial war...it cannot and it will not stand. There cannot be two sets of standards, one for the nominees of the Democratic president and another for the nominee of a Republican president."

The Democrats, for their part, accused their rivals of hypocrisy, pointing out that the refusal to act on the nomination of Garland for more than seven months last year was a filibuster in all but name. They took the opportunity to posture as opponents of the right-wing Gorsuch while knowing in advance that his nomination would go through.

Democrats on the Senate Judiciary Committee made much of their supposed discovery that Gorsuch's rulings favored big business. In the words of Democratic leader Chuck Schumer, "the more we learned about Judge Gorsuch's record, the more we didn't like." In fact, there are few major differences, when it comes to attacks on the working class, between Gorsuch and Garland, also noted for his pro-business rulings.

The Democrats also sought to tie opposition to Gorsuch to their anti-Russian campaign against Trump. This was exemplified in the remarks of Connecticut Senator Richard Blumenthal. Alluding to the ongoing campaign on the alleged ties between the Trump administration and Russia, Blumenthal said the Supreme Court may be called on to enforce a subpoena against the president, and the incoming justice must be fully independent of the Trump White House.

The conflict between the competing factions of the ruling class does not reflect fundamental differences when it comes to the interests of Wall Street. While the Democrats have used identity politics and other issues to build up a constituency in the upper middle class, their new version of "liberalism" is more openly directed against the working class than ever. The Republicans have meanwhile continued their march to the extreme right, now with the installation of a president employing fascistic rhetoric, at the same time as his cabinet and top advisers reads like a who's who of billionaires and multimillionaires.



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