

ProPublica documents corrupt relations of Supreme Court arch-reactionary Clarence Thomas with billionaire Republican donor

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On Thursday, the investigative journalism website ProPublica published an extensive and damning report documenting the fact that Supreme Court Associate Justice Clarence Thomas has for decades enjoyed luxurious vacations paid for by Harlan Crow, a billionaire far-right Republican donor.

Crow, the Dallas, Texas, heir to a real estate fortune and leading figure within far-right corporate and political circles, has treated Thomas and his wife “Ginni” to cruises on his super yacht, trips on his private jet and annual retreats at his private resort in the Adirondack Mountains in upstate New York. Pampered by valets and servants, fed by private chefs and housed in remote mansions, the Thomases have mingled with the heads of right-wing think tanks, anti-democratic judicial groups and corporate bosses.

Over the course of more than 20 years, the cost of these junkets would add up to millions of dollars if the Thomases had to pay for them. None of these gifts have been reported by Thomas, in violation of the minimal ethical standards and laws that apply to federal officials, including judges and Supreme Court justices.

To cite some details from the ProPublica report:

- In 2019, the Thomases made a trip to Indonesia via Crow’s private jet. They spent nine days island-hopping from Crow’s 162-foot yacht, staffed by attendants and a private chef. The cost of that trip alone is valued at \$500,000.

- Crow has hosted Thomas at the Bohemian Grove, an exclusive California all-male retreat, as well as at his ranch in East Texas.

- Roughly a decade ago, Thomas went on a river day trip around Savannah, Georgia, and an extended cruise in New Zealand on Crow’s yacht.

According to the article, ProPublica based its investigation on “flight records, internal documents distributed to Crow’s employees and interviews with dozens of people ranging from his superyacht’s staff to members of the secretive Bohemian Club to an Indonesian scuba diving instructor.”

Crow is a major figure in right-wing Republican organizations, including the anti-tax Club for Growth and the extreme “free market” American Enterprise Institute. He sits on

the board of the Hoover Institution, a CIA-linked foreign policy think tank. He has publicly given more than \$10 million to Republican candidates as well as donations—likely far higher—to groups that do not disclose their donors.

He recently named Marxism as his greatest fear.

To call these revelations evidence of a conflict of interest is a vast understatement. In fact, they expose the real economic and class interests that Thomas, and the court as a whole, serve.

As ProPublica reports:

During just one trip [to Topridge, Crow’s private resort in the Adirondacks] in July 2017, Thomas’ fellow guests included executives at Verizon and PricewaterhouseCoopers, major Republican donors and one of the leaders of the American Enterprise Institute, a pro-business conservative think tank, according to records reviewed by ProPublica. The painting of Thomas at Topridge shows him in conversation with Leonard Leo, the Federalist Society leader regarded as an architect of the Supreme Court’s recent turn to the right.

The Supreme Court, whose unelected justices are appointed to lifetime terms, is institutionally undemocratic. For the vast bulk of its history, it has served as a bastion of political reaction—upholding slavery until the slave system was smashed by the Civil War (the Second American Revolution), later sanctioning Jim Crow segregation, safeguarding capitalist property and profits against the working class, and increasingly over the past half-century attacking and dismantling democratic rights.

Since joining the high court in 1991, Thomas has been on its extreme right, playing a key role in discrediting the body—portrayed by the media and the politicians as august and unimpeachable—before the eyes of the working class. In 2000 he was part of the five-member Republican majority which halted the vote count in Florida and stole the presidential

election for George W. Bush, the loser of the popular vote. Thomas signed on to an opinion by Justice Antonin Scalia that declared the American people had no constitutional right to vote for the president.

He is clearly implicated in the conspiracy to overthrow the 2020 election and maintain Donald Trump in power as dictator. He refused to recuse himself from cases relating to the attempted coup of January 6 and its cover-up, despite the fact that his wife, “Ginni,” played a major role in the plot. A leading member of fascistic groups, she worked to convince state legislators in Republican-controlled states that voted for Biden to reject pro-Biden electors and unilaterally approve pro-Trump elector slates. She promoted Trump’s fascist lawyers such as Sidney Powell and repeatedly texted Trump’s White House chief of staff, Mark Meadows, urging him to defy the results of the election and do whatever was needed to keep Trump in power. No wonder that Clarence Thomas issued the only dissent in voting to support an attempt by Trump to block the January 6 Committee from accessing Meadows’ text messages.

That committee, dominated by the Democrats, allowed Ginni Thomas to testify behind closed doors rather than in public in order to shield Justice Thomas and conceal his role and that of at least one other justice, Samuel Alito, in the conspiracy.

Thomas voted last year to overturn *Roe v. Wade*, marking the first-ever action by the Supreme Court to retract a previously established constitutional right, and condemning millions of women and children to poverty and ill health.

He has cruelly condemned perhaps hundreds of death row prisoners, deprived of basic due process rights and overwhelmingly poor and working class, by ruling against their appeals. The most recent example was last Monday, when the six-member Republican bloc on the court refused to hear the appeal of a death row prisoner whose lawyers had not been informed of exculpatory evidence by state prosecutors until after sentencing.

On Friday, Thomas responded to the ProPublica report by blandly denying any wrongdoing. In a statement issued through the court’s public information office, he wrote:

As friends do, we have joined [the Crows] on a number of family trips during the more than quarter century we have known them. Early in my tenure at the Court, I sought guidance from my colleagues and others in the judiciary, and was advised that this sort of personal hospitality from close personal friends, who did not have business before the Court, was not reportable.

The Democratic response has been predictably feckless. No leading legislator or Biden official has even called for Thomas’

resignation or removal.

The chairman of the Senate Judiciary Committee, Dick Durbin, merely called for an “enforceable code of conduct” for high court justices. Rhode Island Senator Sheldon Whitehouse urged Chief Justice John Roberts to open an investigation. Elizabeth Warren, the supposed “scourge” of Wall Street, could only bluster that the ProPublica article was “a stark reminder that judges should be held to the highest ethical standards and free from conflicts of interest.”

New York Rep. Alexandria Ocasio-Cortez tweeted that Thomas “must be impeached,” knowing that the Democratic Party will do no such thing.

No one in the Democratic Party or the media has compared the impunity given Thomas, despite the most grotesque levels of corruption and criminality, to the purge of Abe Fortas, a liberal Democrat who was blocked from becoming chief justice in 1968 under Lyndon Johnson and forced off the Supreme Court by the Nixon administration in 1969.

Fortas, a veteran of the New Deal, argued the landmark case of *Gideon v. Wainwright* before the Supreme Court in 1963, establishing the right of indigent defendants to have defense counsel supplied by the state. He was named to the high court by Johnson in 1965. His elevation to chief justice was torpedoed by a coalition of Republicans and Southern segregationist Democrats, who used, in part, claims that his acceptance of \$15,000 for nine speaking engagements at American University’s Washington College of Law was improper. However, the real basis of the opposition to his elevation was his liberal record, his support for civil rights and the fact that he was Jewish. Fortas called the campaign against his nomination as chief justice “anti-Negro, anti-liberal, anti-civil rights and anti-Semitic.”

The next year, after Nixon’s election, the White House and Attorney General John Mitchell used other allegations of financial misdeeds to threaten an investigation and force Fortas to resign from the court. This marked the end of the relatively brief period of liberal rulings under Chief Justice Earl Warren and the beginning of a sharp shift of the court to the right.

The contrast between the ruthlessness of the Republican-led purge of Fortas and the cowardice of the Democrats toward Thomas is stark.



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