

Shielded by the Democrats

Fascist justices implicated in January 6 coup head up corruption on US Supreme Court

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16 June 2024

In the first two weeks of June, new revelations have emerged of Supreme Court justices taking bribes from billionaire oligarchs, with the fascists implicated in the attempted overthrow of the 2020 election, Clarence Thomas and Samuel Alito, first in line.

Thomas, in particular, is far and away the biggest bribe-taker, having accepted millions in undisclosed gifts from Texas billionaire and Hitler-lover Harlan Crow. But Alito is also on the receiving end of lavish gifts from billionaire reactionaries, and Democratic liberals Ketanji Brown Jackson and Sonia Sotomayor are recipients of six- and high five-figure book advances, royalties and other payouts from private sources.

Rulings over the past quarter-century—from the 5-4 decision that halted vote-counting in 2000 and handed the White House to George W. Bush, the loser of the popular vote, to the 2022 *Dobbs* decision that abolished the constitutional right to abortion—combined with repeated corruption exposures have rendered the court illegitimate in the eyes of a large majority of the population.

The most recent polling shows that the Supreme Court has the support of only 34 percent of the American people. The last time in US history the high court was in such disrepute was the period when it was dominated by robed agents of the Southern Slave Power, with decisions like *Dred Scott* fueling the crisis that exploded in the Civil War, also known as the Second American Revolution.

Such is the level of “regard” in which the nation’s top court is held, on the eve of decisions including Donald Trump’s claim that former presidents have full legal immunity for any official actions they carried out while in office, and the assertion that charges of “obstruction” of Congress against convicted January 6 insurrectionists should be overturned!

On June 6, one day before the nine justices were due to release their annual financial disclosure filings, the watchdog group Fix the Court issued a damning report showing that justices received a combined \$3 million in gifts over the past two decades, with the senior justice, Thomas, accounting for nearly 80 percent of the total. According to Fix the Court, Thomas accepted gifts totaling \$2.4 million. The group noted that only 8.5 percent of the gifts to Thomas had been reported on his financial disclosure filings.

When 101 “likely” gifts for Thomas, consisting mainly of lavish vacation trips reported by Pro Publica and other media outlets, are added, the total amount raked by all the justices from January 2004 to December 2023 rises to nearly \$4.8 million. Thomas alone accounts for \$4.2 million, making him far and away the most openly corrupt judge in modern American history (and arguably the most reactionary figure on the high court).

According to Fix the Court, second place behind Thomas is still held by arch-reactionary Antonin Scalia, who died at a private Texas resort in

2016, with \$175,861 in gifts. Alito ranks third with \$170,095 in gifts, so he is likely to pass Scalia shortly.

Chief Justice John Roberts has accepted over \$49,000 in gifts. Last year it was revealed that Jane Roberts, the chief justice’s wife, took in \$10.3 million in commissions from elite law firms for placing high-paid lawyers with them between 2007 and 2014. At least one of the firms argued a case before the chief justice after paying his wife hundreds of thousands of dollars, something that was revealed by a whistleblower, not Chief Justice Roberts.

Nor are the Democrats on the court, past and present, without wealthy donors. The late Ruth Bader Ginsburg accepted over \$59,000 in gifts, according to Fix the Court. She enjoyed a private tour of Israel in 2018 paid for by Israeli billionaire Morris Kahn, who had business before the court.

Bipartisan bribe-taking

According to the Center for Responsive Politics, retired Democratic Justice Stephen Breyer took at least 225 subsidized trips from 2004 to 2018, including trips to Europe, Japan, India and Hawaii. One was a trip to Nantucket paid for by David Rubenstein, a private equity mogul. Some of the trips were backed by the Pritzker family, ranked among the 10 richest families in the US and including the current governor of Illinois, J. B. Pritzker.

Gabe Roth, executive director at Fix the Court, said in a statement:

Supreme Court justices should not be accepting gifts, let alone the hundreds of freebies worth millions of dollars they’ve received over the years. Public servants who make four times the median local salary, and who can make millions writing books on any topic they like, can afford to pay for their own vacations, vehicles, hunting excursions and club memberships—to say nothing of the influence the gift-givers are buying with their “generosity.”

According to the financial disclosure filings submitted on June 7, Justice Ketanji Brown Jackson topped the court in book royalties last year, having received an \$893,750 advance for her memoir, *Lovely One*, which comes out in September.

GOP Justice Brett Kavanaugh received \$340,000 for an upcoming legal memoir. Fellow right-wing Republican Neil Gorsuch took in \$250,000 for

a book he and a former law clerk are writing that will be released in August under the title *Over Ruled: The Human Toll of Too Much Law*.

Justice Sonya Sotomayor received another \$86,782 in royalties from children's books she's written.

These were the first annual reports released since the court in 2023, following the staggering revelations of unreported gifts to Clarence Thomas from Harlan Crow published by ProPublica, adopted its first-ever code of conduct as a token concession to Democratic pressure. The code, while nominally tightening requirements for reporting gifts, has no enforcement mechanism.

In his June 7 report, Thomas amended his 2019 filing to include two lavish vacations that year, previously unreported, that were paid for by Crow. Both were among the many exclusive vacations for Thomas and his wife, "Ginni," financed by Crow and exposed for the first time by ProPublica in 2023. According to the ProPublica report, Thomas and his wife took trips paid for by Harlan Crow almost on a yearly basis for over two decades.

One of the trips included in Thomas' filing this month was a trip to Bali in July 2019 as a guest of the Crows, who covered the cost of food and lodging. According to ProPublica's report last year, that was a nine-day island-hopping excursion aboard the Crows' superyacht "staffed by a coterie of attendants and a private chef." The second vacation was a three-day stint a week later, again paid for by Crow, enjoyed by Thomas at a "private club" in Monte Rio, California. The city is home to Bohemian Grove, an all-male invitation-only retreat.

Last Thursday, June 13, the Democratic-controlled Senate Judiciary Committee released documents on three more previously unreported junkets by Thomas paid for by Crow.

Who is Harlan Crow?

Who is Crow? The heir to a commercial real estate fortune (his father was Trammell Crow) with assets of \$20 billion, Crow has spent more than \$16 million supporting right-wing political causes, according to Citizens for Responsibility and Ethics in Washington, a nonprofit organization that tracks political conflicts of interest. He is associated with such bulwarks of US imperialism and anti-communism as the Hoover Institution, the American Enterprise Institute and the Club for Growth. He has called Marxism his greatest fear.

He tops the list of right-wing billionaires who have financed Thomas since his ascension to the Supreme Court in 1991. They include oil and finance executive David Sokol, the late Blockbuster Video founder H. Wayne Huizenga, and oil billionaire Paul Novelly.

Crow has the distinction of owning and displaying at his Texas mansion Hitler and Nazi artifacts, including a signed copy of *Mein Kampf*, paintings by the Führer, and linens sporting the swastika icon.

Another lavish funder of the Thomas clan is Leonard Leo, a founder and leader of the Federalist Society, which has played a key role in packing the US courts with far-right operatives. In 2012, Leo arranged to give \$400,000 to Liberty Consulting, a firm run by "Ginni" Thomas.

The second-most bribed justice on the high court is Samuel Alito. According to ProPublica, Alito failed to disclose at least one luxury vacation. A 2008 fishing trip to Alaska, with private travel to and from valued in the hundreds of thousands of dollars, was paid for by Republican megadonor Paul Singer. The billionaire's hedge fund would later appear before the Supreme Court at least 10 times. In at least one instance, Alito voted with the majority in a ruling that ended with a \$2.4 billion judgment in favor of Singer's firm.

The author of the anti-abortion rights *Dobbs* decision, Alito in recent

weeks has been exposed as flying pro-Trump MAGA flags outside his homes in Virginia and New Jersey. The upside-down US flag at his Fairfax County, Virginia home, photographed shortly after the nearly successful fascist assault on the US Capitol on January 6, was the symbol of Trump's "Stop the Steal" campaign.

Part of the January 6 conspiracy

Both Thomas and Alito are deeply implicated in the attempt to overthrow the 2020 election and maintain Trump in power as a dictator. "Ginni" Thomas played a central role in seeking to line up fake slates of Republican electors to usurp legitimate Democratic elector slates in swing states controlled by Republican legislatures whose voters went for Biden in 2020. The cowardice and complicity of the Democratic Party in the ongoing conspiracies against what remains of democratic procedures in the US is expressed in the fact that the Democratic-controlled January 6 House Committee chose to interview "Ginni" Thomas in closed session, rather than in public.

As for Alito, he accepted a baseless filing on January 5, 2021 by Trump coup lawyer Sydney Powell to block congressional certification of Biden's Electoral College victory and throw the election into the House, where the Republicans controlled a majority of the delegations. The justice kept the filing in his back pocket until it became clear that the following day's coup attempt had failed, and Congress would certify the vote.

Both Thomas and Alito refuse to recuse themselves from cases arising from Trump's attempted coup and the events of January 6. The response of Biden and the Democrats is to shield Trump's conspirators, including virtually the entire Republican Party and significant sections of the military and intelligence state apparatus. They not only refuse to call for the impeachment of Thomas and Alito, they refuse to even call them to testify before Congress. The most Senate Judiciary Committee Chairman Dick Durbin has been willing to do is ask Chief Justice Roberts to appear before his committee, which the latter has flatly rejected.

Biden and the White House have maintained a virtual silence on the exposures of the high court's fascist wing. Last month, White House press secretary Karine Jean-Pierre said the administration did "not want to get into the business of the specific actions" about Alito, including whether he should recuse himself from the pending cases relating to the January 6 coup attempt.

Even as the Democrats unite with the GOP fascists to suppress peaceful protests against the US/Israeli genocide in Gaza, they will do nothing to disturb the bipartisan backing for the escalating war against Russia in Ukraine that threatens a nuclear catastrophe.

They will likewise seek at all costs to maintain the "legitimacy" of capitalist state institutions in the face of growing mass anger and opposition in the working class. The reality is that the US ruling class has broken with bourgeois democracy, which is incompatible with the existing levels of wealth concentration in the hands of a tiny band of multi-billionaire oligarchs and mega-corporations.



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