

The New York Times

MAUREEN DOWD

Supremely Arrogant

May 6, 2023

WASHINGTON – The Supreme Court is still great.

It's the greatest gathering of grievances we've ever seen on the high court. The woe-is-me bloc of conservative male justices is obsessed with who has wronged them.

It might be an opportune time to hire a Supreme shrink so these resentful men can get some much-needed therapy and stop working out their issues from the bench.

Neil Gorsuch is settling a score for his mother.

In her memoir, Anne Gorsuch Burford wrote that when she was forced out as Ronald Reagan's Environmental Protection Agency administrator in 1983, her 15-year-old son, Neil, "was really upset." He told her: "You should never have resigned. You didn't do anything wrong. You only did what the president ordered. You raised me not to be a quitter. Why are you a quitter?"

The scar from that trauma flared as he prepared a moot court brief with classmates at Harvard Law School and "tried to add material concerning the E.P.A. that did not fit," according to a classmate who talked to The New York Times.

Burford was attacked during her tempestuous tenure as an enemy of the environment who slashed rules and spending to gut the E.P.A. The last straw, even for Republican lawmakers and Reagan officials, was when she rejected calls to turn over documents about a toxic-waste cleanup program that her agency had corrupted. She received a contempt citation from Congress.

The Times wrote in an editorial back then: "On becoming the head of the E.P.A., Anne Gorsuch inherited one of the most efficient and capable agencies of government. She has turned it into an Augean stable, reeking of cynicism, mismanagement and decay."

Last year, her son moved to complete her toxic mission. He enthusiastically joined the 6-to-3 vote to severely curtail the E.P.A.'s ability to regulate power plant emissions. The activists who

pushed for Gorsuch to be nominated to the court are finally getting to their real goal: the dismantling of their despised administrative state.

On Monday, the court agreed to review its unanimous decision in *Chevron v. Natural Resources Defense Council* from 1984. As Charlie Savage wrote in *The Times*: “If the court overturns or sharply limits the *Chevron* precedent, it would become easier for business owners to challenge regulations across the economy. Those include rules aimed at ensuring that the air and water are clean; that food, drugs, cars and consumer products are safe; and that financial firms do not take on too much risk.”

The *Chevron* ruling arose from a challenge to a decision by Gorsuch’s mother to lower automobile emissions standards. He can now vindicate her stance.

Samuel Alito also feels maltreated. In writing the opinion that overturned *Roe v. Wade*, this brazenly political justice who doesn’t distinguish between his legal and religious views mercilessly stripped women of the right to make decisions about their bodies. But somehow, he whines that he is the victim.

Last month Alito told *The Wall Street Journal* that he did not like the way the court’s legitimacy was being questioned. “We are being hammered daily, and I think quite unfairly in a lot of instances. And nobody, practically nobody, is defending us.”

Funny. That’s how many women feel about this Supreme Court.

Clarence Thomas, who is still bitter over being outed as a porn-loving harasser of women who worked for him — even though Joe Biden did his best to sweep the corroborating evidence under the Senate rug — was slapped with more revelations of ethics derelictions this past week.

ProPublica broke the news that Thomas’s billionaire benefactor for luxury trips and family property, Harlan Crow, had also secretly paid the private school tuition for Thomas’s grandnephew.

The *Washington Post* revealed that Leonard Leo, an executive vice president at the Federalist Society — the cult that has transformed the courts in its own right-wing image — surreptitiously funneled tens of thousands of dollars to Thomas’s wife, Ginni, for “consulting work” a decade ago.

The *Post* reported that Leo told the G.O.P. pollster Kellyanne Conway to bill a nonprofit group he advises and use that money to pay Mrs. Thomas but stipulated that the paperwork should have “No mention of Ginni, of course.”

“The same year, the nonprofit, the Judicial Education Project, filed a brief to the Supreme Court in a landmark voting rights case,” the paper said.

John Roberts cannot accept that these justices are incapable of policing themselves. Despite all the slime around him, he refused to testify before Congress about a court that blithely disdains ethics.

One reason may be, as The Times reported, that the chief justice’s own wife, Jane, has made millions of dollars as a legal recruiter, placing lawyers at firms with business before the Supreme Court.

Even though I’ve been writing since *Bush v. Gore* that the court is full of hacks and the bloom is off the robes, it is still disorienting to see the murk of this Supreme Court.