



Written by [Bob Adelman](#) on June 19, 2020

Trump Tweets Outrage Over High Court's DACA Decision, Promises New Conservative Justices in his Second term

It wasn't just the recent decision on Dreamers (DACA, or Deferred Action for Childhood Arrivals) by the Supreme Court, declaring that President Obama's illegal executive order couldn't be overturned, that set off the president. It was a whole series of recent decisions by the high court that caused him to [light up his Twitter account](#) on Thursday:



The recent Supreme Court decisions, not only on DACA, Sanctuary Cities, Census, and others, tell you only one thing: we need NEW JUSTICES of the Supreme Court. If the Radical Left Democrats assume power [in November], your Second Amendment, Right to Life, Secure Borders and Religious Liberty, among many other things, are OVER and GONE!

Minutes later he added:

As President of the United States, I am asking for a legal solution on DACA, not a political one, consistent with the rule of law. The Supreme Court is not willing to give us one, so now we have to start this process all over again.

Accordingly, he announced he would be releasing a list of conservative (read: originalist) judges, some from his previous list, to replace whomever leaves the court during his second term, if he gets one:

I will be releasing a new list of Conservative Supreme Court Justice nominees, which may include some, or many of those already on the list, by September 1, 2020. If given the opportunity, I will only choose from this list, as in the past, a Conservative Supreme Court Justice. Based on decisions being rendered now, this list is more important than ever before (Second Amendment, Right to Life, Religious Liberty, etc.) — VOTE 2020!

Supreme Court Justice Clarence Thomas, the "quiet one," ripped into Justice Roberts' majority opinion on DACA, calling it expedient:

Today's decision must be recognized for what it is: an effort to avoid a politically controversial but legally correct decision.

The Court could have made clear that the solution respondents seek must come from the Legislative Branch.

Instead, the majority has decided to prolong DHS' initial overreach by providing a stopgap measure of its own.



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In doing so, it has given the green light for future political battles to be fought in this Court rather than where they rightfully belong — the political branches.

Such timidity forsakes the Court's duty to apply the law according to neutral principles, and the ripple effects of the majority's error will be felt throughout our system of self-government.

"Such timidity," wrote Hans von Spakovsky, the Heritage Foundation's senior legal fellow, resulted in the court's refusal, in its 5-4 ruling, "to allow the Trump administration to terminate the unlawful DACA program implemented by the Obama administration without congressional approval."

That "timidity" is also reflected in the high court's bowing to political correctness "by rewriting and effectively amending the language of the Civil Rights Act of 1964 to include sexual orientation and gender identity — something Congress has specifically rejected," said Spakovsky.

That "timidity" was also reflected by the high court's unwillingness to consider any — *any* — of the nearly dozen high-profile Second Amendment cases seeking review and clarification. This leaves in place grievous restrictions put in place by several states that infringe on citizens' rights to keep and bear arms.

It's worse than that, according to Amy Swearer, a senior policy analyst at the Heritage Foundation: "This was, at a fundamental level, another abdication by the court in which it once again declined to do its job of saying what the law is with respect to the Second Amendment."

She put the matter succinctly, that the cork in the bottle is Chief Justice John Roberts: "If we are waiting for Roberts to find a Second Amendment "judicial unity" case for this court's current composition [to support unanimously], we will be waiting in vain for another decade.... We need a court with the courage to say what the law is, even when some politicians don't want to hear it."

It was Roberts, it will be remembered, who ruled that ObamaCare was constitutional when it clearly was not. It was Roberts who shut down Trump's reasonable request to add a citizenship question to the census.

Senator Ted Cruz (R-Texas) minced no words: "Over recent years more and more Chief Justice Roberts has been playing games with the court to achieve the policy outcomes he desires.... This is becoming a pattern."

To break the "pattern," Trump is asking for four more years to complete the task and fulfill his promise: to bring the courts back to their originalist roots. That would mean replacing the present chief justice with one who isn't swayed by current events, a desire to be politically correct, or a goal to leave a legacy that progressives in the future will celebrate.

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