The Phyllis Schlafly Report

Fear of Disunity Swings Roberts to Trump's Side

By John and Andy Schlafly

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Signs of our country fracturing may have struck a chord with Chief Justice John Roberts, resulting in the surprisingly strong decision on Monday that ends attempts by liberals to disqualify Trump from the presidency. Roberts has disappointed conservatives for a decade, often providing the swing 5th vote for the liberal side, but he appears to be having nightmares about national disunity.

On Monday, Roberts and the Court shut down the effort to use a long-forgotten provision of the Fourteenth Amendment to disqualify Trump from becoming president again. This abruptly ends a year-long quest by Trump-haters to disqualify Trump on the pretext of the Capitol protests on January 6, 2021.

Colorado was the first state to exclude Trump from its ballot, which the unsigned decision of the Supreme Court reversed on Monday to ensure that Trump will be on the ballot there and everywhere else. The ruling was not a moment too soon, as Maine and Illinois had imitated Colorado by blocking Trump from their ballots, too.

At oral argument Roberts warned that Republican states might retaliate by removing Biden from their ballots. His concern is a chaotic future of states misusing the ballot access process in order to tip the presidential election to one side or the other.

Roberts' decision for the Court then went far beyond the issue of ballot exclusion. To the consternation of liberals, Roberts' ruling prohibited liberals from disqualifying Trump from the office of presidency by any other way, unless Congress enacts a law authorizing it (which it will not do).

The Court's opinion tracks the line of questioning by Roberts at oral argument, where he fretted in speculation about practical consequences if Colorado were allowed to exclude Trump from its ballot. Roberts has always been more of a political animal than a legal scholar, preferring simple logical discussion and straightforward arguments about hypothetical scenarios.

The tell-tale sign that Roberts wrote the unsigned opinion is the reaction by the frustrated liberal Justices. Their very first sentence quoted one of Roberts' prior opinions, as if to rebut him with his own words.

The liberal justices' confrontation of Roberts shows their desperation in being unable to persuade him in a more flattering way. Without Roberts, liberals cannot win on any Trump-related case, even if they are able to pull Justice Amy Coney Barrett to their side.

By lashing out against Roberts, the leftwing justices alienated Justice Barrett in the middle and she rebuked them for their rhetoric. Even though Barrett agreed with liberals that Roberts' decision went further than it had to, Barrett criticized the liberal Justices for inflaming the "national temperature" at this time, rather than lessening tensions as she felt the Court should be doing.

The sweeping scope of Roberts' decision is devastating to the Never-Trumpers. Not only must Colorado allow Trump back onto its ballot, but the decision effectively prevents anyone in federal or state government from disqualifying Trump, thereby ending all schemes to prevent a victorious Trump from taking office.

The liberal justices agreed that Colorado was wrong to exclude Trump from its ballot, but shockingly wanted options left open for the federal government to disqualify Trump in other ways. It is not clear what the Left has up its sleeve for interfering with the authority of the next elected president, but additional frivolous legal actions against Trump by the Department of Justice are predictable.

In the last Trump Administration the top military brass was defiant of Trump even though he was the Commander-in-Chief. Fortunately, the Supreme Court has eliminated all the arguments by the Left of illegitimacy to the next Trump Administration.

Trump looked fit and trim in delivering a powerful televised statement in response. He thanked the Supreme Court and then turned to the ongoing politically motivated prosecutions of him, and the harm being caused by Biden letting in millions of illegal aliens.

In contrast with the highly scripted public comments by Biden, Trump covered more than a dozen issues extemporaneously, and then responded to a question from the media.

Next month the Supreme Court will hear Trump's appeal on the issue of his presidential immunity. Liberals have little chance of prevailing as long as Chief Justice Roberts justifiably remains concerned about disunity that would result from allowing the anti-Trump circus to continue interfering with the voters' selection of the next president.

Roberts does not want a fractured country to reduce him from Chief Justice of the United States to merely a chief justice of the swamp along the Potomac River. In a paraphrase of what Phyllis Schlafly said about her hard-fought victories, Roberts is welcome to choose any reason he likes to save our country from Leftist interference with our democratic process.

John and Andy Schlafly are sons of Phyllis Schlafly (1924-2016) and lead the continuing Phyllis Schlafly Eagles organizations with writing and policy work.