

Notes on The Supreme Court: Always Bastion of Elite Rule

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Center Section of the JR the Revolving door shows:

- the original court,
- the court 100 years later known as the Waite Court
 - ushered in corporate personhood
- the court majority today

Original Court :

great display of wealth & power

Patriots viewed the establishment of the court by the constitutional convention with grave concern. They saw it as the re-introduction of the authority of the British King

Gustavas Myers

"The landed class, being by virtue of its wealth, its cohesiveness and its long hold on government, the dominant class had no difficulty in getting President Washington, himself an extensive landholder, to fill the Supreme Court bench with men of its own class."

Chief Justice John Jay,

scion of an old New York landholding family
married into the wealthy and powerful Livingston family
protected the interests of large land holders.

Pushed through the return of Tory lands confiscated from their owners during the revolution. Particularly that of his own family

Associate Justice John Rutledge:

member of an old South Carolina land holding family
a lawyer for plantation owners
served as the "chief mouth piece for the Southern slave holders" at the Constitutional

Associate Justice James Wilson

lawyer serving rich clients
was attacked by American revolutionaries in his Philadelphia home
for his sneering attitude towards the "lower orders."
Hung in effigy

Associate Justice William Cushing

son and grandson of Royal British judges
was a target of Shay's Rebellion.

Associate Justice John Blair

his father was a Royal Governor of Virginia.

This court mainly worked to return lands that had been confiscated from British Supporters

Once land re-acquisition was done, Jay soon left

CORPORATE PERSONHOOD COURT

Almost all Railroad Lawyers.

President Abraham Lincoln,

himself a railroad lawyer, began this process

The 1882-87 Waite Court

Supreme Court Chief Justice Morrison R. Waite

Toledo, Ohio banking and railroad lawyer

Included two Justices associated with two of the most notorious robber barons,

Jay Gould and James Fisk.

Stanley Matthews was Gould's main Midwest lawyer,

Stephen J. Fields learned law in his brothers' law firm

that represented Gould in New York.

Rest of the court included

A New Jersey railroad lawyer and capitalist.

A Kentucky railroad lawyer.

Son of financial agent and counsel for Bank of England and Bank of the US

Grandson of Boston's wealthiest man

A Keokuk Iowa lawyer specializing in land, steamboat, and commercial law.

Justice William B. Woods, who "notoriously favored railroads."

Waite Court cleared the legal road for corporate power to rule America.

Court did not even have to consider

corporations personhood rights under the 14th Amendment.

Santa Clara County v. Southern Pacific Railroad [1886]

"The Court does not wish to hear argument on the question of whether the 14th Amendment to the Constitution, which forbids a State to deny to any person within its jurisdiction the equal protection of the laws, applies to corporations. We are all of the opinion that it does."

Minneapolis & St. Louis Railroad v. Beckwith [1889]

Using Santa Clara notes as a precedent, Supreme Court rules a corporation is a "person"

for both due process and equal protection.

Nobel v. Union River Logging [1893]

For the first time corporations have claim to the Bill of Rights.

The 5th Amendment says corps could not:
“be deprived of life, liberty, or property, without due process of law.”

PRESENT 5 JUDGE MAJORITY

The Alliance for Justice calls Roberts Court,

“The Court of the One Percent” and goes on to say that:

With decision after decision coming down on the side of big business, the Supreme Court under Chief Justice John Roberts has proven itself to be willing and eager to twist the law to favor powerful corporate interests over everyday Americans.

In just the last few years, the Court has radically rewritten laws in order to shield big business from liability, insulate corporate interests from environmental and antitrust regulation, make it easier for companies to discriminate against women and the elderly, and enable powerful interests to flood our election process with special interest dollars. Fairness has been thrown out the window.

Chief Justice John Roberts

defended most corporate cases in front of the Supreme Court
clients included the National Mining Association and Fox Television.

Associate Justice Samuel Alito is

the man that mouthed “not true”

when President Obama declared in his 2010 State of the Union address
that the Citizens United decision had “reversed a century of law that I
believe will open the floodgates for special interests...to spend without
limit in our elections.

Associate Justice Clarence Thomas,

most conservative judge on the current Court,
worked as a corporate lawyer for Monsanto in Missouri headquarters

Associate Justice Neil Gorsuch

Replaced Antonin Scalia and mimics his judicial philosophy

Worked for one of the best paying corporate law firms in Washington DC.

Phillip Anschutz, worth \$12.8 billion, 38 wealthiest person in America was one of his clients

Associate Justice Anthony Kennedy

corporate lawyer and lobbyist in California

helped Ronald Reagan, who appointed him to the Supreme Court.

CASES DECIDED BY THE ROBERTS COURT

Citizens United v. Federal Elections Comm. [2010]

Supreme Court overturned most provisions of McCain-Feingold legislation
that restricted corporate money in federal elections
reversed 100-year precedent of regulation of federal elections.

Most explicit justification of “corporate personhood” by the Court.

McComish v. Bennett June 27, 2011

Arizona Clean Money campaigns,
if candidates raised \$350,000 of their own money,
their opponent would be awarded special public fundraising advantages,
the Supreme Court struck this provision

McCutcheon v. FEC 2014

challenging Section 441 of the Federal Election Campaign Act (FECA),
which imposed a biennial aggregate limit on individual contributions

Burwell v. Hobby Lobby Stores, Inc.

allowing closely held for-profit corporations
to be exempt from a law its owners religiously object to
if there is a less restrictive means of furthering the law's interest.
It is the first time court recognized a for-profit corporation's claim of religious belief,