

Statement of Demos President Heather McGhee Opposing Judge Gorsuch's Appointment to the U.S. Supreme Court

New York, NY – Today, Heather McGhee, President of Demos, a New York-based public policy organization and think tank, expressed deep concern over President Trump's nomination for the Supreme Court.

"As a legislative body that represents the American public and not special interests, the U.S. Senate must reject President Trump's nomination of Judge Gorsuch to a lifetime appointment on the nation's highest court.

"The next Supreme Court justice will have a pivotal role in ensuring our Constitution protects the rights and voices of all Americans. For four decades, the Court's [flawed approach to money in politics](#) has gutted common-sense protections against the power of special interests and wealthy individuals, and created a rigged system where the size of our wallets determines the strength of our voices.

"Demos stands with Senators opposing this nominee. We should not sit idly by while this administration and the congressional majority work aggressively against the interest and values of the American people.

"Our nation's future should not be up for sale. We need a justice who understands that a true democracy cannot elevate big money over the voices of ordinary people and that reasonable limits must be put in place to protect the rights and influence of all Americans – and that is not Judge Gorsuch."

The *Citizens United* decision, which equated corporations with people and allowed unlimited corporate expenditures in elections, galvanized voters' long-standing concerns about big money in politics. In fact, 85% of Americans believe we need fundamental changes to our system for funding political campaigns. Unfortunately, the nomination of Judge Gorsuch takes us further away from what voters want.

With today's nomination, President Trump has followed through with his commitment to appoint to the Court a justice [in the mold of Justice Scalia](#), a strong supporter of decades of damaging Supreme Court rulings, which have treated unlimited political spending as a form of free speech, empowered corporate interests over voters, and massively elevated the leverage of big money in our democracy. To make matters worse, it was reported that the nominees were vetted by White House Counsel Don McGahn, one of the most pro-big-money Commissioners in the history of the Federal Election Commission.

Demos applauds Senators, such as Jeff Merkley (D-Ore), planning to use every tool at their disposal against Judge Gorsuch. Unlike Judge Merrick Garland, a candidate that both Republicans and Democrats applauded for his legal mind, Judge Gorsuch has not shown sufficient commitment to our constitutional values of liberty, equality, and justice for all. The Senate Democrats should do everything within their power to make sure that the next nominee for the Supreme Court will recognize the rights of all Americans.

Judge Gorsuch's record on money in politics, while sparse, raises significant concerns. His concurrence in [Riddle v. Hickenlooper](#) (10th Cir. 2014) suggests he may be open to providing a higher level of constitutional protection to a donor's right to make political contributions than the level of protection the Court currently affords the right to vote. Judge Gorsuch's openness to applying rigid, "strict scrutiny" review to contribution limits puts him among the ranks of Justices Thomas and Scalia, who are outside even the conservative mainstream on this issue, and is deeply troubling. Judge Gorsuch's overall record suggests he would protect the power of the entrenched donor class rather than prioritizing the rights of all Americans.

For our fact sheet on Judge Gorsuch's record on money in politics, please click [here](#). For an FAQ on the role of the Supreme Court and money in politics, click [here](#). For an analysis on the Supreme Court's flawed record on money in politics, find our report [here](#).

About Demos:

Demos is a public policy organization working for an America where we all have an equal say in our democracy and an equal chance in our economy.

Our name means "the people." It is the root word of democracy, and it reminds us that in America, the true source of our greatness is the diversity of our people. Our nation's highest challenge is to create a democracy that truly empowers people of all backgrounds, so that we all have a say in setting the policies that shape opportunity and provide for our common future. To help America meet that challenge, Demos is working to reduce both political and economic inequality, deploying original research, advocacy, litigation, and strategic communications to create the America the people deserve.

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