

Justice Stephen Breyer wrote a book a few years ago tracking the history of the Supreme Court. He mentioned how often the court gets justice right, even when the justices were all male and all white. Yet the relatively few times when the court errs, the mistakes are monumental and have long-lasting damage.

The worst cited by Breyer was the notorious Dred Scott decision in 1857 that ruled that even when a slave was taken by his master to a free state, he could not sue in federal court for his freedom. He was still someone's property. This act also authorized vigilantes to claim a fee for capturing and returning such slaves to their owners. Note the date on this: just three years short of Abraham Lincoln, who advocated emancipation, became president and the southern states rebelled.

The next error was in the Franklin Delano Roosevelt administration during the great depression. Roosevelt introduced a number of novel bills to address issues long ignored by Congress: social security, funding for a job corps so that young men could help restore national parks and other needed projects. The Tennessee Valley Authority was created that provided electric power for a vast area of the south that had long endured backwardness and poverty. Even actors and artists received help in exchange for travelling to underserved parts of the country and performing for both young people in schools and poor rural communities that had never seen a play or concert or seen fine art.

The Supreme Court at that time was an old white men's club, and they thwarted a number of Roosevelt's initiatives. He finally threatened them with packing the court (more justices), a move that did not get public support, but did frighten the justices enough to begin to behave as the public champions they should have been.

In 2010, the Supreme Court ruled on Citizens United v. FEC, that corporations are people and they removed previous reasonable limitations on campaign contributions. This has cancelled any way of stopping "dark money" (not accounted) from poisoning political campaigns that are already suffering from money influences. If we are ever to have justice for all, our elections must be freed from the contamination of money, particularly dark money. This ruling also overrides a century of efforts to restrain corrupting campaign contributions. So much for "standing" law.

Another egregious mistake was in 2013, when the Court held that the southern states no longer practiced prejudice and needed no more voting rights oversight. This ended Section 5 of the Voting Rights Act which mandated preclearance oversight of jurisdictions state laws designed to hamper minorities from voting. This led to the present horror of state legislations with dire effects on voters, particularly those of color.

The latest horror was the Court permitting the Texas law that turns over enforcement of their virtual abortion ban to vigilantes who may sue and win bounties from anybody "who aids in any way" an abortion. This could include taxi drivers, friends of the woman driving her to the clinic, and everyone except the woman herself (at least for now) being subject to such treatment. This ruling harkens back to the comparable ruling in the Dred Scott case, which also set loose bounty hunters to catch and return free-state slaves to their masters.

Should we ask if women do not have autonomy over their own bodies (which men have), are they, too, slaves who belong to their male masters?

This latest ruling has unleashed several other problems: the first that the most recent three Trump appointees all testified in their Senate confirmations that they believed in standing law, and would not revoke Roe v. Wade. They lied.

The second problem is that in so ruling, other states could use the same provision to hunt down and sue anybody who makes sells, or provides weapons, thus revoking the 2nd amendment.

Actually, being armed to the teeth has nothing to do with the amendment that required a "well-regulated militia" to protect the country, which at that time had no standing army. It is finally time to revoke this irrelevant amendment.

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