



Written by [R. Cort Kirkwood](#) on October 27, 2020

## Originalism “Racist!” “Expand The Court!” Democrats Fume After ACB Confirmation

If the Democrats take the White House and control of the U.S. Senate on November 3, they’ll almost certainly try to expand the number of seats on the U.S. Supreme Court to overturn the conservative 6-3 majority.

The radical Left and its legislative auxiliary on Capitol Hill have been discussing a court-packing scheme since the nomination and confirmation of Associate Justice Brett Kavanaugh.

But now, with Justice Amy Coney Barrett confirmed by a 52-48 vote, court packing is almost certain if Democrats take complete control of the government in January after the election.



SeanPavonePhoto/iStock/Getty Images Plus

President Trump “stole” Barrett’s seat, [they say](#), because he should have waited until after the election to nominate someone to give the American people a “say.”

Last night, Democrats threw a foot-stomping tantrum.

Senate Republicans just stole another SCOTUS seat by confirming Judge Barrett. Let’s hold them accountable & replace them with leaders who prioritize public safety.

Sign up to phonebank in battleground states ↓ <https://t.co/VN7mZzBmiC>

— Everytown (@Everytown) [October 27, 2020](#)

### The Tweets

Even older Democrats who should know better pitched a fit.

Senator Edward Markey of Massachusetts called the new justice a “racist” without actually calling her a racist.

Speaking of Barrett’s originalist judicial philosophy, Markey wrote, “Originalism is racist. Originalism is sexist. Originalism is homophobic. Originalism is just a fancy word for discrimination.”

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— Ed Markey (@SenMarkey) [October 26, 2020](#)

If true, then Barrett and anyone who agrees with her must be those things as well.

“Today will go down as one of the darkest days in the Senate’s 231-year history,” Minority Leader



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Chuck Schumer huffed. “The Senate GOP is thwarting the will of the people and confirming a lifetime appointment to the Supreme Court in the middle of a presidential election.”

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The Senate GOP is thwarting the will of the people and confirming a lifetime appointment to the Supreme Court in the middle of a presidential election

Democrats will never stop fighting for Americans

— Chuck Schumer (@SenSchumer) [October 26, 2020](#)

Fake Indian Elizabeth Warren did a war dance. “This is a dark day,” she whooped:

But it’s important to remember why Republicans fought so hard to steal this Supreme Court seat.

They’ve realized a truth that shakes them to their core: The American people are not on their side.

And we’ll keep fighting until we take our democracy back.

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And we'll keep fighting until we take our democracy back.

— Elizabeth Warren (@ewarren) [October 27, 2020](#)

Failed presidential candidate Hillary Clinton wasn’t too happy, either. “It is an insult to the American people that the GOP is ramming through a Supreme Court justice with just eight days until the end of an election in which nearly 60 million people have already voted,” she tweeted.

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— Hillary Clinton (@HillaryClinton) [October 26, 2020](#)

Younger Democrats who don’t know much about history, or haven’t lived very long in a self-governing republic, alluded to Franklin Delano Roosevelt’s unsuccessful legislation to pack the court.

“Expand the court,” tweeted former barmaid Alexandria Ocasio-Cortez:

Republicans do this because they don’t believe Dems have the stones to play hardball like they do. And for a long time they’ve been correct. But do not let them bully the public into



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— Alexandria Ocasio-Cortez (@AOC) [October 27, 2020](#)

Ilhan Omar, the radical Somali refugee whom American taxpayers lifted from the squalor of Muslim Somalia, agreed. "Expand the court," tweeted the immigrant who fled warlords and poverty:

Remember that Republicans have lost 6 of the last 7 popular votes, but have appointed 6 of the last 9 justices.

By expanding the court we fix this broken system and have the court better represent the values of the American people.

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— Ilhan Omar (@IlhanMN) [October 27, 2020](#)

More than a few Americans would prefer that Omar return to Somalia to "fix" the "broken system" there, but in any event those sentiments are nothing new.

The Left has been in a frothing rage ever since its [rape smear](#) of [Justice Kavanaugh failed](#).

## **Pack the Court**

"Democrats are going to face a fundamental choice about the Supreme Court the next time they control the presidency and Congress and try to carry out substantial reforms," Paul Starr, leftist founder of *The American Prospect*, [wrote two years ago](#).

Democrats must pack the court, [he wrote](#), to "reverse the illegitimate gains Republicans have made in controlling the Court."

But after Justice Ruth Bader Ginsburg died last month, panic spread among the Democrats like the Chinese Virus in one of [Andrew Cuomo's nursing homes](#).

"If Sen. McConnell and @SenateGOP were to force through a nominee during the lame duck session — before a new Senate and President can take office — then the incoming Senate should immediately move to expand the Supreme Court," House Judiciary Chairman Jerry Nadler tweeted:

Filling the SCOTUS vacancy during a lame duck session, after the American people have voted for new leadership, is undemocratic and a clear violation of the public trust in elected



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officials. Congress would have to act and expanding the court would be the right place to start.

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— Rep. Nadler (@RepJerryNadler) [September 19, 2020](#)

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— Rep. Nadler (@RepJerryNadler) [September 19, 2020](#)

Democrats will almost certainly introduce a plan similar to FDR's failed [Judicial Procedures Reform Bill of 1937](#), which would have permitted him to pack the court with one justice for every sitting justice older than 70, up to a maximum of six.

FDR wanted to expand the court because it correctly declared his New Deal socialist programs unconstitutional.



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