



I have been struggling with how, and whether, to address the shameful series of decisions recent of the Supreme Court. The fears of reasonable people everywhere that the 2000 appointment of Bush to the presidency would lead to a jaundiced court have come true in a stark and dreadful way. E.J. Dionne, Jr. has hit the nail on the head in his column today: If another conservative replaces a member of the court's moderate-to-liberal bloc, the country will be set on a conservative course for the next decade or more, locking in today's politics at the very moment when the electorate is running out of patience with the right.

That's why a majority of senators should warn Bush now that they will not take up his nominee unless he strictly construes the Constitution's provision that he appoint justices with "the Advice and Consent of the Senate." The rule should be: If the advice isn't taken, there will be no consent.

And if conservatives claim to believe the president is owed deference on his court appointees, they will be — I choose this word deliberately — lying. In 2005 conservatives had no problem blocking Bush's appointment of Harriet Miers because they could not count on her to be a strong voice for their legal causes. They revealed that their view of judicial battles is not about principle but power. When they went after Miers, conservatives lost the deference argument.

[E. J. Dionne Jr. - Not One More Roberts or Alito - washingtonpost.com](#)