

The UN-AMERICAN, ANTI-CONSTITUTION LEFT vs. KAVANAUGH: The Underlying Evil of Desperate Smears by Democracy's Losers

By [Lester Jackson](#)

In my [book](#), *Equal Justice for Victims*, p. 44, I wrote:

Like Dr. Martin Luther King, Jr., I have a dream. My dream is that one day the United States will elect a president who dares to explain to the American people that, on controversial questions, the Supreme Court is a *political* and *not* a *legal* institution; and that justices practice their politics by pretending to "interpret" and apply the law and the Constitution.

In a nutshell, this explains what is going on with the vicious and vile Leftist Democrat character assassination of Judge Brett Kavanaugh.

"Political" here does not refer to Republicans versus Democrats, or to the desire of haters to stick it to President Trump. This article uses "political" to describe the struggle over "[who gets what when and how](#)." In a self-governing republic, the "how" consists of decisions by elected representatives. The Kavanaugh fight is really a fight between those who believe in the Framers' Republic and those who want to destroy that Republic.

To paraphrase the late, great Justice Antonin Scalia, he frequently admonished political combatants: "If you want policies not mandated or prohibited by the United States Constitution, don't ask judges to impose what you want but, instead, persuade your fellow citizens." However, what are today's Leftists to do if they can't persuade their fellow citizens to buy their nostrums? What if these Leftists are like the Communists once [described](#) by Justice William O. Douglas as "miserable merchants of unwanted ideas" they cannot sell?

In *Equal Justice for Victims*, p. 214, I explained why death penalty opponents, unable to convert the majority of voters consistently supporting capital punishment, repeatedly run to the Supreme Court to get their way: "unaccountable judges are the last best hope of democracy's losers. Again: Federal judges – and, especially, United States Supreme Court Justices – are: ***The Last Best Hope of Constitutional Democracy's Losers.***"

Once upon a time, a very old Justice Oliver Wendell Holmes, Jr. famously [stated](#):

[A]bout 75 years ago I learned that I was not God. And so, when the people ... want to do something I can't find anything in the Constitution expressly forbidding them to do, I say, whether I like it or not, "Goddamit, let 'em do it."

Judge Kavanaugh has been subjected to what Senate Majority Leader Mitch McConnell [called](#) (4'04") a "[despicable](#)" Democrat smear campaign because today's "miserable merchants of unwanted ideas" are terrified that Kavanaugh is honest and will be faithful to the Constitution they have abhorred dating back to [Woodrow Wilson](#). That these "miserable merchants" despise the Constitution and all who faithfully apply it has been abundantly demonstrated by the [refusal of the Left to accept](#) the Constitutionally mandated result of the 2016 election. Leftists prefer justices such as Ruth Bader Ginsburg who, not long ago, expressed disdain for the very Constitution she took, not one but two, oaths to apply faithfully (*Equal Justice for Victims*, p. 196). (Unlike in the days of my youth, today "Leftist" and "Democrat" are synonyms.)

Justice Scalia complained repeatedly about what has been described as the "[Constitutionalization](#)" of political issues by judges who "[abridge](#)[]" the people's right to govern themselves" by removing these issues from the realm of political debate and [legislative action](#) without a shred of Constitutional justification. As Scalia [powerfully explained](#):

The virtue of a democratic system with a First Amendment is that it readily enables the people, over time, to be persuaded that what they took for granted is not so, and to

change their laws accordingly. That system is destroyed if the smug assurances of each age are removed from the democratic process and written into the Constitution. So to counterbalance the Court's criticism of our ancestors, let me say a word in their praise: They left us free to change. The same cannot be said of this most illiberal Court[.]

Leftists have declared war on decency, the American people, their way of life, their right to self-government (*Equal Justice*, p. 195), and their Constitution. If a president who is not a corrupt criminal darling of the left is constitutionally elected, why, then, let's just attempt a *coup d'état*. If a judge with a sterling reputation and impeccable credentials is nominated to the Supreme Court, why then, let's destroy him with vicious character assassination.

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Mr. President: Please Tell Voters that the 2018 Election Is About Good vs. Evil

President Trump is one of the most courageous leaders in our history. Nevertheless, if the beloved country in which most Americans were raised is to survive in recognizable form, the President simply has not done enough. It is time to explain why the very survival of the United States as a free and self-governing country is at stake. That means, to start, that it is time to explain that the United States Supreme Court has been transmogrified by the Left from a *legitimate legal* institution into an *illegitimate political* institution.

It is time to give concrete examples, such as justices rewarding the most depraved individuals in our midst with a judicially invented not-in-the-Constitution [right to commit additional violence with no punishment](#). That's right! Contrary to the widely-held belief that those with the worst records deserve the most punishment, dishonest justices, using the Constitution as a pretext, awarded a door prize to the most depraved to commit more depravity without any punishment at all.

That is but one example. There are [many more](#). Pro-criminal Leftists fear that a Justice Kavanaugh will honestly apply the Constitution and not participate in judicially ramming unpopular Leftist policies down the throats of an unwilling American people. That is what the indefensibly diabolical defamation of Kavanaugh is really all about.

Given recent events, a re-run on steroids of the character assassinations of Judge Robert H. Bork and Justice Clarence Thomas, it is time to explain to the American people, as only President Trump can, that the 2018 election is a contest between Good and Evil. Majority Leader McConnell was too restrained in calling anti-Constitution Democrats "despicable." Even Senator Lindsey Graham, [widely praised](#) for his passionate defense of Judge Kavanaugh, limited himself to "[unethical](#)" (1:24:08) and "[despicable](#)" (1:26:51). What Graham objected to was pure Raw Evil, on the part of senators who have not hesitated to describe Judge Kavanaugh as "evil" from the very moment of his nomination.

Anyone who thinks the mere leveling of a scurrilous charge is proof of its truth is genuinely Evil. At stake is the very existence of the fundamental values that "Make America Great": due process, freedom, equality under law, the right of self-government and public safety. Only the President can command an audience large enough to make a difference, to defeat the Evil opponents of fairness, equality, justice and self-government.

Again and again, dishonest judges have lied about the Constitution (*Equal Justice*, pp. 70-71, 197, 265-275) in order to impose unwanted Leftist policies on an averse electorate. If Judge Kavanaugh does not become Justice Kavanaugh, we can all say goodbye to honest Constitutional self-government and [hello to fascism](#). Leftists have tried every dirty trick in the book – first, to prevent and, second, to nullify the results of an election in which our promise-keeping president made the appointment of honest judges, committed to the Constitution, a central feature of his campaign.

If the Democrat smear campaign has demonstrated anything, it is that American politics is now a civil war between Good and Evil. The late Charles Krauthammer [referred](#) to "this fundamental law: Conservatives

think liberals are stupid. Liberals think conservatives are evil." Indeed, no sooner had Judge Kavanaugh been selected than [Leftist](#) Democrat [Senators denounced](#) him and President Trump as "[evil](#)."

It is time for conservatives to wake up. Leftists [project](#) their own evils, by smearing conservatives as racist, sexist, unfair, unjust and fascist. However, Leftists are now, and have been for a very long time, guilty of the very sins of which they falsely accuse decent Americans. Leftists play offense; conservatives only play defense.

The current political civil war is one-sided. It has been [said](#) that "the only thing necessary for the triumph of evil is that good men do nothing." Although he has much on his plate, *nothing is now more important* for President Trump than to devote maximum time to campaigning against the following senators, facing re-election: Baldwin (Wis.), Brown (Oh.), Casey (Pa.), Donnelly (Ind.), Heitkamp (N. Dak.), Kaine (Va.), Manchin (W. Va.), McCaskill (Mo.), Nelson (Fla.) and Tester (Mont.). Not only are they enablers of Charles Schumer and Dianne Feinstein, but only President Trump can inform voters that these senators are fascists at heart. Why? Because, in 2014, [every single one of them voted](#) for a Constitutional Amendment to abolish First Amendment free speech protection for conservatives.

President Franklin D. Roosevelt did not respond to the sneak attack on Pearl Harbor by saying we must show that "we are better than they are. We don't kill people." Instead, he asked for a Declaration of War to be fought with bombs and bullets. If conservatives are too tame or too fastidious to fight back in the present war being waged against them, Evil will triumph in the United States of America.

In this context, "fighting back" means far more than voting for Republicans in November. Here, "fighting back" means presenting and documenting horrifying truths to refute Leftist lies (e.g., *Equal Justice for Victims*, pp. 124, 241, 243-256, 265). It also means giving the Left a taste of their own medicine rather than harrumphing "we are better than they are and won't stoop to their level" (*Equal Justice for Victims*, pp. 135, 113, 165, 234).

It is imperative that President Trump explain to the people, first, why and how extreme usurpation of political power by dishonest justices of the Supreme Court has produced the extremely bitter and "despicable" "search and destroy" viciousness of the Democrat Party. The people must understand that the current toxic political climate was made inevitable by abuse of power by arrogant unelected justices who have no business making political decisions entrusted to the elected representatives. Miserable merchants of unwanted ideas were never going to surrender their last best hope without a ruthless attack on a would-be honest justice. Second, only the President can make clear that the 2018 election is a contest between Good and Evil.

Finally, only a Make America Great President can bring home to a wide audience that nothing less than the survival of the United States as a free, fair and Constitutional self-governing country is at stake. If the President does not soon impress upon Americans that, now, there is not just an election campaign but a war going on against freedom, fairness and the Constitution, everything he has so magnificently accomplished will be destroyed as soon as he leaves office, if not sooner.

[Lester Jackson](#) is author of numerous articles about capital punishment, the Supreme Court, and American politics. His [recent book](#) is *Equal Justice for Victims: A Blueprint for the Rightful Restoration of Capital Punishment*. Reviews are [here](#), [here](#), [here](#) and [here](#).

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