

Jewish Community Leaders Respond to Supreme Court Nomination of Brett Kavanaugh

BY [Aaron Bandler](#) | PUBLISHED Jul 10, 2018 | [Nation](#)



REUTERS/Joshua Roberts

On July 9, President Donald Trump nominated District of Columbia Circuit Court of Appeals Judge Brett Kavanaugh to replace retiring Justice Anthony Kennedy. Following that announcement, the Journal asked local leaders to respond.

ADL CEO Jonathan Greenblatt

The vacancy left by Justice Kennedy's retirement is a critical one for the future of civil rights, civil liberties and our democracy. At a time where hard-fought progress in LGBT rights, voting rights and women's rights are threatened, and immigrants and vulnerable communities in our country are under attack, the role of an independent Supreme Court — and one that protects the constitutional rights of all Americans — is more important than ever.

We are concerned that Judge Kavanaugh's judicial record does not reflect the demonstrated independence and commitment to fair treatment for all that is necessary to merit a seat on our nation's highest court. Because he has written and spoken prolifically

on many issues of deep concern, we believe his positions merit close scrutiny. These include his demonstrated hostility to reproductive freedom and his past support for greatly expanded and unchecked executive power.

We cannot let Justice Kennedy's retirement jeopardize hard-fought progress in securing our civil rights and civil liberties. Senators should probe Judge Kavanaugh carefully to ensure that he will respect basic principles of equality, independence, church-state separation and civil rights. As the [Senate Judiciary Committee] reviews the full record, unless they are completely satisfied that Judge Kavanaugh will in fact respect such basic principles as a justice on the Supreme Court, they should oppose his nomination.

Bend the Arc CEO Stosh Cotler

Brett Kavanaugh is an affront to the values and priorities of a vast majority of the American Jewish community. From workers' rights to civil rights, from reproductive rights to LGBTQ rights and immigrants' rights, this nominee's track record is hostile toward the issues our community has fought for over generations, and he has no business serving on the court.

The President and Senate Majority Leader [Mitch McConnell] lack the moral authority to radically shift the balance of our nation's highest court. But the American people have a voice in this process through our elected senators, and we demand that the Senate reject this radical, dangerous nominee.

Simon Wiesenthal Center Founder and Dean Rabbi Marvin Hier

Judge Kavanaugh is respectful to the Constitution and understands the special responsibility that a Supreme Court judge has. He seems to be a wonderful family man and committed to community services, especially for those in need. He came across as a mainstream person and he did not strike me as an ideologue. He was impressive.

Workmen's Circle Executive Director Ann Tobeck

President Trump is doubling down on his war against the working people of this country with the nomination of Brett Kavanaugh. In recent months and weeks, we have witnessed monumental setbacks for women, workers, unions, immigrants and disenfranchised groups in our country. We are profoundly concerned that the Supreme Court will continue down this path and scale back — or abolish — many of the hard-fought-for civil rights, liberties and worker protections that have been part of the bedrock of the United States. While the President's selection of a conservative candidate is not a surprise, it exemplifies the direction of this administration to further divide, rather than unite, our country.

At the Workmen's Circle, we are committed to resisting the attacks of this administration on the freedoms that have been a foundation of what makes our country truly great. We implore our elected representatives in Washington to meticulously scrutinize Mr. Kavanaugh's record, to ask the tough questions and to ensure that our next Supreme Court justice will protect, and not cripple, the rights and freedoms that must remain intrinsic to our country's democracy.

American Jewish Committee General Counsel Marc Stern

While there is little doubt that Judge Kavanaugh has the technical qualifications to serve on the Supreme Court, that by no means alone qualifies [him]. No less important is the nominee's openness to arguments that challenge his own views and previously expressed beliefs, a robust commitment to protecting the liberties the Constitution guarantees, and assuring all citizens the equal protection of the laws. Moreover, the Senate should not confirm a nominee who comes to the bench with the intention of radically and systematically rewriting American constitutional law.

It is imperative that the Supreme Court remains truly an independent branch of our government and does not become merely an extension of partisan politics. Proper Senate evaluation of Judge Kavanaugh will be critical to assuring that the court steers clear of any ideological tilting, as the justices hear arguments and deliberate on cases affecting longstanding landmark decisions, such as *Roe v. Wade*.

AJC recognizes that the hard cases that come before the court do not necessarily have only one self-evident, correct answer. Neither liberals or conservatives have an exclusive on constitutional interpretation.

Ohr HaTorah Rabbi Mordechai Finley

Most Americans, including me, did not want Trump to be president. Now that he is, we have basically two choices: Oppose everything he does, or oppose his proposed actions on a case-by-case basis. I am a case-by-case person. I don't think it adds to civil discourse to oppose Kavanaugh simply because No. 45 nominated him. My question is whether there is something about Kavanaugh that makes him unfit to be a justice. So far, I have not found anything, but the day is young.

I happen to be pro-choice, pro-gun control, pro-gay marriage, in favor of liberalizing immigration policy dramatically, in favor of reducing carbon emissions, pro justice regarding marginalized communities, etc. From what I have gathered so far, I don't see Kavanaugh doing anything radical in those areas. I predict that he will make decisions that I oppose, but not decisions that will fundamentally threaten the Constitution.

Young Israel of Orange County Rabbi Dov Fischer

Judge Kavanaugh's 300-plus judicial opinions are solid and smart. His opinions reflect that he supports religious rights and liberties and core constitutional values. On abortion, he rejected the left's race to find a new constitutional right for under-age undocumented immigrants to have an immediate abortion. He seems steadfastly pro-Second Amendment. And he rejects efforts by federal agencies to regulate as an uncontrolled fourth arm of government when they fail to conduct administrative findings that would balance the economic and social costs of new proposed regulations.

He is a man of character: feeding the homeless, tutoring kids in the inner cities, coaching kids basketball.

Not only have many of Judge Kavanaugh's majority opinions been upheld on appeals by the Supreme Court, but the court even has adopted some of his dissents on appeal, deeming them the better law than the majority opinions he countered. His 100 most-cited legal opinions have been cited by 210 other judges in their opinions. Thirty-nine of his own 48 judicial appellate clerks have gone on to clerk for United States Supreme Court justices; that means that justices across the ideological spectrum have deemed Judge Kavanaugh's clerks especially well trained and suited for the highest of judicial work. He will make an extraordinary Supreme Court justice.

Jewish Republican Alliance Co-Founder Bruce Karasik

The Jewish Republican Alliance praises President Trump for an outstanding selection and enthusiastically endorses the nomination of Judge Brett Kavanaugh to the Supreme Court of the United States. With credentials that are beyond reproach, Judge Kavanaugh has always been committed to equal justice under the law, and to applying the Constitution as written in all of his decisions. The JRA is encouraging the Senate to now swiftly confirm Judge Kavanaugh as the next Supreme Court Justice.