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LDF Responds to President Trump's De-Legitimizing Judicial Independence

This morning, President Donald Trump issued a statement on Twitter suggesting that Republicans “must always hold” the Supreme Court. [Samuel Spital](#), Director of Litigation at the NAACP Legal Defense and Educational Fund, Inc. (LDF), issued the following statement:

“President Trump’s early morning tweet suggesting that a single political party must ‘hold’ the U.S. Supreme Court undermines the legitimacy of the judiciary and the rule of law itself. Our Constitutional framework rests on separation of powers – a system of checks and balances between the powers assigned to the legislative, executive, and judicial branches by the U.S. Constitution. For this system to work, public confidence that cases will be fairly and impartially decided according to the rule of law, and nothing more, is critical. The President’s suggestion that the Supreme Court must be held by a political party is therefore not only profoundly inappropriate, but also threatens the American public’s trust in the Court’s vital function in sustaining our democracy. As Chief Justice John Roberts has stressed in the past, there are no Republican or Democratic Justices, but only members of the Supreme Court.

“As a former clerk to (now retired) Supreme Court Justice John Paul Stevens, I know that he never viewed himself as a Democratic or Republican Justice. Rather, Justice Stevens decided cases and controversies based on his reasoned analysis of the law, as all Justices of the Supreme Court have sworn to do. Or, as Justice Antonin Scalia once put it, ‘If you’re going to be a good and faithful judge, you have to resign yourself to the fact that you’re not always going to like the conclusions you reach.’

“Treating the Court as a partisan tool is consistent with the President’s broader effort to delegitimize the judiciary. But even as the political arena has become increasingly polarized, our democracy requires each of us to stand up for the independence of the judiciary.”

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.