



Supreme Court Nominee John Roberts on Civil Rights and Voting Rights

John Roberts defended a bill that “would have narrowed the reach of the 1965 Voting Rights Act. He challenged arguments by the U.S. Commission on Civil Rights in favor of busing and affirmative action. He described a Supreme Court decision broadening the rights of individuals to sue states for civil rights violations as causing “damage.” ... And he wrote a memo arguing that it was constitutionally acceptable for Congress to strip the Supreme Court of its ability to hear broad classes of civil rights cases.”

—“A Charter Member of Reagan Vanguard,” *The Washington Post*, August 1, 2005

John Roberts was deeply involved in Reagan and Bush I Administration efforts to turn back the clock on civil rights.

Roberts held high-level political posts for 5 years in the Reagan Administration and four years at the Justice Department where he worked under future Whitewater prosecutor Kenneth W. Starr and other ultra-conservative advocates. Throughout his career in government, he was at the center of efforts to roll back protections against race and sex discrimination.

Roberts’ record on civil rights issues is troubling and demands further scrutiny.

Roberts would have permitted federal funding of discrimination. Roberts supported regulatory changes that would have permitted the federal funding of discrimination against women, minorities, people with disabilities and older Americans.

Roberts wanted to roll back voting rights protections. He helped lead the Reagan administration’s unsuccessful effort to stop a key Voting Rights Act provision that prevents state and local governments from implementing voting rules with discriminatory effects.

Roberts supported stripping the Supreme Court of its ability to protect civil rights. He argued that Congress should take away the Supreme Court’s ability to rule on broad classes of civil rights cases, including cases regarding desegregation, reproductive choice, and other issues.

Roberts tried to eliminate rules protecting women from discrimination. He wanted to narrow the reach of Title IX, the law prohibiting sex discrimination in federally funded education programs, but he was overruled by Congress. He argued to stop the federal government from intervening on behalf of women who were discriminated against in a prison job-training program.

Roberts sought to undermine protections for Americans with disabilities. He criticized a court order requiring a sign-language interpreter for a hearing-impaired public school student, calling it “judicial activism.”

Roberts said affirmative action would not work. He argued affirmative action programs were bound to fail because they required “recruiting of inadequately prepared candidates.”

Roberts sought to terminate desegregation programs. He argued that Congress should pass a law limiting remedies federal courts could impose to end segregated schools

These issues have come to light from the small number of documents that have been released so far. The rest of the documents could tell us much more about Roberts’ record and his views.

The White House must stop stonewalling and allow the Senate to fulfill its advice and consent responsibility by making available Roberts’ complete record.