

## Sen. Ron Johnson Should Break Ranks on Court Nominee

Written by Russ for Wisconsin

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MADISON - As Senate Republicans stand in an unbroken line of opposition to even the thought of considering a nominee to replace Justice Antonin Scalia on the U.S. Supreme Court, Sen. Ron Johnson of Wisconsin is standing right there with them.

The senator and his colleagues, led by Senate Majority Leader Mitch McConnell of Kentucky, have vowed to obstruct President Barack Obama's wishes no matter what.



Earlier this week, Republican Senate leaders confirmed that they will not hold confirmation hearings, will not vote, will not even meet with Obama's nominee. [Johnson confirmed Wednesday](#) that he's going to hold that line as well.

The hubris of Johnson and his colleagues is stunning. The political game they are playing is cynical. Their strategy is to take their chances after the new administration takes office, fearing that any Obama nominee will tip the balance of the 5-4 conservative majority on the high court the other way.

We acknowledge their concerns. But they should still hold hearings and give Obama's nominee a fair shake.

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Their refusal to do even the bare minimum shows the party fears the very public it claims to serve. If Obama nominates a well-qualified moderate jurist, Republicans know they will look bad in the eyes of many voters — particularly independents — if they don't confirm the nominee after hearings.

So there can be no hearings. And no vote.

For Johnson and McConnell and the others, this is a new brand of cynicism in a city wallowing in it. It shows little respect for the office of president or the Supreme Court.

And little faith in the Constitution.

A president is elected to a four-year term, not a three-year term. That president is not a "lame duck," by all normal definitions, until after the November election in his last year in office. The Constitution prescribes a process: The president nominates. The Senate offers advice and consent.

Republicans continue to say: Let the voters decide, but the voters already have decided. They twice elected Obama to the presidency. To not even consider a nominee is dereliction of duty.

In the early stages of his re-election bid, Johnson is trailing badly behind former Sen. Russ Feingold. [The latest Marquette University Law School Poll](#), released Thursday afternoon, showed 49% favoring Feingold and 37% favoring Johnson.

Overall, 57% said they would be willing to see their senator vote for a well-qualified nominee rather than "vote against any nominee you disagree with." About 63% of independents felt that way, the poll found.

As might be expected, there were stark differences between the views of Republicans and Democrats.

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The Johnson-Feingold race is in its early stages, and much will happen between now and November. But Johnson might improve his chances with independents by showing that he's his own man. He should break ranks with the other obstructionists in the GOP-controlled Senate and come out in favor of Senate hearings and a vote.

This also has the advantage of being the right thing to do.