

Conservative Activist Charlie Kirk Credits Billionaire for Saving Supreme Court from 'Living Constitution' Lies

On his June 23 show, conservative political activist Charlie Kirk slammed those who believe in the idea of a living Constitution. And, he credited a "billionaire businessman" who "went down a golden escalator" with saving the country from that crowd.

He showed a clip of the late Justice Antonin Scalia saying, "The accepted view, and the view stated by [the Supreme Court] repeatedly is that the words don't necessarily mean what they were understood to mean at the time, but can be given a new meaning. It's up to the Court to say what they mean today. That's new, but, you know, it all comes under the title 'The Living Constitution.' I hate it."

Justice Scalia's disdain for the concocted idea of a living constitution is well-documented. In an interview with the Hoover Institute, he claims the idea of a living Constitution is "an activist interpretation of the Constitution" that has done harm to the legal system. Scalia laments in the interview, "Unfortunately, that philosophy has made enormous headway, not only with lawyers and judges, but even with John Q. Public."

In several public appearances before his death in 2016, Scalia said he was pessimistic that it will ever change.

But it has, in some instances, Kirk says.

"Ten years makes a big difference when we take something seriously," Kirk says. "You may feel like you're losing your

country. I certainly do, but in 10 years, we've made some incredible victories."

Kirk explains that when Justice Scalia made those statements, he, Thomas and Alito were outnumbered 6-3 "by the living Constitution crowd."

"Ten years later," Kirk says, "We have a 6-3 majority—Roberts is whatever, a 5-3-1 majority. How did this happen?"

In answering his own question, Kirk says, "It happened because a billionaire businessman went down a golden escalator and made a series of promises and had the courage to actually fulfill them, changing the court for a generation."

Scalia never saw the turnaround that President Trump brought to the court, but much like President Trump Justice Scalia was not a consensus builder. On *CBS This Morning* before his death, he said, "A man who has made no enemies is probably not a very good man."

In his show, Kirk recognized that President Trump may not have built consensus, but he did build a Supreme Court full of justices who believe the idea that a "Living Constitution" is a lie. {eo}

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