

Critics Concerned About Biden Supreme Court Nominee's Hostility to Religious Liberty

President Joe Biden is nominating federal appeals court Judge Ketanji Brown Jackson to the Supreme Court, the White House said. If confirmed by the Senate, she will be the first Black woman selected to serve on the high court.

Biden is filling the seat that will be vacated by Justice Stephen Breyer, 83, who is retiring at the end of the term this summer.

The president tweeted his announcement Friday morning.

"I'm proud to announce that I am nominating Judge Ketanji Brown Jackson to serve on the Supreme Court. Currently serving on the U.S. Court of Appeals for the D.C. Circuit, she is one of our nation's brightest legal minds and will be an exceptional Justice," he wrote.

Jackson, 51, is currently a judge for the U.S. Court of Appeals for the District of Columbia. She would be the current court's second Black justice—Justice Clarence Thomas, a conservative, is the other—and just the third in history.

Biden plans to introduce Jackson in remarks at the White House on Friday afternoon, where Jackson was also expected to speak, the White House said.

Jackson would be only the sixth woman to serve in the court's history, and her confirmation would mean that for the first time four women would sit together on the nine-member court.

She would replace one of the more liberal justices, so she

would not tip the balance of the court, which some say leans 6-3 in favor of conservatives, or 3-3-3 right down the middle, depending on who you ask.

Her nomination is subject to confirmation by the Senate, where Democrats hold the majority by a razor-thin 50-50 margin with Vice President Kamala Harris as the tie-breaker. Party leaders have promised swift but deliberate consideration of the president's nominee.

"With her exceptional qualifications and record of evenhandedness, Judge Ketanji Brown Jackson will be a Justice who will uphold the Constitution and protect the rights of all Americans, including the voiceless and vulnerable," said Senate Majority Leader Chuck Schumer, D-N.Y.

Reverting Back to Identity Politics?

Two years ago, Biden pledged in a South Carolina debate to nominate a Black woman to the high court if presented with a vacancy.

"Everyone should be represented," Biden said. "We talked about the Supreme Court—I'm looking forward to making sure there's a Black woman on the Supreme Court to make sure we in fact get everyone represented."

But that statement received pushback from Republicans and other conservatives. Last month, former Housing Secretary Ben Carson who served under President Donald Trump, accused Biden of "reverting back to identity politics."

"This is America. Many people fought and gave their lives to bring equality, and now we're reverting back to identity politics," Carson said on WMAL radio's *Vince Coglianese Show* when asked about the impending court vacancy. "And as we continue to do that, we're bringing more division into our country."

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