

U.S. Supreme Court Delivers Victory for American Electorate

By Don Sutherland

On Friday evening, with only Justices Alito and Thomas dissenting, the U.S. Supreme Court rejected Texas' lawsuit aimed at overturning the 2020 Presidential election. The Court explained:

The State of Texas's motion for leave to file a bill of complaint is denied for lack of standing under Article III of the Constitution. Texas has not demonstrated a judicially cognizable interest in the manner in which another State conducts its elections. All other pending motions are dismissed as moot.

Despite intense partisan pressure, the Supreme Court held rock-solid in preserving the electoral outcome the nation's voters had freely chosen. It remained a foundation on which the nation's constitutional framework rests secure.

To almost no serious legal analyst's surprise, Texas lacked standing. Its complaint was never about any legitimate federal or constitutional issue. Its complaint was a naked attempt to extend its sovereign authority as a state far beyond its borders. Neither it nor its residents suffered any injury in the election. Disappointment with an election outcome is not a legally-redressable injury.

The remedy sought by Texas would have disenfranchised approximately one-tenth of the nation's voters, all of whom exercised their right to vote and relied in good faith on the mechanisms made available to them to allow them to cast their ballots. That mass disenfranchisement would have constituted a genuine and severe assault on the nation's guarantee of "equal protection." Such a monstrous remedy could never serve the public interest, or any legitimate interest for that matter.

Pennsylvania does not need lessons on self-government from Texas. Pennsylvania's residents were among those who drafted and signed the Declaration of Independence. Its residents played a prominent role in the American Revolution, suffering through its most difficult days until they had helped secure the birth of a new nation. Its residents participated in the Constitutional Convention. Texas played no part in any of these seminal events in American history. Yet, its Attorney General had the hubris to try to impose his wishes on Pennsylvania, along with Georgia, Michigan, and Wisconsin, all of which are Texas' equals under the law.

On account of its long historic experience, Pennsylvania is intimately familiar with tyranny. Pennsylvanians have long-cherished liberty. A French officer who came to serve the Americans fighting for their independence observed the following in a letter from Philadelphia dated July 5th, 1776:

I am at last arrived... I found here a happy people, averse to oppression, without any spirit of sedition, active and laborious, with all the necessary qualifications required to the foundation of a powerful republic... I found the people generally inclined for absolute independency, and willing to support it with their lives and fortunes.

Just as the Battle of Yorktown was the last great battle fought in the American Revolution, the Supreme Court's ruling is likely the last great legal battle in what has been an unprecedented legal attempt to subvert an American election. In this epic legal confrontation, Texas lost. The American people won. The Republic still lives.