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Chief Justice John Roberts and the right: Six steps toward reconciliation

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Attention, conservatives: We know it still hurts. Stings and shocks, really, like that cute, doe-eyed French actress suddenly shanking Batman in "The Dark Knight Rises," an unexpected stab in Red America's kidneys.

Chief Justice John G. Roberts Jr. ...

Our guy! Everything's cool.

... sides with the Supreme Court majority ...

Wait — what's that in his hand?

... and upholds the constitutionality of Obamacare.

And in goes the OWWW!

Yes, conservatives of all stripes — Rep. Paul Ryan to John Yoo to Rush Limbaugh to the angry blogger who called Chief Justice Roberts "at best, insane" — have a right to feel blindsided. Betrayed. Theatrically emotional.

Georgia Republican Rep. Phil Gingrey not wanting to drink a beer with Mr. Roberts? Jenny Beth Martin of the Tea Party Patriots thinking the Obamacare ruling will go down with Plessy v. Ferguson and Dred Scott? Indiana Republican Rep. Mike Pence likening the ruling to 9/11?

Understood. Vent away. Let your feelings out.

But then, get over it.

A recent CBS News poll found that among self-identified conservatives, only 9 percent have a favorable view of Chief Justice Roberts; meanwhile, 13 percent of liberals give the justice a positive rating. Which is, to borrow a term, insane.

"Roberts has been like a reliable, if not terribly exciting boyfriend," said Mindy Utay, a New York-based therapist and Huffington Post blogger. "You know you can count on him. He's smart and steady, shows up on time, does what he says he'll do.

"With the health care ruling, he's suddenly like a fiance who makes out with your best friend at your engagement party in front of all your guests. Conservatives are both betrayed and embarrassed."

Indeed. For faithful right-wingers, Chief Justice Roberts' switcheroo is basically akin to a romance gone wrong. Yet here's the rub: He isn't going anywhere. The man is 57, has a lifetime appointment and, ironically, a great government health plan. He'll be rocking the black robes for a long, long time to come.

Consequently, you're stuck in this marriage. So you need to forgive. Forget. Move on, already. Learn to love your once-beloved judicial

umpire again, or at least stop editing Chief Justice Roberts' Wikipedia page to list him as the "17th Chief Traitor of the United States."

With some help from actual relationship experts, here are six steps along the painful, yet necessary, road to reconciliation:

1. Get mad — but not even

You're vigilant. Distrustful. Wondering if conservative talk radio host Michael Savage is right, and Chief Justice Roberts' epilepsy medication has resulted in "mental slowing, forgetfulness and other cognitive problems." Wondering if he is planning to vote against property rights and for abortion rights. Wondering if he's parking a dinky hybrid in the Supreme Court lot — or maybe, just maybe, having dinner with Al Gore right now.

Relax. This is normal. Healthy, even. As long as it isn't permanent.

"The trick is to really feel the hurt and the pain and get out what you need to get out, emotionally, so that you don't let it fester and blow up at a later date," said April Masini, author of the Ask April advice column and the book "Think & Date Like a Man." "When you really process the pain and the betrayal, you can start the healing process and build new memories with your loved one. It's not easy, but nothing good ever is."

To wit: Mr. Pence tweeting that he felt like he lost "two friends" on the day of the ruling, "America and Justice Roberts"? Fine. But Mr. Pence subsequently making new friends with, say, Canada — the Great White North of socialized medicine — and Justice Elena Kagan?

No. No. A thousand times no.

In the chief justice's case, Ms. Masini added, revenge is a dish best not served. Not when Obamacare isn't about to repeal itself.

"If you're considering a Democratic ticket in the November election as a way to show Roberts that nobody messes with you and walks away unscathed, reconsider," she said. "It backfires, and while you may feel good about being an ass — I mean, donkey — you'll ultimately be betraying yourself."

2. Understand that you're not alone

A few days after the Obamacare ruling, Mr. Yoo — a former high-level lawyer in the George W. Bush administration — told the Wall Street Journal that Chief Justice Roberts' surprising vote suggested a vetting failure, and that future Republican presidents nominating Supreme Court justices will simply "have to be more careful than the last."

History suggests caution is not enough.

Partners cheat. Spouses step out. Politicians disappoint. Supremes can rule against their assumed partisan preferences. Chief Justice Warren Burger, a strict constructionist, sided with the majority in *Roe v. Wade*. Ruth Bader Ginsburg voted against granting President Clinton, the man who appointed her, immunity in the Paula Jones case. It happens.

"It's important to realize that the person that betrayed you is not the worst person in the world," Ms. Uday said. "There are others like him. That normalizes the experience. And misery loves company."

Indeed: A key step toward healing is putting things in perspective. Ronald Reagan raised taxes. George W. Bush treated the federal budget like a wad of counterfeit cash in a strip club. Conservatism survived.

When Marc Thiessen of the American Enterprise Institute recently bemoaned that Republican Supreme Court picks Anthony M. Kennedy, Sandra Day O'Connor and David Souter all turned out to be less-than-consistent conservatives, he was moving in the right direction. He would be even better-served listening to some liberal friends lament President Obama's aggressive, extra-judicial drone strike campaign.

"Many times, sharing a betrayal results in a surprise admission that the person you're sharing with has had a similar circumstance," Ms. Masini said. "This gives both people a chance to feel that they're not alone. You realize that someone else had this problem and didn't die, or shrivel up and crawl into a hole."

3. Remember the good times

When conservative pundit Ben Shapiro fumed on Twitter that Chief Justice Roberts was "the worst part of the Bush legacy," he seemed to be ignoring the justice's previous pro-conservative rulings on abortion.

And gun control.

And affirmative action.

And the death penalty.

And Guantanamo detainees.

And, of course, the Citizens United campaign finance case, which freed conservative billionaires like casino mogul Sheldon Adelson to give

tens of millions to so-called super PACs in an effort to defeat Mr. Obama.

Ms. Masini's advice? Don't be like Mr. Shapiro.

"Even when you're angry and embarrassed, part of the healing process is looking at what was good in the relationship," she said. "Not forgetting that even though something bad happened, there was a lot of good, and you can build on that going forward."

4. Realize he's still the guy you fell in love with

The ruling left Stephen Colbert crushed. More specifically, it left his man-crush crushed.

On his nightly television show, Mr. Colbert likened Chief Justice Roberts to Benedict Arnold and Judas. Adding insult to injury, the host then replaced his Tiger Beat poster of Chief Justice Roberts — quite dashing, really — with one of a shirtless Justice Antonin Scalia.

"Where's the man who said unlimited corporate money was speech?" Mr. Colbert said. "Where's the man who voted against equal pay for women? I don't even know who you are anymore."

A satirical send-up of an actual conservative, Mr. Colbert nevertheless got one thing exactly right: the gnawing, nagging sentiment that Chief Justice Roberts isn't the judicial conservative Red America thought he was, the man who once recalled Ronald Reagan's first inaugural address by stating "I felt he was speaking to me."

According to Ms. Utay, similar feelings are commonplace among people dealing with romantic betrayal.

"With Roberts, this steady, trustworthy guy all of the sudden stepped out and became the swing vote," she said. "He literally became a swinger.

"So now it's like, 'Who is he? The guy who is like an old sweater? Or is he this new, bold, daring, thrill-seeking guy?' You have to decide: Is this who he is? Or is this ruling an aberration?"

Conservatives have theories, mostly about the chief justice being a weak-willed milksop, alternately cowed by: (a) the liberal commentariat, swaying antipathetic conservative thinkers since never; (b) a pre-ruling speech by Vermont Democrat Sen. Patrick J. Leahy, which probably reached dozens of C-SPAN viewers; (c) Mr. Obama's 2010 State of the Union finger-wag over the Citizens United decision.

Donald Trump even speculated that Chief Justice Roberts "wanted to be loved by the Washington establishment."

"When a romantic betrayal has just occurred, many people start imagining what the betrayal sex was like," Ms. Masini said. "They wonder if the other person was better in bed or better endowed. The unknown looms large and scary."

Writing for Reason magazine's website, Damon W. Root offered a different take: Chief Justice Roberts is the same kind of justice he always has been, a man practicing the time-honored conservative philosophy of judicial restraint, in which judges attempt to avoid legislating from the bench.

In declaring Obamacare's individual mandate a tax — and therefore constitutional — Chief Justice Roberts noted that he was "granting the Act the full measure of deference owed to federal statutes" and also wrote that "it is not our job to protect the people from the consequences of their political choices."

Moreover, many commentators and legal scholars noted that Mr. Roberts' concurrent rejection of the Commerce Clause as the basis of government regulation may act as a kind of rope-a-dope, having the long-term effect of limiting the size and scope of federal power — the *sin qua non* of modern conservatism.

For smarting conservatives and romantic partners alike, relationship expert Wendy Walsh said, breaches of trust can provide opportunity.

"If you have a relationship where both partners live like happy roommates, you're never really going to grow intimate," said Ms. Walsh, author of the upcoming book "The 30-Day Love Detox: Cleanse Yourself of Bad Boys, Cheaters and Commitment-Phobes." "The road to closeness is paved by ruptures, followed by repairs.

"This is a unique moment to get to know your partner better, use empathy and compassion to say, 'Wow, what did I miss?' You need to intellectually process what your partner is going through. You may not agree with or even like their motivations. But you will have a deeper understanding."

5. Embrace some newfound spiciness

Ever since the topsy-turvy Republican primaries, conservatives were a bit meh about presumptive presidential nominee Mitt Romney. Then came Chief Justice Roberts' smackdown of the Affordable Care Act, which just might have fired up Mr. Romney's conservative base.

Now, according to the aforementioned CBS poll, 28 percent of voters for whom the Supreme Court's ruling matters say they are more likely to vote for Mr. Romney, while just 13 percent say they are more likely to choose Mr. Obama. Better yet, by declaring Obamacare to be constitutional because it's a tax, the chief justice of the United States handed Republicans a golden opportunity to brand the president as a tax-

and-spend liberal.

Admit it, hot 'n' bothered Red Staters — boring ol' John Roberts is about 50 shades freakier than you thought.

"Very often, people get into routines and ruts," Ms. Utay said. "They think they know each other, and the relationship gets boring and tedious. When somebody steps out, it can reignite a sense of excitement and bring a new level of interest."

6. Accept that moving on means moving forward

During a recent interview with Piers Morgan, Justice Scalia scoffed at rumors that he had a falling out with the chief justice over the Obamacare ruling. "No, nothing like that," Justice Scalia told the CNN host.

Talk about judicial precedent: If Mr. Colbert's new conservative idol doesn't hold a grudge, then neither should the rank and file.

"The worst thing you can do in a romantic relationship is to stay in a place of anger and hatred," Ms. Walsh said. "You have to look to the next thing, find a way to move on, release your resentful feelings so you can respect yourself and move on in the relationship."

Red America, it's time to move forward — or, at the very least, put away those Glenn Beck-peddled T-shirts with Chief Justice Roberts' mug and the word "COWARD" emblazoned on the front. Do it for your own well-being. And do it for the sake of the kids — all the future political brawls and Supreme Court rulings to come.

After all, the court's upcoming docket features cases involving affirmative action and gay marriage — each decision a chance to stick it to liberals, each ruling a golden opportunity for conservatives to go gaga for Chief Justice Roberts all over again.

"Both partners can't win all the time," Ms. Walsh said. "More often than you would like, you have to choose the relationship over winning the battle."