

# [***Justice Kavanaugh says unpopular rulings can later become 'fabric of American constitutional law'***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6C0M-73K1-DYMD-6083-00000-00&context=1516831)

The Associated Press

May 10, 2024 Friday 9:21 PM GMT

Copyright 2024 Associated Press All Rights Reserved

**Section:** DOMESTIC NEWS; STATE AND REGIONAL

**Length:** 425 words

**Byline:** JIM VERTUNO, Associated Press

**Dateline:** AUSTIN, Texas

**Body**

AUSTIN, Texas — Supreme Court Justice Brett Kavanaugh said Friday that U.S. history shows c [*ourt decisions*](https://apnews.com/hub/us-supreme-court) unpopular in their time later can become part of the “fabric of American constitutional law.”

Kavanaugh spoke Friday at a conference attended by judges, attorneys and other court personnel in the 5th U.S. Circuit Court of Appeals, which covers Texas, Louisiana and Mississippi and is one of the most conservative circuits.

In a question-and-answer session, he was not asked about any of the current court's nationally divisive rulings, such as the overturning of [*Roe v. Wade*](https://apnews.com/article/abortion-supreme-court-decision-854f60302f21c2c35129e58cf8d8a7b0) federal abortion protections in 2022 that has become a [*key political issue in elections*](https://apnews.com/article/abortion-dobbs-leak-arizona-florida-kansas-9ee070c3540cb730b251d707e5f98ffc) across the country this year. He was part of the conservative majority in that ruling.

However, he was asked how judges and the courts can help boost public confidence in the judiciary.

In his answer, Kavanaugh said some high court decisions from the 1950s and '60s on monumental issues spanning civil and criminal rights, free speech and school prayer — including the iconic Brown v. Board of Education case that ended legal segregation in public schools — were unpopular when they were issued.

“The Warren court was no picnic for the justices. \u2026 They were unpopular basically from start to finish from ’53 to ’69,” Kavanaugh said. “What the court kept doing is playing itself, sticking to its principles. And you know, look, a lot of those decisions (were) unpopular, and a lot of them are landmarks now that we accept as parts of the fabric of America, and the fabric of American constitutional law.”

He said federal judges “stay as far away from ***politics*** as possible.”

“It’s an everyday thing. I don’t think it’s a ‘flip the switch.’ It’s showing up every day in the courtroom and trying to be respectful of the parties in a way that is clear and understandable," he said.

Kavanaugh was asked about his personal security, which he said protects his family 24 hours a day, and about protesters that have shown up at his house. In 2022, a man carrying a gun, a knife and zip ties was arrested at the justice's house in Maryland.

When asked if protesters still show up, Kavanaugh said, “Depends on the day. ... Not as much. I think I'll leave it there,."

Kavanaugh's daughters were in seventh and fifth grade when he was confirmed in 2018 and are now in high school.

“They have grown up understanding what it means and ride in the car, and at the basketball games pick out the security guy in the stands. Hopefully, you know, you pray that it’s not a long-term impact on them,” he said.

**Load-Date:** May 10, 2024

**End of Document**