

Justice Dept.
Confronts Tests
On Two Fronts

Worries Agency Won’t
Remain Apolitical

By DEVLIN BARRETT
WASHINGTON — The special counsel appointed to investigate President-elect Donald J. Trump is wrapping up his work without the charges he brought in two cases ever going in front of a jury. The special counsel named to lead the inquiry into Hunter Biden, the president’s son, has just seen the two convictions he secured wiped away by a presidential pardon. Mr. Trump, whose election victory last month has done nothing to blunt his desire for retribution against those who pursued or opposed him, is trying to install a new F.B.I. director, Kash Patel, dedicated to turning the nation’s premier law enforcement agency upside down. And President Biden, who for years cast himself as the principled defender of democratic norms and the rule of law, defended his grant of clemency to his son by saying Hunter had been “selectively, and unfairly, prosecuted” in a process infected by “raw politics.” Over a few days, the American justice system was buffeted by raw exercises of power from the current Democratic president and the incoming Republican president. Now, current and former officials as well as legal experts say they are worried about whether the post-Watergate tradition that criminal investigations remain largely outside the reach of political leaders can survive an era in which the system is engulfed by partisanship. “What I anticipate is that the White House and President Trump will want to be able to direct Justice Department prosecutions,” said Kathleen Clark, a law professor at Washington University in St. Louis who specializes in government ethics.

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Father’s Legacy
Is Complicated
By Son’s Pardon

By PETER BAKER
LUANDA, Angola — There was a time, not that long ago, when President Biden imagined he would etch his place in history as the leader who ended the chaotic reign of Donald J. Trump, passed a raft of laws to transform the country and reestablished America’s place in the world. Now, in the desultory final days of his administration, Mr. Biden finds himself repudiated, even by some of his fellow Democrats, as the president who refused to step aside until it was too late, paved the way for Mr. Trump’s return to power and, in a final gesture of personal grievance over stated principle, pardoned his own son for multiple felony convictions. The disappointment and frustration expressed by his own supporters since Mr. Biden intervened to spare his son Hunter from prison and any future investigations captured the disenchantment of many Democrats with the outgoing president as the end draws near. How he will be remembered by posterity may be hard to predict at this point, but the past few weeks have not helped write the legacy he had once envisioned. The pardon came as Mr. Biden’s political stock was already

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CHANG W. LEE/THE NEW YORK TIMES

The response to a protest early Wednesday near the National Assembly in Seoul after South Korea’s president declared martial law.

Justices’ Fierce Debate: Who Can Judge Them

By JODI KANTOR and ABBIE VANSICKLE
As the summer of 2023 ended, the justices of the U.S. Supreme Court began trading even-more-confidential-than-usual memos, avoiding their standard email list and instead passing paper documents in envelopes to each chamber. Faced with ethics controversies and a plunge in public trust, they were debating rules for their own conduct, according to people familiar with the process. Weeks later, as a united front, they announced the results: the court’s first-ever ethics code. “It’s remarkable that we were able to agree unanimously,” Justice Neil M. Gorsuch said in a television in-

Inside the Private Talks
Over a Self-Imposed
Code of Conduct

terview this year. But a New York Times examination found that behind the scenes, the court had divided over whether the justices’ new rules could — or should — ever be enforced. Justice Gorsuch was especially vocal in opposing any enforcement mechanism beyond voluntary compliance, arguing that additional measures could undermine the court. The justices’ strength was their independence,

he said, and he vowed to have no part in diminishing it. In the private exchanges, Justice Clarence Thomas, whose decision not to disclose decades of gifts and luxury vacations from wealthy benefactors had sparked the ethics controversy, and Justice Samuel A. Alito Jr. wrote off the court’s critics as politically motivated and unappeasable. The three liberal justices insisted that the rules needed to be more than lofty promises. But their argument never had a chance. To piece together the previously undisclosed debate, The Times interviewed people from inside and outside the court, including liberals and conservatives,

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Court Returns
To Trans Rights
In Major Case

By ADAM LIPTAK
WASHINGTON — A little more than four years ago, the Supreme Court delivered a surprise victory to L.G.B.T.Q. communities. Rejecting the position of the Trump administration, the court ruled by a lopsided margin that a federal civil rights law protected transgender people from workplace discrimination. In the intervening years, transgender rights have become a ferocious battleground in the culture wars, and controversies over health care, bathrooms, sports and pronouns played a prominent role in the presidential campaign. But the Supreme Court has had only glancing encounters with such issues since the employment discrimination case in 2020, which featured a majority opinion from Justice Neil M. Gorsuch, President Donald J. Trump’s first appointee to the court. That will change on Wednesday, when the court hears its second major case on transgender rights, a challenge to a Tennessee law that prohibits some medical treatments for transgender youths. It is the marquee case of the term. The court’s decision, expected by June, may determine not only the fate of the law and similar ones in more than 20 other states but also what role the Constitution’s equal protection clause has to play in cases claiming discrimination against transgender individuals. The Tennessee law prohibits medical providers from prescribing puberty-delaying medication, offering hormone therapy or performing surgery to treat the psychological distress caused by incongruence between experienced gender and that assigned at birth.

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SOUTH KOREANS
FORCE PULLBACK
OF MARTIAL LAW

LEADER’S TACTIC FAILS

Night of Tumult for Ally
of U.S. as Protesters
Take to the Streets

This article is by Choe Sang-Hun, John Yoon, Jin Yu Young and Thomas Fuller.
SEOUL — President Yoon Suk Yeol of South Korea declared emergency martial law on Tuesday night, then reversed himself hours later as thousands of protesters flooded the streets, capping an extraordinary night of tumult in the deeply divided country. The threat of martial law briefly brought political chaos to one of America’s closest allies in Asia and carried echoes of South Korea’s postwar years of military rule and political violence. But Mr. Yoon’s gambit appeared to quickly backfire, leaving his political future uncertain and the opposition baying for his impeachment. His announcement imposing martial law, at 10:30 p.m. on Tuesday, had immediately raised questions over whether the president could commandeer such a highly developed industrialized democracy. Before dawn on Wednesday, those questions appeared to be answered. The National Assembly passed a resolution demanding an end to martial law, and Mr. Yoon backed down, saying he would lift his emergency declaration just five and a half hours after he had issued it. Martial law was formally lifted



POOL PHOTO BY CHUNG SUNG-JUN

Yoon Suk Yeol, the conservative president of South Korea.

at a cabinet meeting early Wednesday. Mr. Yoon did not immediately comment on his political future, only reiterating his demand that the opposition stop using its parliamentary majority to “paralyze” his government. But opposition lawmakers demanded that he step down, calling his declaration of martial law “unconstitutional” and a “failed coup.” The National Assembly can impeach the president if more than two-thirds of Assembly members vote for it. Mr. Yoon’s party controls 108 seats in the 300-member legislature. Thousands of people have held weekend rallies in downtown Seoul in recent

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ERIC LEE/THE NEW YORK TIMES

Biden Reflects on America’s ‘Original Sin’

Slavery’s history should not be erased, the president warned on Tuesday while in Angola. Page A14.

When Cables Break Under the Sea, a Wireless World’s Vulnerability Is Exposed

This article is by James Glanz, Elian Peltier and Pablo Robles.

One morning last March, tens of millions of people in West Africa woke up to find they had no more internet. Hospitals were shut out of patient records. Business owners couldn’t pay wages. In homes and on sidewalks,

people stared at the wheel icon rolling endlessly on their screens. “Connecting,” it promised. It wasn’t. People remained disconnected — some for hours, many for days. “It created panic all over,” said Kwabena Agadzi, head of communication technology at one of Ghana’s largest insurance companies, Starlife. “As if the world was coming to an end.” In the absence of hard informa-

tion, rumors flew. It was a coup, some said. It was sabotage, said others. Even those who guessed what was really happening knew that identifying the problem and fixing it were two very different things. Despite its name, the Trou Sans Fond — the Bottomless Hole, in French — a sinuous canyon carved into the continental shelf off Ivory Coast, does have a bottom. It’s just very, very deep

down. The chasm begins near the coastline with a precipitous drop of nearly 3,000 feet. Nested in the murky water at the bottom, at times some two miles deep, and buffeted by powerful currents lie cables that provide internet service across West Africa. Many nations use cables like these, but for emerging economies with limited alternatives, they are a lifeline to the rest of the

world. It can be easy to forget this. For most people, the internet may be indispensable, but they take it for granted. Though it is sometimes described as the world’s biggest machine, few spare a thought for its physical core: the vast networks of cables spun across sea floors and continents, the cities of energy-hungry servers speeding along data.

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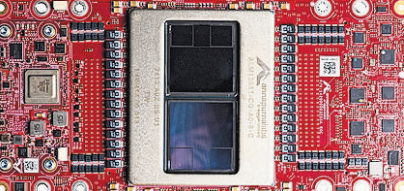
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Quebec’s Fight to Save Caribou
An Indigenous group in Canada strives to protect three herds that are at risk of becoming extinct. PAGE A6

Gladiator for a Night in Rome?
A plan by the Colosseum and Airbnb to play host at the treasured landmark has prompted an outcry. PAGE A14

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Getting the Chance to Change
San Antonio has long had a high rate of family violence. A new court is trying to help abusers control their behavior before disputes turn deadly. PAGE A15

F.B.I. to Vet Trump’s Picks
President-elect Donald J. Trump’s transition team agreed to allow F.B.I. background checks of nominees. PAGE A20

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On the Ballerina Farm
Life as a Mormon farm wife has made Hannah Neeleman a social media star and a cultural lightning rod. PAGE D1



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The Race to Unseat Nvidia
Amazon, AMD and several start-ups are beginning to offer credible alternatives to the company’s chips. PAGE B1

Phasing Out a Waiver on Pay
A Biden plan would end a provision that allows employers to pay disabled workers less than minimum wage. PAGE B1

SPORTS B6-10
Seeking His Shining Moment
North Carolina’s RJ Davis, who grew into a star last season, put off the N.B.A. and returned to Chapel Hill for a last shot at winning a title. PAGE B6

SPECIAL SECTION
The Art of Collecting
In a shifting landscape, art fairs around the globe are pushing boundaries and facing the future with new events, new offerings and new perspectives.

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Garrett M. Graff PAGE A22



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Glitter, Greed and Glam
The new “Solid Gold” exhibition at the Brooklyn Museum celebrates bling through the ages and around the world. But is eye candy enough? PAGE C1

