Mainstreaming Deviancy at Seton Hall Law School

by Joseph DeMaio, ©2022

(Jul. 24, 2022) — The term "defining deviancy down" was originally coined in a 1993 essay by Senator Daniel Patrick Moynihan, a Democrat, but a classical "liberal" as opposed to today's hyper-lunatic progressive iterations of that political genre.

In summary, the concept posits that activities and behaviors once widely acknowledged to be condemned as "deviant" and "wrong" over time have come to be redefined as "acceptable" or "normal." In the same vein, that which was once seen to be criminal in nature becomes a normalized, even mainstreamed behavior.

Stated otherwise, that which was once recognized as "abnormal" or "bad" evolves over time into something which is deemed to be "normal" and even "good." In academia, that process has evolved with Orwellian speed.

The latest variant of this phenomenon arguably takes the form of re-defining down the crime of bribery of public officials under 18 U.S.C. § 201 from a "bad" behavior to a purportedly viable "buyout" option in order to change the composition of the Supreme Court without "packing" it.

Specifically, the proposal oozes from Seton Hall Law School Assistant Dean Brian Sheppard. According to his bio, among the topics he teaches and is interested in are "professional responsibility" and "legal ethics."

Seriously?

George Washington University constitutional law professor Jonathan Turley sardonically – but accurately – characterizes Sheppard's proposal as an "offer from the Luca Brasi school of judicial integrity." The Turley post is excellent and P&E readers should examine it…, after reading your humble servant's offering here.

Assistant Dean Sheppard's proposal suggests, among other things, that "[c]ongress should offer substantial buyouts to any Supreme Court justices who retire when they reach 10 years of service on the High Court. The five justices who have already exceeded that number [including Thomas, Alito and Roberts], should be eligible for the payment if they retire within one year. To overcome the considerable allure of ideological power, *the sum should be in the millions.*" (emphasis added).

https://www.supremecourt.gov/about/courtatwork.aspx

Hmmmm…, maybe Hunter Goofball's financial connections with the ChiComs and his coke pushers could assemble enough dough to "sweeten" any deal concocted by the Democrats in Congress.

Turley notes that Sheppard's proposal gets worse, by suggesting that "[i]f Congress cannot be persuaded to pass a buyout plan, then … [the Goof] might be able to gather sufficient discretionary funds for that purpose with money under his control." Oh, good: if Brandon could not redirect enough taxpayer dollars to the "buyout" fund, perhaps he could dip into the stash generated by the "10% for the Big Guy."

Turley ends his review of the Sheppard proposal noting that "[t]he seats-for-cash offer is as insulting as it is dangerous for the Court." And if implemented, it would allow the Goof to instantly appoint Justices in order to shift the Court's makeup far to the left.

This, faithful P&E readers, is the "ethics" guru teaching Seton Hall Law students. Rest assured as well that Attorney Corporal (not a typo) Garland will reject any suggestion that the Sheppard proposal involves anything close to bribery. It is simply an academic hypothetical "offer that cannot be refused." And even if it ***could*** be refused, it should be accepted and ***not*** be refused.

Remind me again that academics like Sheppard have the better interests of the Republic in mind.

I'll wait.