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EDITORIAL

The Supreme Court’s Doors

In a sad bow to security concerns, visitors to the Supreme Court will no longer enter the Cass Gilbert building by climbing its marble steps and passing through its bronze doors and underneath the words that define the court’s mission: Equal Justice Under Law. The court announced on Monday that the public will now have to enter through a new reinforced area at the plaza level.

We can’t and won’t second-guess the security decision. The loss of the main entrance for arriving visitors would feel better if the court were opening its proceedings to the wider public by allowing video and audio coverage of oral arguments. Americans have a right and a need to watch the nation’s highest court thrash out questions of immense legal and social significance.

The court is moving in the opposite direction. Over the years, justices have expressed concerns about their own privacy and suggested that television broadcasts would somehow diminish the proceedings. And while Chief Justice John Roberts Jr. has sometimes allowed audiotapes to be issued the same day as oral arguments in cases of his choosing, this term, he chose not one.

In another disturbing move against openness, in January the Supreme Court’s conservative majority barred the planned video-streaming of the San Francisco trial testing the constitutionality of Proposition 8, the ballot initiative in California outlawing same-sex marriage.

Last week, the Senate Judiciary Committee passed a pair of bills that would mandate the televising of Supreme Court arguments and give lower federal courts new discretion to televise trials and appellate arguments. It would be better if the justices and the Federal Judicial Conference, which sets rules for the judiciary, acted on their own. But if Chief Justice Roberts and his colleagues persist in keeping these doors closed, Congress must open them.