

## Should Ideology Matter In Selecting Federal Judges

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### Should Ideology Matter In Selecting

A recurring constitutional controversy of great practical and political importance concerns the criteria Presidents and Senators should use in selecting federal judges. Particularly contentious is the relevance of what sometimes is described as a prospective judge's ideology, or alternatively, judicial philosophy and views on substantive questions of law.

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### Should Ideology Matter In Selecting Federal Judges

1. Introduction. Many consider their political views to be central to who they are as individuals (Jost, Nosek, & Gosling, 2008). People's political ideology affects their relationships with other individuals (e.g., a woman left a date after discovering whom he voted for in the 2016 U.S. presidential election; Lang, 2017) as well as groups (e.g., supporting or opposing social movements).

### Elections and selection: The role of political ideology in ...

Should Ideology Matter in Selecting Federal Judges ... In short, in Tribe's view, ideology can't be ignored. University of Chicago Law School professor Cass R. Sunstein was a bit more blunt: "Ideology' should certainly matter," he testified, "both for the President and for the Senate. At least, this is so if 'ideology' means the expected approach, and general patterns of votes, of a potential judge."

### Should Ideology Matter In Selecting Federal Judges

The article is "Should Ideology Matter in Selecting Federal Judges? Ground Rules for the Debate," and is available from SSRN. Johnsen makes two points that should be part of the public debate over this nomination: (1) Presidents since the founding era have selected federal judges, ...

### Legal Ethics Forum: Ideology and Judicial Selection

Get Free Should Ideology Matter In Selecting Federal Judges Should Ideology Matter In Selecting Federal Judges The team analyzed votes by Supreme Court justices on more than 8,500 cases since World War II. They found that when a justice casts the deciding vote, his or her personal beliefs suddenly matter far more. "The effect of a justice's ideology on

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In the past, scholars have argued that ideology comes into play when there are differing legal interpretations involved, or because certain litigants touch a nerve with particular justices. But Spenkuch and his colleagues wanted to test a new theory: that a judge votes more in-line with their ideology when their vote matters more.

### Supreme Court Justices Become Less Impartial and More ...

2 The Role of Ideology in Judicial Selection We start the inquiry with a broad question: to what extent, if at all, does ideology matter in the selection of judges? Many thinkers and lawyers' organizations have expressed the belief that, while Congress and other elected bodies should be political in nature, the judiciary is distinctive.

### The Politics of Selecting the Bench from the Bar: The ...

Dawn E. Johnsen, Should Ideology Matter in Selecting Federal Judges?: Ground Rules for the Debate, 26 Cardozo L. Rev. 463, 476 (2005) ("The prospects for substantial change appear dim, at least for the short run.").

### selection of U.S. Supreme Court justices | International ...

"To stay in power, the BJP-conjured ideology will need to be altered and compromised. Their inevitable predicament should be a reminder to us in the Congress that such accommodation may not be ...

### What BJP's Ideological Dilemma Can Teach Congress About ...

Ideology vs. pragmatism: Is one more important than the other? The eagerness to eliminate "ideology" and venerate "pragmatism" in politics is understandable, but it's neither possible nor desirable.

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