

Should Ideology Matter In Selecting Federal Judges

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SHOULD IDEOLOGY MATTER? constraints on what is politically feasible, they also should not perpetuate politically charged and misleading modes of discourse or despair too easily of the possibility for even incremental change. In the hope of promoting principled and productive discussion, and cognizant

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Should Ideology Matter In Selecting Federal Judges

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.

"Should Ideology Matter in Selecting Federal Judges ...

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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."

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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, in part, on the basis of the candidate's political views, and (2 ...

Legal Ethics Forum: Ideology and Judicial Selection

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 how he or she votes essentially doubles when the vote is pivotal," Spenkuch says.

Supreme Court Justices Become Less Impartial and More ...

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Whether or not Alberta should implement a provincial sales tax (PST) should be, of course, a matter of serious debate, but it should not be a matter of choosing ideology over reason, and Mr ...

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In other words, this kind of process—in which political actors have certain goals in mind in terms of ideological balance—necessarily involves selecting on the basis of ideology, distinguishing it from what we refer to here as “ideologically neutral selection.”