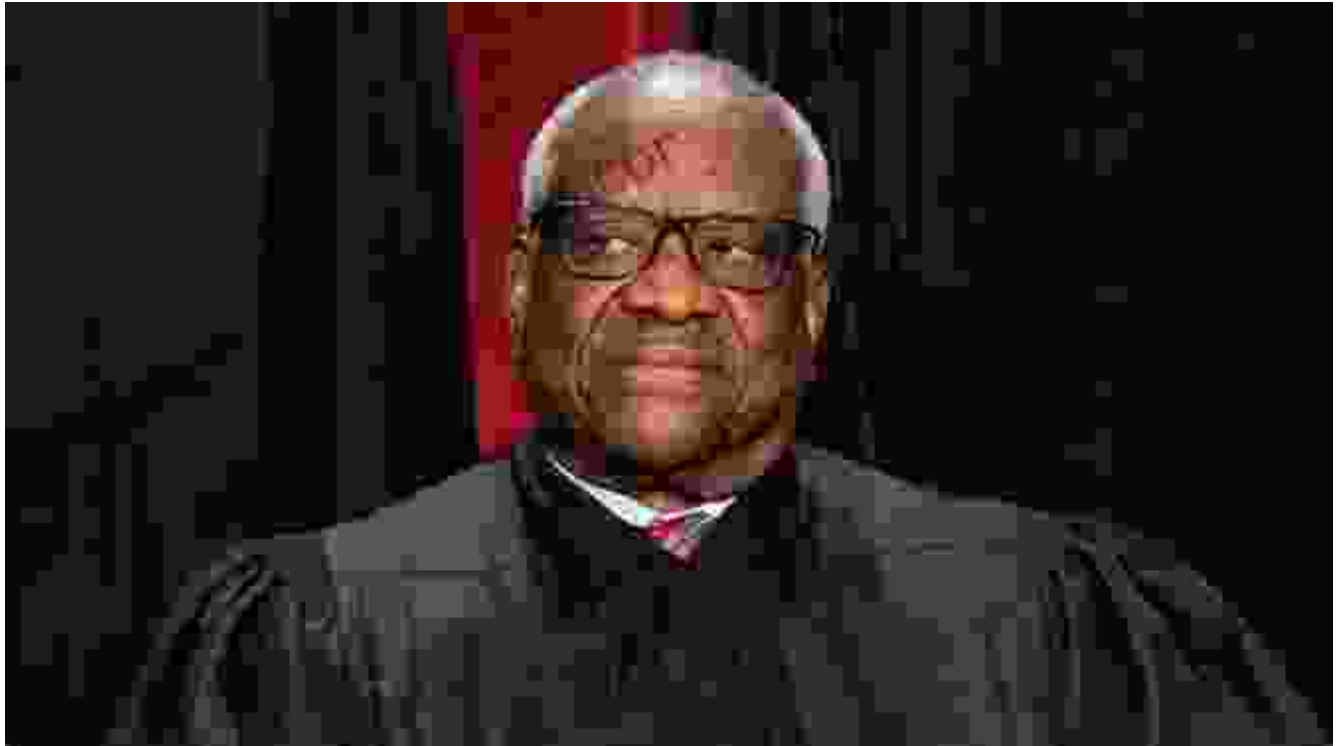


Why the Supreme Court Is Not a Court and Its Justices Are Not Judges



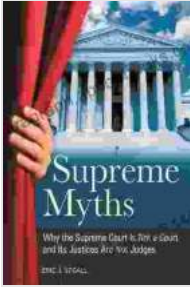






The Supreme Court of the United States is the highest court in the land. It is composed of nine justices who are appointed by the President and confirmed by the Senate. The Court has the power to interpret the Constitution and to strike down laws that it finds to be unconstitutional.

Supreme Myths: Why the Supreme Court is Not a Court and its Justices are Not Judges by Timothy Messer-Kruse



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However, many critics argue that the Supreme Court is not a court in the traditional sense. They point out that the Court is not bound by precedent and that its decisions are often based on political considerations rather than on the law. They also argue that the justices are not judges in the traditional sense because they are not impartial and they are not accountable to the people.

In this article, I will examine the arguments that the Supreme Court is not a court and that its justices are not judges. I will also discuss the implications of these arguments for the future of the Court.

The Supreme Court Is Not a Court

The Supreme Court is not a court in the traditional sense because it is not bound by precedent. This means that the Court can overrule its own decisions at any time. This is in contrast to lower courts, which are bound by the decisions of higher courts.

The Supreme Court's power to overrule its own decisions gives it a great deal of power. It can use this power to change the law in a way that it sees

fit. This power is not without its critics, who argue that it makes the Court too powerful and that it undermines the rule of law.

In addition to its power to overrule its own decisions, the Supreme Court is also not bound by the decisions of other courts. This means that the Court can reach a different decision than a lower court even if the lower court's decision is based on the same law.

The Supreme Court's power to disregard the decisions of other courts gives it a great deal of independence. It can use this independence to make decisions that are in line with its own political views, even if those decisions are not supported by the law.

The Justices Are Not Judges

The justices of the Supreme Court are not judges in the traditional sense because they are not impartial. This is because they are appointed by the President and confirmed by the Senate, which are both political bodies. As a result, the justices are often beholden to the political party that appointed them.

The justices' lack of impartiality is evident in their decisions. For example, in the case of *Bush v. Gore*, the Court ruled in favor of George W. Bush, even though the evidence suggested that Al Gore had won the election. Many critics argued that the Court's decision was based on political considerations rather than on the law.

In addition to their lack of impartiality, the justices are also not accountable to the people. This is because they are appointed for life and can only be

removed from office through impeachment. As a result, the justices are not subject to the same pressures as elected officials.

The justices' lack of accountability is a major problem. It means that they can make decisions that are not in the best interests of the people without fear of reprisal. This is a serious threat to the rule of law.

The Implications of These Arguments

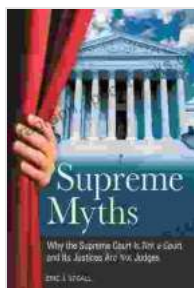
The arguments that the Supreme Court is not a court and that its justices are not judges have serious implications for the future of the Court. If the Court is not a court, then it is not clear what its role in the American system of government should be. And if the justices are not judges, then it is not clear how they should be held accountable for their decisions.

The implications of these arguments are still being debated. However, it is clear that the Supreme Court is facing a crisis of legitimacy. The Court's decisions are increasingly being seen as partisan and politically motivated. This is eroding the Court's authority and undermining the rule of law.

It is important to note that the arguments that the Supreme Court is not a court and that its justices are not judges are not new. These arguments have been made for many years. However, the recent political polarization of the Court has made these arguments more salient.

The future of the Supreme Court is uncertain. However, it is clear that the Court is facing a number of challenges. The Court's legitimacy is being questioned, and its authority is being eroded. It remains to be seen how the Court will respond to these challenges.

The Supreme Court of the United States is a complex and controversial institution. There are strong arguments to be made both for and against the view that the Court is not a court and that its justices are not judges. The future of the Court is uncertain. However, it is clear that the Court is facing a number of challenges. The Court's legitimacy is being questioned, and its authority is being eroded. It remains to be seen how the Court will respond to these challenges.



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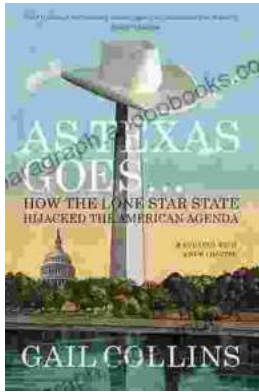
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