

THE POLITICS OF JUDICIAL APPOINTMENT

Thomas Grant QC



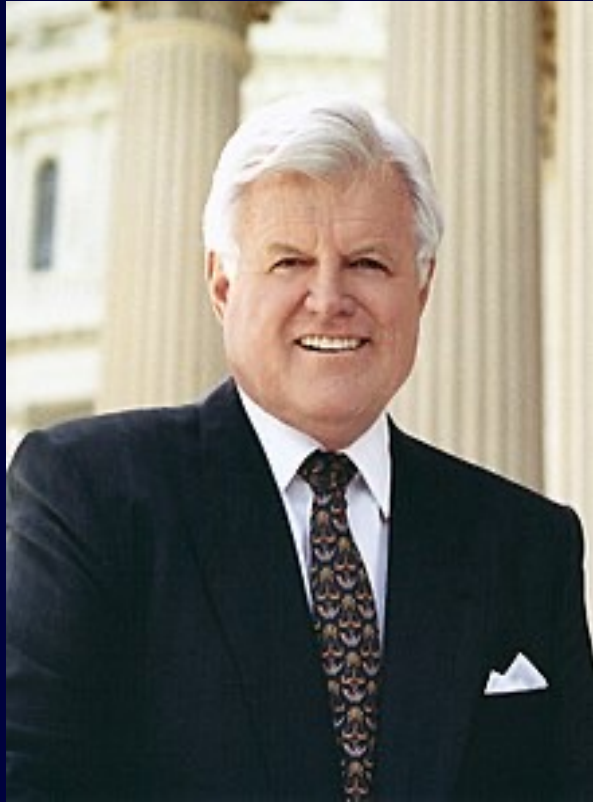
GRESHAM
COLLEGE



Judges are “only the mouth that pronounces the words of the law, inanimate beings who can moderate neither its force nor its rigour”

Montesquieu





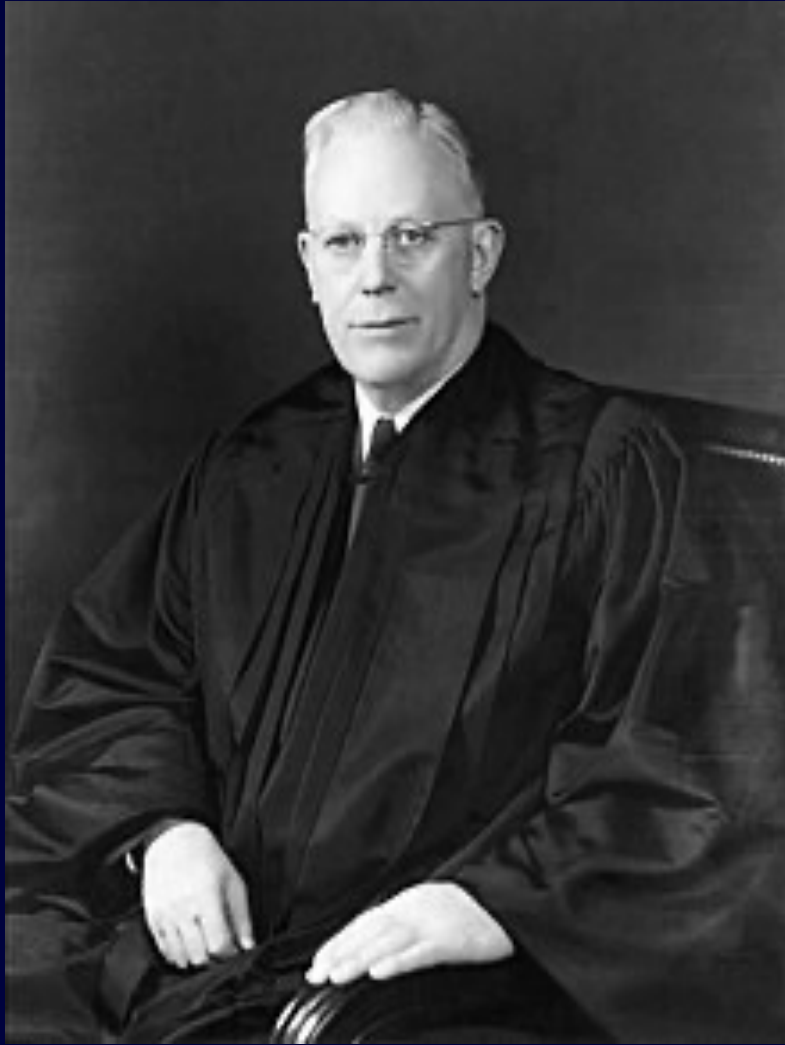
"Robert Bork's America is a land in which women would be forced into back-alley abortions, blacks would sit at segregated lunch counters, rogue police could break down citizens' doors in midnight raids, schoolchildren could not be taught about evolution, writers and artists could be censored at the whim of the Government, and the doors of the Federal courts would be shut on the fingers of millions of citizens for whom the judiciary is—and is often the only—protector of the individual rights that are the heart of our democracy ... President Reagan is still our president. But he should not be able to reach out from the muck of Irangate, reach into the muck of Watergate and impose his reactionary vision of the Constitution on the Supreme Court and the next generation of Americans. No justice would be better than this injustice."

Senator Teddy Kennedy

**To bork – “to obstruct someone
from acquiring public office on
ideological grounds”**



I Believe
Anita Hill

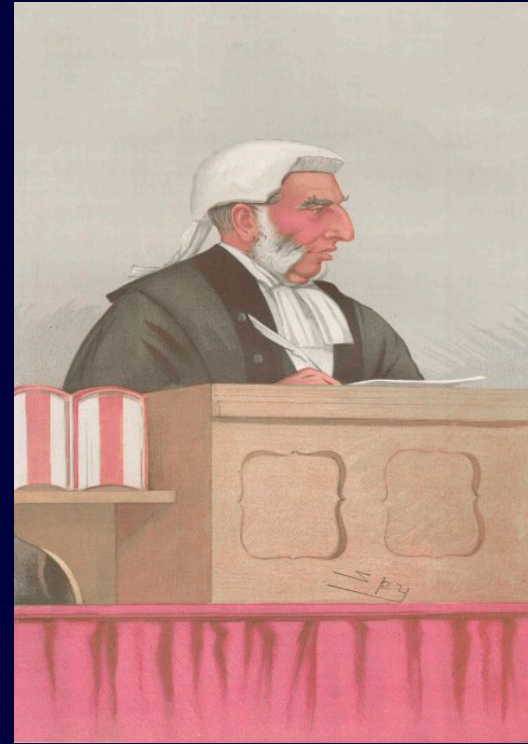


Chief Justice Earl Warren

**“the..... biggest damn fool mistake I
ever made.”**



**Lord Chief Justice
Hewart**



Mr Justice Kekewich

Constitutional Reform Act 2005:

“Selection must be solely on merit.”



Harrold Carswell

“Even if he were mediocre, there are a lot of mediocre judges and people and lawyers. They are entitled to a little representation, aren't they, and a little chance? We can't have all Brandeises, Frankfurters, and Cardozos.”



Shelby County v Holder

“The sad irony of today’s decision lies in its utter failure to grasp why the VRA has proven effective.... In my judgment, the Court errs egregiously by overriding Congress’ decision.”

Justice Ruth Bader Ginsburg

“It raises again the question of who judges the judges and more and more people are beginning to ask, with some legitimacy, whether it might be time to hold hearings as they do in America to find out what their political views are and what we can expect. We need to know more about these people.”

Iain Duncan Smith



Lady Rose of Colmworth



Lord Burrows

“a judge may become corrupt...A judge may become froward with age. Judges may grow unfit for office in many ways. It was desirable that there should be a possibility of being delivered from him by a new King.”

Dr Johnson

“The need for the judiciary to reflect broadly the racial and gender composition of South Africa must be considered when judicial officers are appointed.”

Section 174(2) of Constitution of the Republic of South Africa Act No.108 of 1996.

“Left-wing credentials, academic excellence, implacable opposition to apartheid and banishment under its fist, legal acumen and genuine commitment to constitutionalism have in each of these cases been insufficient to overcome the birth defect of being white in a country infected with race essentialism, which now determines every aspect of the public appointments process.”

Tony Leon, April 2021

