**GAVEL GAMUT**

By Jim Redwine

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(Week of 05 August 2024)

**CHANGE THE COURT**

On July 29, 2024, President Biden proposed that justices of the United States Supreme Court serve a maximum of eighteen years instead of “during good behavior” as Article III of the Constitution provides. On June 18, 2024 CNN Commentator Fareed Zakaria made a similar proposal. Biden and Zakaria are liberals who are upset with the Supreme Court’s current conservative majority.

In the turbulent 1950’s and 1960’s the Supreme Court was led by a liberal majority headed by Chief Justice Earl Warren. Much of America was so upset by the Court’s decisions on civil rights there were billboards on our nation’s highways calling for Warren’s impeachment.

It is not unusual for cases before the Supreme Court to cheer many and anger others. Matters end up in the Supreme Court because citizens have opposing views on hot-button issues. That’s what courts are for. It is better to go to court than go to war.

Of course, if the public loses confidence in the justice provided by the Court, war could still result. According to Gallop polling from July, 2024, 52% of Americans disapprove of the way the United States Supreme Court is doing its job. Hence, we once again are hearing demands for “court reform”, which to the dissenters means changes that would create a court that agrees with their views.

The dissatisfaction that sways left and right with the Court’s decisions is improperly addressed to the individuals or contemporary majority. The solutions are within our constitutional republic’s power. We do not need to put up with frustration with the Court’s fallible humans; what we need is to change the way the Court is composed. And we have the power to do it. We have amended our Constitution 27 times already for such things as women getting the vote. We can amend it again to re-establish confidence in our third branch of government.

Rational minds can differ as to the details but the essence of reform is already apparent. America needs to reaffirm our commitment to our solid foundation of three equal and separate branches of our republican form of our unique democracy. First, we need term limits; I suggest that since our presidents can only serve 8 total years that Supreme Court justices be limited to 10.

Second, we need to change our method of selecting our justices. Currently only 101 Americans, out of over 330 million have any say in who serves on the Supreme Court. The single presiding president nominates a potential justice, for life, and the 100 members of the Senate “advise and consent” to the nomination. We need to involve the rest of America’s voters in these vital decisions. I suggest we develop a non-partisans competitive election where qualified candidates can be “vetted” by all of us.

I do have further suggestions, but as I have already written and published over 30 *Gavel Gamut* columns on the Supreme Court from 1990 to today, I’ll just make these “modest proposals” for now.

Perhaps we’ll meet again on these issues later as the complexity and importance of modifying an entire branch of our government may require more than a couple of pages from one columnist. Feel free to join in, Gentle Reader.

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