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Yalof-The Presidency and the Judiciary

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Yalof-The Presidency and the Judiciary

The selection of Supreme Court ideologues is one of the critical aspects of the Supreme Court. In the book, 'pursuit of justice' book by David Yalof, the selection process is analyzed. The author makes the readers understand the actions taken before the Senate hearing as the president determines the individual to occupy the Supreme Court. Yalof insists that the forces in the executive branch, interests, and the presidents' allies influence this decision-making process. The book is based on actions taken by presidents such as Truman, Reagan and also reports interviews with figures such as Ramsey Clark and Edwin Meese, among others, in arguing. The paper will elaborate on how David Yalof has proved that presidents are better at selecting ideologues for the Supreme Court as well as how Trump fits into that pattern.

According to David Yalof, presidents are better in selecting Supreme Court ideologues due to their power. They nominate the judges to serve in the Supreme Court and the federal judiciary, meaning their impacts go beyond the executive and judiciary branches of the government. The authority has made the presidents realize that they have the chance to shape the law. They, therefore, become keen and focused on this process, leading to positive results. President Reagan applied the idea, by the statement that the people selected to serve in the Supreme Court have the significant responsibility of interpreting the law of the land, indicating that their actions leave footprints for generations (Nelson, 2018). The leader added that the policies implemented by Presidents and senators, as well as Congressmen in any era, are put in the public's memory. Yalof adds that attempts to shape the court started with President Bush, who preferred the Federalists regarding judicial matters.

Yalof also says that presidents are in better positions to select the Supreme Court ideologues concerning the campaign process. Before the presidents enter the office, they have to address the debated actions of the previous leaders. In the 20th century, candidates who

addressed matters of the Supreme Court were easily elected compared to the others. For example, in 1800, the contestants were John Adams and Thomas Jefferson. During campaigns, Jefferson addressed the issue about Alien and Sedition bills passed in 1798 that attacked the actions taken by leaders. At that time, the Federalist Party had accepted the policy and Adams signed it which led to the voters trying the judiciary in the 1800 elections, and this branch of the government lost. Here, the scholar meant that presidents ought to select the people in the supreme as the person has a wide knowledge, as it would reduce chances of the conflict between leaders and the judiciary where the citizens are forced to decide the winner through elections.

The scholar also discussed the events that happened half a century later. The Republican Party advised the supreme court of the decision to consider regarding Dred Scott and Sand ford case. Notably, the Northern people had been disappointed by the 1860 campaigns. The judgment done rejected Scott based on the Missouri Compromise in 1820. The reason is that it had categorized the United States boundaries into free and slave regions. Abraham Lincoln vied for presidency via the Republican Party and claimed that the judgment made was a sign that the Republicans had nationalized slavery. After the winning, Lincoln ensured that the actions taken were based on democracy. Here, Yalof showed that leaders should choose the Supreme Court officials, to prevent cases where a certain political party influences the court's decisions (Nelson, 2018).

President Donald Trump fit in Yalof's idea on the president's suitability to select Supreme Court judges. During campaigns, the leader promised to choose judges from the Federalist Society, a team of conservative lawyers. The Federalist Society helped Trump identify the judges with legal expertise who would serve the roles right. Notably, President Trump supports the Republican Party, meaning that the judges selected to support a different ideology. As Yalof says above, the president should assess the compatibility of political

parties and ideologies while choosing the judges. Due to the differences, President Trump was impeached where the movement was led by Senate Mitch McConnell, the Republican leader. Interestingly, during the proceedings, the Senate attacked Trump's judicial nominees, who showed a similar disregard for democracy identical to the leading Senators during the impeachment process.

A higher number of the nominees have severe partisan history and also shown disrespect to the democracy aspects, for example, the right to vote. Andrew Brasher was one of these nominees, where the senators that supported him were considered to disrespect democracy. McConnell confirmed the nominee before the impeachment process started based on the 11th United States Circuit Court of Appeals. Notably, Brasher had less than 15 years' experience in law, yet was selected to be the president's permanent representative in the federal district court (Nelson, 2018). Before being a judge, the nominee worked as an Attorney General in Alabama. Here, Brasher accepted strategies that were harmful, for example, when he supported the illegal ethnic gerrymandering activities. In 2014, the court rejected his case because the claims made were against the law. The description shows that President Trump selected people lacking a similar ideology with the government, which is controlled by the constitution. As a result, chaos developed, which led to his impeachment. The explanation makes Yalof's statement right that presidents should prioritize political aspects and nominees ideologies if the right selections in the Supreme Court are to occur.

In conclusion, having elaborated how David Yalof has proved that presidents are better at selecting ideologues for the Supreme Court as well as how Trump fits into that pattern, it is clear that Yalof insists that presidents are suitable for selecting Supreme Court ideologues due to their power. It puts them in a position to observe things objectively, comparing the political aspect with the nominee's ideologies. The scholar adds that presidents should not elect judges with opposing ideologies, as differences develop. For

example, President Trump chose judges from the Conservative team, yet he is a republican.

As a result, the action led to disagreements, where inappropriate people were selected, and impeachment occurred.

Reference

Nelson, M. (Ed.). (2018). *The presidency and the political system*. Cq Press.

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