

Sample Op-Ed

A Fair and Impartial Judiciary

Recent criticism of judges has crossed the line from healthy debate to judge bashing that threatens the fairness and impartiality of our courts. Politicians and interest groups regularly issue dark warnings to judges, simply because they disagree with the judges' decisions.

There is no place for this in our country. A fair and impartial judiciary is essential to democracy and protects our rights under the Constitution. Attempts to intimidate judges are efforts to influence their decisions. If we let external pressure tip the scales of justice, we will lose the one place where we all can be heard on an equal footing.

When our Founders wrote the Constitution, they purposely shielded courts from political influence so judges could protect our freedom -- a revolutionary idea. Before then, courts too often were manipulated by the rich and powerful seeking to protect their interests and deny justice to those they had wronged. We created a system where judges are different; they consider only the facts and the law in making their decisions, which gives all of us our day in court. We must not turn back the clock to the days of justice only for the few and privileged because of a handful of decisions the few and privileged dislike.

The most controversial questions of our day wind up in court, but judges do not decide the issues that come before them. When people can not agree on how to answer them, they ask our courts to sort them out. Judges are like referees. They must make tough decisions and enforce the rules, even if it is unpopular. Judges' decisions on hot-

button issues usually make some people angry, but what else would you expect when passions burn hot on both sides of an issue? Just like with referees, we do not want judges who can be bought, bullied or fired when someone is unhappy with a decision. It would make the whole justice system break down.

Too often, when people are at odds with a judge's decision, they lash out in anger and claim that our courts are "out of control." Nothing, in fact, is further from the truth. Judges are accountable in a number of ways. Our Founders made courts one of three equal branches of our government – along with the legislative and executive – and each branch limits the powers of the others. Like all of us, judges must obey the Constitution and other laws, and unlike most of us must also follow ethical rules and codes of conduct that hold them to high standards. When someone disagrees with a judge's decision, they can ask a higher court to review it. Judges don't make the law, they only apply laws written by a legislature. If a legislature does not like the way old laws affect the public, it – not judges – can change them or write new laws.

Everyone has a right to fair and impartial justice. When our courts are attacked unjustly, we must defend them – even when we disagree with a decision – so they will remain able to protect our rights. If we do not, when it is our turn to be in court, we might find a far different judge than the one envisioned by our Founders, one that has again become the tool of the privileged few. When it is our turn to seek justice, we will wish we had spoken out to keep our courts fair and impartial, free from political pressure

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