



Illinois Wesleyan University
Digital Commons @ IWU

John Wesley Powell Student Research
Conference

1992, 3rd Annual JWP Conference

Apr 25th, 10:30 AM - 4:30 PM

The Current State of the Supreme Court Appointment Process: Business as Usual

Brian S. Driscoll
Illinois Wesleyan University

John Wenum, Faculty Advisor
Illinois Wesleyan University

Follow this and additional works at: <https://digitalcommons.iwu.edu/jwprc>

Driscoll, Brian S. and Wenum, Faculty Advisor, John, "The Current State of the Supreme Court Appointment Process: Business as Usual" (1992). *John Wesley Powell Student Research Conference*. 39.

<https://digitalcommons.iwu.edu/jwprc/1992/posters/39>

This Event is protected by copyright and/or related rights. It has been brought to you by Digital Commons @ IWU with permission from the rights-holder(s). You are free to use this material in any way that is permitted by the copyright and related rights legislation that applies to your use. For other uses you need to obtain permission from the rights-holder(s) directly, unless additional rights are indicated by a Creative Commons license in the record and/ or on the work itself. This material has been accepted for inclusion by faculty at Illinois Wesleyan University. For more information, please contact digitalcommons@iwu.edu.

©Copyright is owned by the author of this document.

THE CURRENT STATE OF THE SUPREME COURT APPOINTMENT PROCESS:
BUSINESS AS USUAL

Brian S. Driscoll, Dept. of Political Science, IWU, John Wenum*

The recent spectacles of the confirmation hearings of Judges Robert H. Bork and Clarence Thomas have given the Supreme Court appointment process a sense of corruption, and a call for reform. Allegations levelled against the President and the Senate accuse them of "playing politics": not selecting the best judges on merit, but relying instead on political factors to make their choices. The truth is, however, that the Supreme Court appointment process has always been political. It was designed to be political by the Framers of the Constitution, and there is ample precedent for the insertion of politics into today's appointments. The process, however, has evolved into something more complex for the President and the Senate since the inception of the Constitution, and both institution's roles have changed. In today's process there are several factors that influence confirmation of Supreme Court Justices, namely timing, ideology, and presidential management. All of these factors come together in the Thomas nomination, to form a case study. Analysis will show that despite the recent public outcry, the confirmation process is business as usual, both in terms of politics and in terms of recent history.