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American Systems of CJ

3 March 2021

Justice Kagan

Justice Elena Kagan was nominated by President Obama in May of 2010 and confirmed in August of the same year. She replaced Justice John Paul Stevens as he retired after 34 years on the bench. Justice Kagan was 50 years old when appointed to the Supreme Court.

After graduating from Harvard Law School in 1986, Justice Kagan served as a law clerk for Justice Thurgood Marshall of the Supreme Court. He hired her with hopes she would provide a spark in his opinions as the court was undergoing a conservative shift (Wikipedia). Following a brief political run, supporting Democratic Presidential Nominee Michael Dukakis, Justice Kagan worked as a private lawyer and as a professor at University of Chicago Law School, where she met a young Barack Obama. From then until her Supreme Court confirmation, Justice Kagan worked for President Clinton, and as a dean at Harvard Law School following his presidency. After President Obama was elected, he appointed Justice Kagan to be the first female solicitor general (Oyez).

A year later, President Obama nominated Justice Kagan and she was confirmed relatively swiftly, with a 63-37 vote from the senate. She is part of the liberal wing, though she is the most moderate of the group. Even though she was nominated by a democratic president, progressives worried that her confirmation would move the court to the right. Five Republicans voted in favor of her joining the court, while one Democrat opposed.

During her tenure, Justice Kagan wrote the majority opinion for Cooper v. Harris, a case in which the court ruled that North Carolina used race too heavily in the drawing of two congressional districts (Cooper v. Harris). This case shows that the Supreme Court does not always rule based on party, as Justice Clerance Thomas, believed to be the most conservative justice, concurred with Justice Kagen and the liberal wing. Justice Kagan stuck with the liberal justices on the rulings of King v. Burwell and Obergefell v. Hodges, where the court ruled that Obamacare was constitutional and prohibited states from outlawing same sex marriage, respectively. Before ruling on the case of Obergefell v. Hodges, Justice Kagan had said that same sex marriage was unconstitutional (Oyez).

Justice Kagan was just the fourth female to be appointed to the court and 100th associate justice. She is also the eighth Jewish justice. Though she is now 60, Justice Kagan has given the court a younger perspective with her technology skills and pop culture awareness. She is known to play poker and smoke cigars, as well as being a member of a hunting club that the late Justice Scalia was also a member of (Oyez). With the current conservative shift, Justice Kagan may be on the bench for years to come with a hope of keeping balance on the court.

References

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