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Should Anthony Kennedy be impeached?

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Anonymous · 2 days ago 🗨

This is also from a sub thread that deserves its own discussion.

The most relevant precedent happened in the earliest days of the Republic: https://en.wikipedia.org/wiki/Samuel_Chase .

"The heart of the allegations was that political bias had led Chase to treat defendants and their counsel in a blatantly unfair manner. Chase's defense lawyers called the prosecution a political effort by his Republican enemies. In answer to the articles of impeachment, Chase argued that all of his actions had been motivated by adherence to precedent, judicial duty to restrain advocates from improper statements of law, and considerations of judicial efficiency."

The Chase precedent created the problems of tolerated bias at the US Supreme Court that last to this day.

Impeaching Anthony Kennedy would reverse this travesty.

Why Anthony Kennedy is the best candidate for impeachment? Because by his very actions and statements, including his written opinions, it is the justice who is more clearly associated with rulings based on ideology not on principle (even if that principle is "the living constitution").

It can be shown very effectively, by him being the so called "swing vote" in all recent controversial decisions that his voting is based on his libertarian ideology, not on any sound legal analysis or rationale.

Showing said bias would be more difficult for the 4 originalists (although it would be also easy to show that Roberts doesn't have the stamina required to be a US Supreme Court justice) as well as for the 4 living constitution judges.

⬆ -2 ⬇ · flag

Anonymous · 2 days ago 

BTW, calls to impeach Kennedy came also from the left, as in this preemptive threat to Kennedy that he should not dare invalidate Obamacare http://www.huffingtonpost.com/nathan-newman/supreme-court-health-care-law_b_1405825.html

"In the very short term, talking about impeachment publicly is one way to signal to the Roberts Court majority that the legitimacy of the Supreme Court is on the line with this decision -- and it might make a swing vote like Anthony Kennedy think twice before crossing that Rubicon."





Said coordinated bullying did not assuage Kennedy but it had an effect on Roberts. Yet, this article shows that even the left thinks that if there is a candidate for impeachment for partisanship, that would be Anthony Kennedy.

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