Neg Block File

Definitional

* Term-limit Observational Arg: Restrict the terms of current justices
  + **Card**

FW: Government Legitimacy vs Util

* Analytic: Pref my framework because government legitimnacy is a prerequisite to util, and is the biggest impact under it. Without a government we will not be able to do things like stop war, stop climate change, etc. Having government legitimacy is a prerequisite to saving lives, therefore my framework should not only be done first but it also enompasses util.
* Analytic: Pref my framework because it’s not the SCOTUS’s responsibility to take care of the people. The two responsibilities that SCOTUS has is to interpret the constitution and also stay in touch with public society, but they have no obligation to save the most amount of lives. That is the job of the government itself, and our framework of government legitimacy will ensure that the government is able to do that.
* Analytic: Pref my framework because util can never represent the entire population, as they will never be able to represent the minorities. Util is primarily based on the majority population, meaning that they will never be able to fully account for the needs of the minorities. For example, the government taxes people differently to distribute money to minority sectors that need it. Under util, the government wouldn’t have an obligation to do this, but under government legitimacy, the government can continue to represent everyone.

FW: Government Legitimacy vs Structural Violence

* Analytic: Pref my framework because it is a prerequisite to theirs. To benefit minorities at all, we must have a stable government first. My framework ensures that stays true, and my opponent’s framework can only be evaluated after. Without a stable government, laws that benefit minorities will never be enacted in the first place. Therefore my framework encompasses and is a prerequisite to theirs.
* Analytic: It is not the responsibility of SCOTUS to take care of the minorities. The SCOTUS only has one singular responsibility, and that is to maintain checks and balances by solely interpreting the constitution first and foremost. They have no obligation to benefit minorities, their only obligation is to judge cases in a just way. If that way indeed benefits minorities, then that will be the end result achieved regardless.

FW: Government Legitimacy vs Representation

* Analytic: Pref my framework because having a stable government is a prerequisite to bein gable to represent the people. As I define government legitimacy as a government being stable, only the neg is able to provide for this, not the aff, as their primary concern is representing the people. Therefore you must satisfy the neg framework first before even considering the aff. Because of this, our framework is a prerequisite and encompasses theirs.
* Analytic: It is not the responsibility of SCOTUS to represent the people. The SCOTUS only has one singular responsibility, and that is to maintain checks and balances by solely interpreting the constitution first and foremost. They have no obligation for representation, their only obligation is to judge cases in a just way. If that way indeed is in touch with the majority population, then that will be the end result achieved regardless.

FW: Government Legitimacy vs Minimizing Polarization

* Analytic: Pref my framework because it is a prerequisite to theirs. To benefit minimize polarization at all, we must have a stable government first. My framework ensures that stays true, and my opponent’s framework can only be evaluated after. Without a stable government, laws or systems that minimize polarizatoin will never be enacted in the first place. Therefore my framework encompasses and is a prerequisite to theirs.

Neg Overview

* Overview: Judge, let me make one thing abundantly clear. The neg does not need to prove that they solve for anything in this debate. The aff continues to refute my contentions by saying that these problems I’m bringing up already exist in the neg world. However, that doesn’t matter because the neg doesn’t have to solve for anything. The neg is arguing for the status quo. It is the burden of the AFF to prove that they are SOLVING for all of these issues, and if they can’t prove their SOLVENCY, YOU AUTO-VOTE NEG. Therefore if I tell you that the aff makes a situation worse, then that is an immediate reason for you to vote neg in this debate.

Aff Arg: Credibility

* Analytic:

Frontline: Polarization

* My opponents have said that because it’s more rare in the neg world, it becomes more of an issue. However, refer to my own case where I talk about how in the aff world with term-limits each president gets 2 justices. Judge, think about this logically. Each presidential election would be flooded with the presidential picks for justices. In the neg world, the randomized trials stop presidents from thinking about their strategies because they don’t know when the next justice is going ot be nominated, so they’re not going ot be planning it for ages. But in the aff world, it is going to be certain. Each presidential election would have justices as an extension. If randomized justices are already so advertised, think about how entrenched in politics it would be if its worked into every election, it doesn’t lgoically make sense.
* Second, refer to my own case where I talk about how there is nothing stopping the Senate from refusing to hear 4 years worth of nominees and letting one president pick the next 4 justices in 1 term. The aff world makes this situation worse because it can happen so many times since hte appointment process is regular, while in the neg this isn’t even an issue because of the randomized process.

Aff Arg: Polarization

* Analytic: You can refer to my Marcum 20 card which talks about how under term-limits, there would be nothing that stopped a Senate from not wanting to hear 4 years worth of nominees and giving the next president 4 potential open seats in their term. The aff’s plan relies on each president being able to nominate 2 justices, but under term-limits there’s a huge risk of that plan not working, which would only serve to increase polarization.
* **Term-limits will increase polarization within the Supreme Court.**

**Sherry and Cooper 20** [Staff Reports, 9-24-2020, "Should Supreme Court justices have term limits?," https://www.inquirer, <https://www.inquirer.com/opinion/commentary/supreme-court-term-limits-lifetime-appointment-ruth-bader-ginsburg-20200924.html>]

**Term limits for Supreme Court Justices are a bad idea. They won’t solve any problems, will make some existing problems worse, and will cause new ones. Adherents of term limits suggest that limiting justices to a fixed term will reduce the stakes of the confirmation process, and thus depoliticize it, because every president will be guaranteed an equal number of appointments. Unfortunately, however, term limits are likely to have exactly the opposite effect. — Suzanna Sherry No: Short-term appointments will escalate divisiveness. “Justices who know that they will likely need another job after they retire from the court may well tailor their rulings to curry favor from potential employers.” Presidents, knowing that their appointees will be on the court for a relatively short time, might well search out the most extremist judges. Given the political polarization of the Senate, that will make the confirmation process more rather than less divisive. And instead of the Supreme Court being an issue in only some presidential elections, it will become an issue in every presidential election. Even worse, justices who know that they will likely need another job after they retire from the court may well tailor their rulings to curry favor from potential employers. Justices who think they might want to work for a law firm, a foundation, a quasipolitical organization, or even an educational institution will think twice about how they vote on issues affecting such entities.** If the court seems to be polarized and political now, imagine if some justices plan to work for the Heritage Foundation when they leave the court, and others plan to work for the Brookings Institution (or substitute your own favorite conservative or liberal organizations). Those in favor of term limits also argue that replacing justices more frequently will keep the court in step with political majorities, instead of having long-serving justices keep the court locked into the politics of an earlier time. The problem with this argument is that it undermines the primary function of the judiciary, especially the Supreme Court: preventing political majorities from trampling on others’ constitutional rights. As we know from states in which judges have to stand for reelection, judges without life tenure are less likely to act independently of the political branches or of public opinion, and thus cannot serve the purpose of holding the tyranny of the majority in check. Our Constitution would be a useless parchment if political majorities could safely ignore it because the judiciary always shared the majority’s views.

Aff Arg: Health

* **SCOTUS justices have higher cognitive capabilities than the general population — solves for mental health.**

**Park 16** [Ryan Park, 02-20-2020, "The Supremely Old, Supremely Sharp, Supreme Court," Atlantic, <https://www.theatlantic.com/business/archive/2016/02/supreme-court-justices-mental-sharpness/470175/>]

**Are Supreme Court justices possessed with some sort of superhuman mental resilience (perhaps one that explains how they got to where they are) that allows them special cognitive longevity? Or have they simply lucked into avoiding the sorts of cognitive decline that afflict so many others their age?** The answers to these questions have implications far beyond this specialized group of nine, and will only grow in importance as the U.S. workforce ages. The answers also demonstrate that America’s legal structures for addressing age discrimination are, in important respects, out of step with the accepted neurological understanding of aging. **When it comes to maintaining cognitive abilities into old age, research suggests that a variety of factors are at play. The standard account of aging’s effect on cognitive functioning distinguishes between** [**“fluid” and “crystallized”**](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4086863/) **intelligence.** Fluid intelligence—the ability to think and reason independent of prior knowledge—diminishes as we age. As [early as our 20s](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2683339/), (or [even earlier](http://pss.sagepub.com/content/early/2015/03/06/0956797614567339.abstract) for some tasks), we can begin to experience a slow but increasing decline in the fluid aspects of our cognitive functioning, such as mental processing speed, working memory, attention span, and abstract problem-solving skills. **By contrast, crystallized intelligence—the ability to draw on and apply one’s accumulated experience and knowledge—increases as we age, generally** [**plateauing until sometime in our 60s**](http://www.sciencedirect.com/science/article/pii/0887617795000038) **and falling thereafter. In other words, the science confirms common experience: As we age, we gain wisdom within our range of expertise,** but slow in our ability to operate effectively outside our comfort zone. But what does the inevitable deterioration of fluid intelligence mean in terms of the ability to work into the golden years? The answer, unsatisfyingly, defies easy generalization. First, all humans approach the starting blocks of the race against time with different cognitive baselines. As Ian Deary, the director of the Centre for Cognitive Ageing at the University of Edinburgh, [writes](https://bmb.oxfordjournals.org/content/92/1/135.full), “Of the many possible contributors to cognitive ability level in old age, none yet known approaches the effect size of mental ability measured in childhood.” To put it simply, smart kids generally make for smart seniors. Second, the risk that one will suffer a neurological disorder that severely disrupts cognitive functioning increases dramatically as people age. The risk of stroke, for example, [doubles each decade after age 55](http://www.strokeassociation.org/STROKEORG/AboutStroke/UnderstandingRisk/Understanding-Stroke-Risk_UCM_308539_SubHomePage.jsp). The odds are equally unforgiving for Alzheimer’s, with the odds [doubling every five years after age 65](http://www.alz.org/research/science/alzheimers_disease_causes.asp). The ability to remain productive as a person ages is therefore tied to the ever-increasing chance that his or her number will come up in the grim lottery of cognitive disease. **Research does** [**show**](http://www.ncbi.nlm.nih.gov/pubmed/23079557)**, however, that engaging in high levels of cognitive activity from childhood to middle age builds up a “cognitive reserve” that protects against the deterioration of mental functioning. This reserve inevitably dissipates as people age, but its effects can be long-lasting. Older people who continue to engage in mentally stimulating activities that require them to interact with and process information—such as reading the newspaper or playing chess—experience** [**dramatically slower rates of cognitive decline than their idle peers.**](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2942032/) **It should therefore come as no surprise that retirement represents** [**a crucial setback**](https://www.researchgate.net/publication/224854681_Does_Retirement_Affect_Cognitive_Functioning) **in the battle to stay mentally fit, often prompting significant and sudden cognitive deterioration.** [**One longitudinal study**](http://www.ncbi.nlm.nih.gov/pubmed/24791704) **of nearly half a million people found that each additional year of delayed retirement reduces the risk of dementia** [**by 3.2 percent**](http://www.nbcnews.com/health/delaying-retirement-can-delay-dementia-large-study-finds-6C10637029)**. Similar results** [**have been found for Alzheimer’s**](https://www.researchgate.net/publication/272795810_Retirement_Age_and_the_Age_of_Onset_of_Alzheimer%27s_Disease_Results_from_the_ICTUS_Study)**. And** [**a recent study**](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3772831/) **that examined brain autopsies shows that these effects occur even in people who have experienced the types of physical damage to their brains ordinarily associated with dementia and other neurological disorders—which suggests that continued mental stimulation leads to enhanced cognitive functioning, and not the other way around.**

* **Mental and physical health is not a major threat.**

**Farnsworth 5** [No Author, xx-xx-xxxx, "," No Publication, <https://illinoislawreview.org/wp-content/ilr-content/articles/2005/2/Farnsworth.pdf>]

There remain some respectable arguments against age limits. **The first is that the problem of decrepitude is less serious than it sounds.** Garrow believes that Justices have become mentally decrepit eleven times since 1900, and in no case did the problem last more than a year or two. Thus, of the 900 man-years of service provided by Supreme Court Justices since the start of the twentieth century, perhaps ten or twenty of those years—between one and two percent of them—were tainted by serious mental deterioration. When it did occur, it was mitigated in two ways. **First, its impact was diluted by the presence of the eight other Justices; while a decrepit Justice may serve as a swing vote, he generally cannot do anything significant unless four of his colleagues go along with him. Second, the onset of mental infirmity causes the Justice’s responsibilities to devolve to his law clerks, who generally can keep a chambers running without a drop-off in quality remotely commensurate with the Justice’s drop-off in functionality. This may sound appalling, and of course there are good reasons not to want it to occur, but as a practical matter the devolution can help control—it undoubtedly has helped control—the consequences of decrepitude until the Justice leaves the Court.** Thurgood Marshall may have stayed on the Court for a period of time when he was not fully engaged in the work of his chambers; yet it is difficult for outsiders to detect much difference (I myself am not aware of any difference) between the opinions bearing his name from this period and the ones that issued from his chambers ten or twenty years earlier. The implications of this seamlessness may be troubling in their own right, but that is a question for another day. **The point for now is that we should pause before trading away the advantages of life tenure to address a problem that sounds bad but seems to have been minor as a practical matter.**

Aff Arg: Political Upheaval

* Analytic: Term limits would actually worsen political upheaval because of the constantly rotating judges and the constantly changing views. This calls every single ruling in the past into question and would actually worsen the political upheaval due to the constant flip flopping of the majority ideology in the court.
* **With term-limits in place, Roe vs. Wade would have already been overturned and reinstated twice.**

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**Term limits for Supreme Court Justices are a bad idea. They won’t solve any problems, will make some existing problems worse, and will cause new ones.** Adherents of term limits suggest that limiting justices to a fixed term will reduce the stakes of the confirmation process, and thus depoliticize it, because every president will be guaranteed an equal number of appointments. Unfortunately, however, term limits are likely to have exactly the opposite effect. — Suzanna Sherry No: Short-term appointments will escalate divisiveness. “Justices who know that they will likely need another job after they retire from the court may well tailor their rulings to curry favor from potential employers.” Presidents, knowing that their appointees will be on the court for a relatively short time, might well search out the most extremist judges. Given the political polarization of the Senate, that will make the confirmation process more rather than less divisive. And instead of the Supreme Court being an issue in only some presidential elections, it will become an issue in every presidential election. Even worse, justices who know that they will likely need another job after they retire from the court may well tailor their rulings to curry favor from potential employers. Justices who think they might want to work for a law firm, a foundation, a quasipolitical organization, or even an educational institution will think twice about how they vote on issues affecting such entities. If the court seems to be polarized and political now, imagine if some justices plan to work for the Heritage Foundation when they leave the court, and others plan to work for the Brookings Institution (or substitute your own favorite conservative or liberal organizations). Those in favor of term limits also argue that replacing justices more frequently will keep the court in step with political majorities, instead of having long-serving justices keep the court locked into the politics of an earlier time. The problem with this argument is that it undermines the primary function of the judiciary, especially the Supreme Court: preventing political majorities from trampling on others’ constitutional rights. As we know from states in which judges have to stand for reelection, judges without life tenure are less likely to act independently of the political branches or of public opinion, and thus cannot serve the purpose of holding the tyranny of the majority in check. Our Constitution would be a useless parchment if political majorities could safely ignore it because the judiciary always shared the majority’s views. Indeed, having a Supreme Court fixated on earlier times is a benefit: the court should be a lagging indicator. **We need constitutional law to be stable and predictable, and to change only slowly and incrementally. Sudden shifts based on changes in personnel disrupt settled expectations and create difficult problems of enforcement, fairness, and retroactivity. And it is likely that term limits would lead to doctrinal instability, as a coauthor and I suggested in a 2019 article. We used computer simulations to predict how the Supreme Court might have treated abortion rights if 18-year term limits had been in effect at the time Roe v. Wade was decided. We concluded that the most likely result is that Roe would have been overruled in the 1980s, reinstated in the 2000s, and overruled again during Trump’s first term.** Finally, as a political solution to the short-term problem of a Democratic administration faced with a solid conservative majority on the Supreme Court, term limits won’t help. All the justices currently on the court — and Trump’s new nominee, if confirmed before term limits are enacted — will serve for life. If an incoming Democratic Congress wants to change the political tilt of the current court, only increasing the size of the court or impeaching one or more justices can accomplish that. Term limits won’t help.

Aff Arg: Social Change

* Analytic: With term-limits causing polarization and governmental gridlock, it is destabilizing the government, which will actually worsen social change as having a stable government is a prerequisite to actually being able to make progress in this society. However the aff never achieves that stable government and actually makes it worse, meaning that the aff world will just hinder social progress in society even more.

Aff Arg: War

* Analytic: Without a government we will not be able to do things like stop war, stop climate change, etc. Having government legitimacy is a prerequisite to saving lives, and the aff is the only way to achieve that legitimacy.
* Analytic: Judge you can outweigh this impact on probability. There is an extremely low probability that polarization will actually lead to war. The aff agrees that there is currently polarization in the status quo, yet we haven’t plunged into a war. If it was going to happen, it clearly would’ve happened by now. Furthermore, the neg has proved that the aff in fact increases polarization in the status quo, so you can just disregard this argument right here.

Aff Arg: Econ Collapse

* Analytic: The neg will not cause economic collapse judge, again the current system that the Supreme Court functions on has remained as a part of the status quo for a while now and we have not plunged into war. If war was ever going to be likely, then it would’ve happened by now. Furthermore we’ve proved that the aff actually worsens things like polarization and decreases court credibility, therefore they trigger their own impact. So either give this impact to the neg side of the debate or disregard it completely.
* Analytic: Economic collapse is not going to go nuclear judge, again it is a simple issue of probability. Look back to the COVID-19 pandemic. We were in an economic crisis worse than the literal Great Depression, and this included THE ENTIRE WORLD, yet we still did not plunge into war. Even if the US were to go into an economic collapse, it’s literally only one country and would never cause a war, again we’ve been through this before and it has not happened.

Aff Arg: Randomized System Bad

* Analytic: You can refer to my Marcum 20 card which talks about how under term-limits, there would be nothing that stopped a Senate from not wanting to hear 4 years worth of nominees and giving the next president 4 potential open seats in their term. The aff’s plan actually makes the current system much worse by having the chance to give one president so much power. With the current system if nobody knows who gets to elect a candidate, nobody is going to be thinking about it or using pre-making strategies, but the aff plan enables that and would allow this rejection of nominees to happen repeatedly because of the regular confirmation process.
* Analytic: The only reason the randomized system is allegedly bad in the first place is because my opponent states that it would cause things like polarization, etc. However, the neg has already proved that this is all untrue, and that the aff actually worsens all these situations. Therefore you can just disregard this argument, as the aff world would be worse than the status quo.

Aff Arg: Judicial Activism

### **[1] Tenured judges don’t become more biased or activist over time**

### **Farnsworth 5**

### **Ward Farnsworth (Professor of Law, Boston University). “The Regulation of Turnover on the Supreme Court.” Illinois Law Review. August 2005. JDN.** [**https://illinoislawreview.org/wp-content/ilr-content/articles/2005/2/Farnsworth.pdf**](https://illinoislawreview.org/wp-content/ilr-content/articles/2005/2/Farnsworth.pdf)

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### **Professors McGinnis and Prakash, along with Judge Silberman, want limited terms for the sake of other dynamic effects they hope such terms will produce. Their theory is that once judges become Justices they gradually stop thinking of their job as being to decide cases; they style themselves more as statesmen and soon cannot resist declaring their policy preferences as constitutional law.95 McGinnis thinks that the cure is to randomly rotate federal district and appellate judges onto the Supreme Court for perhaps a year apiece, not long enough for their good habits to be eroded by temptation.96 Silberman would use terms of five years;97 Prakash is less specific but also would like to see short terms of years, possibly followed by chances for reappointment.98 The first point to grasp in reply is that most of the hubris in Supreme Court opinions probably is attributable to sources other than life tenure. It may be true, as McGinnis suggests, that leaving Justices on the Court for a long time increases their incentive to make rulings that enlarge the Court’s power because they know they will be around to enjoy it.99 Yet if this were quite how it worked one might expect young Justices to be the most aggressive and older ones to become more deferential as they have less prospect of using any powers they accumulate for themselves. No such pattern appears to exist. A more plausible conjecture⎯also unsubstantiated, though McGinnis claims it as his impression100⎯is that as some Justices spend years at the Court they start to enjoy a sense that the world revolves around their decisions and then make rulings that perpetuate the feeling. A more generous reading of the emboldening phenomenon, if it exists, is that only after handling several years’ worth of cases does a Justice develop a strong sense of an area and feel comfortable suggesting something different—or that it takes a long time for Justices to really understand their role in the country’s system of liberty. At any rate, an empirical case has yet to be made for the claim that the Justices lose their humility as years go by.101**

### **[2] Turn – Term limited Justices respond to political pressure and are more activist, harming stare decisis/precedent**

#### **Kalantry 22**

* [Sital Kalantry, Associate Professor of Law at the Seattle University School of Law with a J.D. from the University of Pennsylvania and a MsC at the London School of Economics, 05-11-2022, “The Unintended Consequences of Term Limits for Justices of the U.S. Supreme Court: Lessons from a Comparative Study of the Indian Supreme Court,” SSRN, [https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=4087870]/Kankee](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4087870%5D/Kankee)
* 2. Term Limits Introduce Other Problems a. Judge Will Become More of an Activist Farnsworth argues that there is “special value of the [United States] Court as a slow lawmaker.” A court that puts issues on a slower track “protects them from swifter currents of opinion is more likely to produce bad law.”93 For Farnsworth, it is **a court whose judges are replaced infrequently** that **provides** some **insulation** **from** the **public will to prevent swift law and bad lawmaking**.94 Critics of term-limits, including Farnsworth, fear that **term-limits will create more** “**activist judges**” **who are more responsive to politics and parties and less deferential to stare decisis**.95 They fear that **if judges know** that **they** are to **serve for a limited** **time**, **they** may **use that time to enact new law and policy** as soon as possible.96 In contrast, they opine that **life-tenured judges are more likely** **to allow law to develop gradually and** help “**test the durability of an idea**” **before validating it as law**.97 b. Supreme Court Appointees Could Reflect Only One Political Party Another potential consequence of term-limits that Farnsworth points to is the possibility of “Supreme Court capture.”98 A “**Supreme Court capture**” **can happen if one political party wins four consecutive elections**. 99 **This would allow one party the ability to nominate eight judges to SCOTUS**, thus **making SCOTUS unanimously liberal or conservative**.100 Such a **capture defeats the benefit of a relatively even ideological split court that ensures that no decision is made too easily and that represents minority voices through dissents**.101 c. Institutional Instability Vicki C. Jackson points to the broader judicial infrastructure and the institutional instability that is likely to emanate from a term-limited Supreme Court.102 **Under** the current **life-tenure** system, Supreme Court **Justices** **with** their degree of **independence** **can freely review and balance** **out judgments of lower court judges** who are elected.103 However, according to Jackson, **under a term-limited system**, Supreme Court **Justices are likely to lose their anchoring and balancing role given the reduced degree of their independence**.104 Many scholars writing on term limits make predictions about the consequences of term limits based on their own policy preferences. Those who use empirical methods typically create models or simulations and draw conclusions based on those hypothetical scenarios. A comparative study of courts with term limits, or mandatory retirement ages, provides a different insight into the term limits debate in the United States. It provides a real-world example of the consequences that result when judges do not have life tenure. The next Part provides a background on the Indian Supreme Court to better explain the consequences when judges are on a court for a short period of time. III. BACKGROUND ON THE INDIAN SUPREME COURT AND CONSEQUENCES OF A LACK OF LIFE TENURE

Aff Arg: Diversity

* Analytic: Judge, in the status quo the supreme court is already really diverse. To give you some context, currently there are four women, two African Americans, and a Latina on the supreme court, and they make up 5 out of the 9 justices, which accounts for a majority of the court. The aff’s point is just nonunique since diversity already exists.
* Analytic: Furthermore, term-limits will make no difference on the diversity of the court. Justices will still be selected by the same people. The aff argues that they are majorly white men hearing the cases, but if the same kinds of people are selecting the justices, if there is no reform to that aspect, then the court won’t suddenly become more diverse. Actually with term-limits we’ll be seeing a lot more white justices circling in and out, while with life tenure once you have diversity on the court, they are there to stay for a very long time, which actually increases the representation.

Aff Arg: Representation/Old Age

* Analytic: My opponents state that people will be out of touch with the public just because they’re older, but this is simply not true. Just because someone is more aged doesn’t mean that they can’t adjust to the times and conform to new ideas. As I’ve stated in my case, judicial independence means that justices are free from improper influence, but that doesn’t mean they’re free from all influence and the opinion of the public. Representation still exists in the neg world, the aff does absolutely nothing to make it better, in fact cross applying the Roe vs. Wade card they actually maek it worse.
* **With term-limits in place, Roe vs. Wade would have already been overturned and reinstated twice.**

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Aff Arg: Strategic Retirement

* Analytic: My opponent cites strategic retirement and how people can be strategically replaced. However you can turn this point to our side. The aff’s plan actually makes the current system much worse by having the chance to give one president so much power. With the current system if nobody knows who gets to elect a candidate, nobody is going to be thinking about it or using pre-making strategies, but the aff plan enables presidents to be able to constantly thinking of strategies to put forward justices. This outweighs on the retirement issue that the aff says they solve for, as this rejection of nominees to happen repeatedly because of the regular confirmation process.
* Analytic: Second, you can refer to my Perez-Gea 18 card which specifically talks about how under term-limits the cocern that the justices have over their post-retirement future and reelection, and how they will often stay in court to avoid another confirmation process or to avoid facing that reality, and with every justice doing this in every 18-year term the aff only exacerbates this situation.