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Collection of Senator Cornyn's Articles on Federal Judicial Selections Introductory Letter

John Cornyn
United States Senator

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JOHN CORNYN
TEXAS

United States Senate

WASHINGTON, DC 20510-4305

January 14, 2005

Sean Patrick Roche
Allen Chair Editor
University of Richmond Law Review
T.C. Williams School of Law
Room 301
University of Richmond, Virginia 23173

Dear Mr. Roche:

I am honored that the University of Richmond Law Review has seen fit to republish a series of articles I have previously published on National Review's website, and grateful that National Review Online has consented to this republication. As a member of the Senate Judiciary Committee and the outgoing chairman of the Senate Subcommittee on the Constitution, Civil Rights and Property Rights, I firmly believe in the importance of the process by which we select federal judges, and I am pleased that the Law Review has seen fit to dedicate its prestigious Allen Chair Symposium to this worthy and controversial topic.

The past two years has seen unprecedented acrimony and obstruction in the process by which we select our federal judges. The United States Senate convened an historic round-the-clock debate on judicial nominations from Wednesday, November 12 through Friday, November 14, 2003. In the middle of that debate, I published an op-ed responding to various arguments put forth by certain leading Senate Democrats in defense of the filibuster of judicial nominations. That op-ed is still available online at <http://www.nationalreview.com/comment/cornyn200311131044.asp> to help anyone interested in following any of the hotlinks provided within the article.

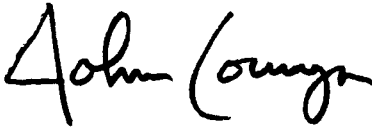
On November 23, 2004, just weeks after the 2004 elections, I published another op-ed in response to increasing speculation that a vacancy on the U.S. Supreme Court will arise sometime during the 109th Congress. That op-ed criticized the unfair and harsh attacks that are frequently launched against two sitting justices – Justices Antonin Scalia and Clarence Thomas. The op-ed also advocated a fair and reasonable process for determining the qualifications of a future Supreme Court nominee. That op-ed is also available at <http://www.nationalreview.com/comment/cornyn200411230833.asp>.

Finally, on January 4, 2005, the opening day of the 109th Congress, I published an op-ed suggesting that the new year and the new Congress provide a perfect opportunity for the Senate to resolve to reform its broken judicial confirmation process. That op-ed criticized the frequent use of double standards against this President's judicial nominees during the past four years. In particular, that op-ed analyzed what it means to hold "mainstream" views on abortion and other topics, and explained that it is the radical

alteration of the Senate confirmation process through the aggressive use of the filibuster – and not the attempt to restore Senate tradition by traditional means – that truly constitutes a “nuclear” tactic. That op-ed remains available at <http://www.nationalreview.com/comment/cornyn200501040730.asp>.

I hope that your readers will enjoy these articles. There are many sensitive public policy issues that divide Americans, but all Americans should agree that those issues should be resolved democratically, not judicially, and that we need a fair process for confirming fair judges. I commend the University of Richmond Law Review for dedicating its Allen Chair Symposium to this important and timely topic, and I look forward to a continued robust debate.

Sincerely,

A handwritten signature in black ink that reads "John Cornyn". The signature is written in a cursive, flowing style with a large initial "J" and "C".

JOHN CORNYN
United States Senator