

Northeast bias

For professors who do market research look for trends, patterns and consistencies in behavior, the nomination of Brett Kavanaugh for the Supreme Court provides an example. That is, do we find that the court's justices have some characteristic in common that is shared with the latest nominee and the sponsoring president?

One criterion might be a relationship between the university of the president and of the judge. In the list that follows, the names of the justices are given, then their law school, followed by the president who made the nomination and then that president's university.

Chief Justice John Roberts went to Harvard and was nominated by George W. Bush who went to Harvard. Clarence Thomas (Yale), George H.W. Bush (Yale). Ruth Ginsburg (Harvard and then Columbia), Bill Clinton (Yale). Stephen Breyer (Harvard), Bill Clinton (Yale). Samuel Alito (Yale), George W. Bush (Yale). Sonia Sotomayor (Yale), Barack Obama (Harvard). Elena Kagan (Harvard), Barack Obama (Harvard). Neil Gorsuch (Harvard), Donald Trump (Penn).

You see the strong and continuing bias toward the Northeast. This is nothing short of constitutional incest. What does that mean for the rest of us not in the eastern time zone? Those folks up there are not like real folks. They live in a colonial cocoon. It may not bother you that it is likely no one making decisions that affect Texas can eat a tamale properly or pronounce Bexar.

But there should be balanced representation. And that will not happen until there is a Supreme Court justice who graduated from our sister college: St. Mary's University School of Law.

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