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## The “Right Kind of Justice” According to *The New York Times*

Monday, July 18, 2005

Sunday’s edition of *The New York Times* features a lead editorial that sets out its demands for a new associate justice of the U.S. Supreme Court. The editorial, “The Right Kind of Justice,” is filled with the kind of rhetoric we can expect in coming weeks.

The paper warns of the prospect that President Bush will nominate “a radical ideologue who would work to upend well-established legal doctrines and take away basic rights that Americans have come to cherish,” and then instructs: “The Senate must work hard to ensure that this does not happen.”

Note carefully that the “basic rights” to which the paper refers would include rights that cannot be found, implicitly or explicitly, in the U.S. Constitution. Just how do they define “basic?” Further, the editorial makes a direct reference to abortion, demanding a justice who will uphold abortion rights. Given the divisive nature of the abortion issue, can the editorial board keep a straight face when it claims such a “right” as something “Americans have come to cherish?” Which Americans?

The paper also castigates conservatives for opposing justices who demonstrate what the paper calls a “capacity to grow on the bench.” Note clearly that this “growth” goes only one way. The editors are thrilled with a justice who “grows” into a defense of abortion rights and similar concerns of the left. What about a justice who “grows” in understanding the importance of a strict constructionist reading of the Constitution? Such a justice would be the nightmare of the paper’s editorial board. “Growth” is a code word for growing in accord with the ideology of *The New York Times*, of course.

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