
DO JUDGES STAGNATE?

The question is frequently asked: "Why does a man cease to grow after he goes on the bench?"

As a rule, men elected to the bench have established a reputation of being men of strong character and growing intelligence, and if they had remained off the bench they would have continued developing. But as soon as a man is elected to the office of judge, all growth seems to cease; and after years of experience on the bench, he not only has not grown but he has deteriorated.

There are several reasons for this. In the first place, his active life ceases. He literally and figuratively *sits down*. Growth, strength and greatness come from contest. The judge being relieved of contest, of life's fierce struggle, naturally becomes phlegmatic, and development is impossible. And then he ceases to create, to shape and to originate. It

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is his business to discover and apply what others have said.

A large portion of his thought is taken up with the consideration of little things—drawing learned distinctions between tweedle-dee and tweedle-dum. The effect of this is belittling.

Instead of the independence which comes from fighting life's battles, which develops greatness, the judge too often, unintentionally and unconsciously, becomes merely the expression of what is for the time the dominant influence of the land. This dominant influence is like the pressure of the atmosphere; it envelops him, and is almost irresistible. It requires tremendous strength of character to rise above it and be guided solely by the pole-star of justice. Yet the judge who gives way to the pressure, and allows his high office to be used for purposes of oppression and of wrong, is a curse to his country.