“The move to introduce cameras into the Supreme Court’s super secret courtroom is not new. Nor are the many objections that have been raised against it. Since the decision about allowing cameras is solely left up to the justices, it’s probably not surprising that cameras are still barred from the high court—even though all 50 states and other federal courts have at least experimented with them, often with great success.”

Cameras Should Be Allowed in the U.S. Supreme Court

Dahlia Lithwick

Dahlia Lithwick is a senior editor and Supreme Court correspondent for Slate, an online magazine of news and commentary on culture and politics. In this viewpoint, Lithwick proposes that U.S. Supreme Court oral arguments—the “job performance” aspect—be televised, while blacking out the confirmation hearings for appointing justices—the “job interviews.” The author dis-

cusses some of the objections to televising oral arguments, a change she contends will increase public approval of the Court.

As you read, consider the following questions:

1. The author mentions several counterarguments to allowing cameras into the oral argument phase of U.S. Supreme Court proceedings. What are some of these objections?
2. Which objection, according to the author, is the real reason the Supreme Court justices do not allow televised sessions?
3. In what ways, in the author’s opinion, would televising in the Supreme Court serve democracy?

If you want to learn about a U.S. Supreme Court justice’s ideology and preferences, Senate confirmation hearings are about as useful as consultations with a Magic 8-Ball. Anyone forced to suffer through hour upon hour of senatorial speechifying knows that whatever the purpose of these exercises is, it’s most assuredly not to glean any understanding of the nominee’s views. Indeed, there is no tool on earth that is going to reveal a justice’s views, including polygraph, x-ray, or torture, due to the First Rule of Confirmations: Thou Shalt Have No Opinions in the First Place.

As hideous as these proceedings may be, they are made even worse by the omnipresent television cameras. Cameras create all the wrong incentives for the committee members: to speak rather than listen; to look smart rather than be smart; and to sink a solid three-point sound bite rather than ferret out truthful testimony. And here’s the real irony: We televise confirmation hearings, but don’t televise Supreme Court oral arguments. So at the end of the day, the American public gets to sit in on the job interview, but the job performance is blacked out.

Here, then, is my modest proposal: Let’s switch things around and televise Supreme Court oral arguments while