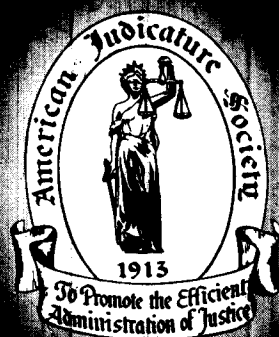


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Coming—Merit Selection of Federal Judges

THERE COULD BE no more fitting response to the American Assembly's call for citizen education in judicial reform than the two commencement addresses by Royce H. Savage and Chief Justice Tauro in this issue.

Readers of this Journal will be especially interested in Mr. Savage's comments regarding selection of federal judges. The past few years have seen a swelling tide of public demand for nonpolitical merit selection of state judges throughout the country. For various reasons, little or nothing has been said up to now about changing the selection of federal judges.

Mr. Savage points out what everybody knows—that politics, not merit, is the dominant factor in most federal judicial appointments. He acknowledges, as others do, that many good federal appointments have been made, but he adds what is often overlooked, that the relative superiority of the federal bench over its state counterpart is by no means due to the difference in method of selection but rather to the greater attractiveness of federal judicial office to men of ability because of the greater security of lifetime tenure along with what is in most places a substantial salary and pension differential in favor of the federal over the state.

In spite of this federal advantage, Mr. Savage echoes the remark of former Attorney General Herbert Brownell that the judicial system in general is not getting the top judicial talent available but is drawing heavily from a