

# Discuss the pros and cons of having judges as policymakers

Law



Judges as policymakers Affiliation: Discuss the pros and cons of having judges as policymakers.

### Pros

Judges are individuals who are not only knowledgeable when it comes to the constitution but on almost all the national and international law and hence their decisions are well integrated. Adding them the role of policymaking is a good thing as it will be ensure that the policies will rely on various laws and hence will be legal. Policies made by a judge also hold prestige and are bound to be respected and followed to the letter as any failure to this will lead to legal battle that the judges obviously have to win as one of their own made the policy (Tarr, 2012).

### Cons

A judge being a policymaker would lead to undemocratic decisions which have taken the other policymakers a long, hard and democratic process to formulate. The judge can simply with just a few words render the whole policy null and decide that it is not beneficial based on only a matter of one case. This is not only undemocratic but unfair and would lead to a total waste of time and financial resources. The other reason is that judges already have enough powers and roles as it is without adding them more which would make them “ little gods” with huge amount of power on their hands that is unquestionable. Policy making is a huge issue that needs to be handled by several stakeholders with different positions and not just on one person based on legal knowledge and hence it would be a mistake to accord the policymaking role to the judges entirely (Tarr, 2012).

### References

<https://assignbuster.com/discuss-the-pros-and-cons-of-having-judges-as-policymakers/>

Tarr, G. (2012). *Judicial Process and Judicial Policymaking*. New York: Cengage Learning.