

Ginsburg: Rulings in other countries are relevant here



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[[American Constitution Society, your perspective on constitutional law should encompass the world.](#)] Our World

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http://www.concordmonitor.com/stories/front2003/ginsburg080403_2003.shtml

U.S. Supreme Court

The U.S. Supreme Court is looking beyond America's borders for guidance in handling cases on issues like the death penalty and gay rights, according to Justice Ruth Bader Ginsburg.

[Off hand, can you think of anything the Supreme Court needs to look elsewhere for other than the LAW?

What is the purpose for the Supreme Court?]

The justices referred to the findings of foreign courts this summer in their ruling that states may **not punish gay couples for having sex**. And in 2002, the court said that **executing mentally retarded people is unconstitutionally cruel**. That ruling noted that the practice was opposed internationally.

[What determines if something is right or wrong?

What determines if a law or statutes is Constitutional or not?

Is there any International Review or Polls written into the Constitution?

I did not ask you about your views on these 2 issues. Would they be relevant if I had?

Do you agree with Ginsburg in her assessment of her duties as Supreme Court justice?

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"Our island or Lone Ranger mentality is beginning to change," Ginsburg said Saturday during a speech to the American Constitution Society, a liberal lawyers group holding its first convention.

Justices "are becoming more open to comparative and international law perspectives," said Ginsburg, who has supported a more **global view of judicial decision making**. She **cited an international treaty in her vote in June** to uphold the use of race in college admissions.

[Do International Treaties override the US Constitution?

Does the Supreme Court have a voice in International Treaties?

Can International Treaties force any US government body to create or change laws?]

The shift has angered some conservatives. Justice Antonin Scalia, in the gay sex case, wrote with two colleagues that the **court should not "impose foreign moods, fads or fashions on Americans."**

[Do you agree with Scalia in his assessment of foreign moods?
Do you believe Ginsburg would agree calling "international law perspectives" "foreign moods"?
You have been elected arbitrator. Arbitrate the differences between Ginsburg and Scalia.]

Ginsburg said the Internet is making decisions of courts in other countries more readily available in America, and they should not be ignored. "While you are the American Constitution Society, your perspective on constitutional law should encompass the world," she told the group of judges, lawyers and students. "We are the losers if we do not both share our experiences with and learn from others."

[Do you agree our perspective on constitutional law should encompass the world?
If yes, explain.
Consequences and Logical outworkings. Theorize what the future may hold.
What is your perspective of words. Do they mean anything?
What is your perspective of the rule of law? Do they mean anything?]



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