



Diversity Matters: Judicial Policy Making in the U.S. Courts of Appeals (Constitutionalism and Democracy)

Susan B. Haire, Laura P. Moyer

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Until President Jimmy Carter launched an effort to diversify the lower federal courts, the U.S. courts of appeals had been composed almost entirely of white males. But by 2008, over a quarter of sitting judges were women and 15 percent were African American or Hispanic. Underlying the argument made by administration officials for a diverse federal judiciary has been the expectation that the presence of women and minorities will ensure that the policy of the courts will reflect the experiences of a diverse population. Yet until now, scholarly studies have offered only limited support for the expectation that judges' race, ethnicity, or gender impacts their decision making on the bench. In *Diversity Matters*, Susan B. Haire and Laura P. Moyer employ innovative new methods of analysis to offer a fresh examination of the effects of diversity on the many facets of decision making in the federal appellate courts.

Drawing on oral histories and data on appellate decisions through 2008, the authors' analyses demonstrate that diversity on the bench affects not only individual judges' choices but also the overall character and quality of judicial deliberation and decisions. Looking forward, the authors anticipate the ways in which these process effects will become more pronounced as a result of the highly diverse Obama appointment cohort.

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