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Moral Foundations in Supreme Court Oral Arguments

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Abstract

The legal system is concerned with interpreting and applying existing laws to real world circumstances. In the U.S., the final arbiters of these laws are the nine justices of the U.S. Supreme Court. Over the past few decades, political leanings have played an increasing role in how these justices are appointed. As such, it seems apt to investigate the role that moral reasoning plays in their world views and their decision making. The present study uses corpus statistics and moral foundation theory to explore the types of arguments brought up by different justices during the 2004-06 terms. More importantly, the study investigates how the use of moral language by advocates arguing in front of the court influences the vote of the justices. The results show that increased use of moral language and rhetoric, especially loyalty, can affect the outcome of the case.