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Supreme Court nominee Ketanji Brown Jackson, a federal appeals court judge, smiles as she listens to the start of the U.S. Senate Judiciary Committee confirmation hearing on her nomination to the U.S. Supreme Court on Capitol Hill in Washington March 21, 2022. (CNS photo/Jonathan Ernst, Reuters)



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WASHINGTON — The confirmation hearings for Supreme Court nominee Judge Ketanji Brown Jackson began with introductory remarks March 21 followed by 13 hours of questioning the next day about her role as a judge and a public defender and her views on abortion, critical race theory and her own faith.

Questions continued March 23, to be followed by remarks from witnesses the next day.

Jackson, a judge on the U.S. Circuit Court of Appeals for the District of Columbia Circuit, also was asked by Republican senators about her defense of Guantanamo Bay detainees and sentences she gave in child pornography cases.

The 51-year-old nominee was joined by family members in the hearing room, including her husband, their two daughters, and her parents and other family members and friends.

In her opening statement, she said that as a federal judge she has always taken seriously her responsibility to be independent.

"I decide cases from a neutral posture," she told members of the Senate Judiciary Committee on the second day of hearings when the senators were each allotted 30 minutes of questioning. "I evaluate the facts, and I interpret and apply the law to the facts of the case before me, without fear or favor, consistent with my judicial oath."

Jackson said it was "extremely humbling" to be considered for Justice Stephen Breyer's seat on the court and added that she "could never fill his shoes," but if she were confirmed, she hoped she would "carry on his spirit."

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On the first day of the nomination hearings, crowds of supporters gathered outside the Supreme Court pleased that, if confirmed, Jackson would be the first Black woman to be a Supreme Court justice; they carried "Confirm KBJ" signs. A group of pro-life protesters also had gathered to protest President Joe Biden's nominee, stressing that she would support keeping abortion legal.

Jackson was asked a few times March 22 about her abortion views. Sen. Dianne Feinstein, D-Calif., asked Jackson, as she has asked the last three court nominees, if Roe v. Wade, the court's 1973 decision legalizing abortion nationwide, was settled law. Jackson, as other nominees before her have done, agreed that the court's decision was a binding precedent.

Later when she was asked by Sen. John Kennedy, R-La., if she has a personal belief on when life begins, she said she did.

"I have a religious belief that I set aside when I am ruling on cases," she told the committee.

At the end of the March 22 questioning, Sen. Marsha Blackburn, R-Tenn., asked if Jackson would respect the Supreme Court's decision if it overturned Roe v. Wade later this year in the Mississippi abortion case. Jackson said she would treat it as she "would any other precedent."

Earlier that day, Sen. Lindsey Graham, R-S.C., asked Jackson about her faith and she responded that she is "Protestant, nondenominational." When pressed further about how important her faith is to her she said that it was very important but added: "There is no religious test in the Constitution under Article 6."

She also said it's very important to "set aside one's personal views about things" in the role of a judge.

Graham, who kept on this topic, asked: "On a scale of 1 to 10, how faithful would you say you are in terms of religion?"

The judge said she was reluctant to talk about her faith in this way because she wants the public to know she has the ability to separate out her views.

Graham said he had no doubt about that and then went into how poorly Justice Amy Coney Barrett had been treated in her questioning referring to Barrett's federal judiciary nomination hearing in 2017 where Feinstein said to her: "The dogma lives loudly within you, and that’s a concern."

When Jackson was asked by Sen. Ted Cruz, R-Texas, about her potential support for critical race theory, an academic theory about how racism is spread in society, the nominee said the theory doesn't "come up in my work as a judge, which I'm respectfully here to address."

She later told Sen. Christopher Coons, D-Del., that she has never used critical race theory in judging a case.

In the second round of questioning March 23, members of the Senate Judiciary Committee were allotted 20 minutes each for questioning. Jackson will not appear March 24 when senators will hear from the American Bar Association, which assesses judicial nominees' qualifications, and outside witnesses.

The committee then determines if it will pass Jackson's nomination to the full Senate for a vote. It takes a simple majority of the Senate — 51 votes — to confirm a nominee. Democrats now have 50 seats and Vice President Kamala Harris could cast a tie-breaking vote.

The senators have said they hope to finish the confirmation process before they break for Easter recess April 11.