How does court stability affect legal stability?

Nuno Garoupa George Mason University **Álvaro Bustos** Pontificia Universidad Católica de Chile

Judicial ideology in a court has attracted the attention of political scientists and legal economists. The question we address in this article is the extent to which ideological stability impacts the law. We consider a model where a court has two judicial ideological inclinations, majority and minority. However, they may change their relative influence over time. We show that, while both sides have a preferred legal policy and want their standard to become law, the two groups may compromise on not changing the standard, thus maintaining the status quo, because of majority uncertainty in the future. One important implication from our article is that less certainty concerning the future (in terms of majority and minority) could actually make the law more stable in the present (since the standard is unchanged). In addition, we prove that moderate standards are more likely to endure the passage of time when compared to extreme standards.