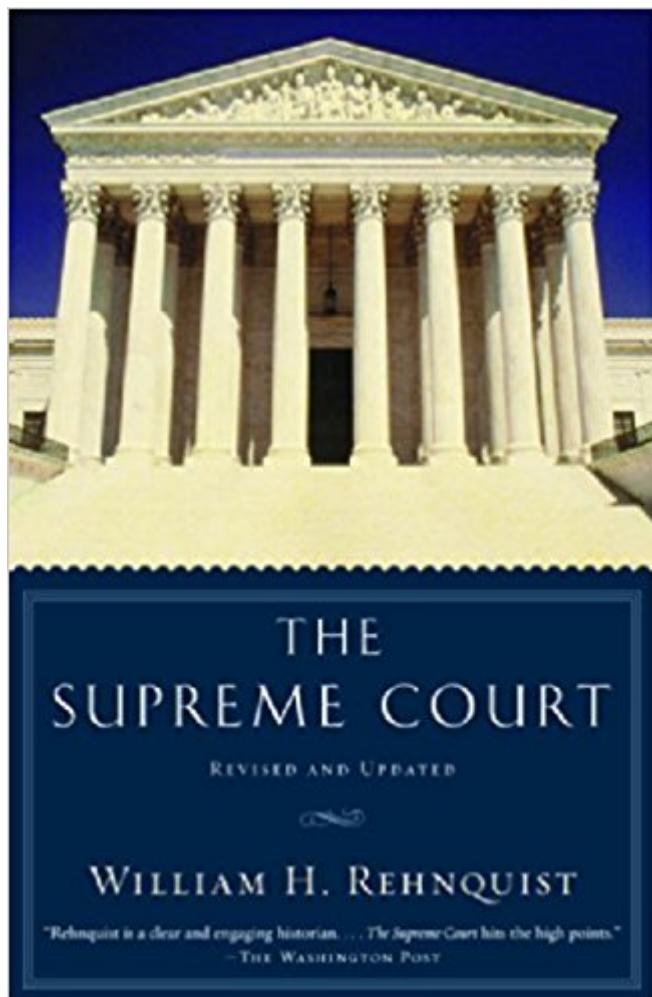


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# The Supreme Court



## **Synopsis**

The sixteenth Chief Justice William H. Rehnquist's classic book offers a lively and accessible history of the Supreme Court. Chief Justice Rehnquist's engaging writing illuminates both the high and low points in the Court's history, from Chief Justice Marshall's dominance of the Court during the early nineteenth century through the landmark decisions of the Warren Court. Citing cases such as the Dred Scott decision and Roosevelt's Court-packing plan, Rehnquist makes clear that the Court does not operate in a vacuum, that the justices are unavoidably influenced by their surroundings, and that their decisions have real and lasting impacts on our society. The public often hears little about the Supreme Court until decisions are handed down. Here, Rehnquist reveals its inner workings--the process by which cases are chosen, the nature of the conferences where decisions are made, and the type of debates that take place. With grace and wit, this incisive history gives a dynamic and informative account of the most powerful court in the nation and how it has shaped the direction America has taken.

## **Book Information**

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## **Customer Reviews**

U.S. Supreme Court Chief Justice William H. Rehnquist sets a simple goal for himself: "This book is designed to convey to the interested, informed layman, as well as lawyers who do not specialize in constitutional law, a better understanding of the role of the Supreme Court in American government." He succeeds fabulously. The Supreme Court, an updated version of a book originally published in 1987, is a succinct and readable account of the Court's past and present. Rehnquist avoids getting bogged down in the minutia of particular cases, even as he deftly covers the details

of several extremely important ones, such as *Marbury v. Madison* and *Dred Scott v. Sandford*. The most interesting parts of the book explain how the current Court goes about its business. In these fascinating chapters, Rehnquist consistently includes nifty touches, such as how his law clerks decide who gets to work on which cases and the strict seating protocol that is followed when the nine justices--and nobody else--sit in conference to discuss their votes. If there's a knock on the door, it's the most junior justice who must answer. They don't really discuss cases at all during these meetings, but rather state their views. "I do not believe that conference discussion changes many votes," writes the Chief Justice. Oral arguments, on the other hand, are different: "In a significant minority of the cases in which I have heard oral argument, I have left the bench feeling differently about a case than I did when I came to the bench." Rehnquist briefly lays out his own theory of jurisprudence in a short concluding chapter: "Go beyond the language of the Constitution, and the meaning that may be fairly ascribed to the language, and into the consciences of individual judges, is to embark on a journey that is treacherous indeed." Yet The Supreme Court largely skips comment on existing controversies, such as abortion rights, race-based policies, or the outcome of the 2000 presidential election. The book is exactly what Rehnquist promises: An accessible and enlightening introduction to a vital institution. --John J. Miller --This text refers to an out of print or unavailable edition of this title.

As the recent decision concerning the 2000 Presidential election shows, the U.S. Supreme Court remains a vital institution that decides key political and social controversies. Rehnquist, chief justice of the United States Supreme Court since 1986 and associate justice from 1972 to 1986, gives lay readers a clear understanding of U.S. Supreme Court decisions and the manner used to decide cases. This substantial revision of the first edition (1987) provides interesting new insights about previous Supreme Court behavior and some of their major decisions, such as *Marbury v. Madison* (1803); *Dred Scott v. Sandford* (1857); and *Ex parte Milligan* (1866). He also provides an excellent analysis of how and whether the Court reflects the temper of the times. Rehnquist adds two new chapters, "The New Deal Court" and "The Warren Court," which provide new insights into his views about constitutional principles. An excellent work for general public libraries and for nonlawyers interested in the Supreme Court; recommended for all public libraries as well as academic libraries.-DSteven Puro, St. Louis Univ. Copyright 2001 Reed Business Information, Inc. --This text refers to an out of print or unavailable edition of this title.

I was surprised to read that some readers found this book a dry read. On the contrary, I would

propose that Chief Justice Rehnquist is a wonderful writer who provides a short masterpiece on the history of the Court. Two perspectives on the history of the Court create the primary structure of the book: 1) Rehnquist reviews specific cases in chronological order that have created the most important body of law used by the Supreme Court and required to be followed by the lower courts as they conduct their appellate work. He weaves in the personalities of the Court and sometimes of the Presidents who impact the Court, along with the historical perspective driving these issues by using a narrative structure. We are told stories rather than being forced to review lists of dates and people. This portion of the book also describes how the Court accepts cases through the eyes of a young court clerk, William Rehnquist himself. 2) There are a couple of chapters in the back of the book that explains how the court conducts its work, such as oral argument and how the court decides cases and delegates the writing of rulings and opinions. While interesting to read Rehnquist's perspective, Bob Woodward's "The Brethren: Inside the Supreme Court" provides a more complete picture of the inner-workings of the Court. Justice Rehnquist surprised me with the lack of ideology contained in this book. As opposed to Mr. Gingrich's new book that is basically a propaganda tract rife with deceptions, Rehnquist provides a mostly honest and fair assessment of not only the perspective of conservatives like him, but also the liberal side. Rehnquist, like Kenneth Starr's "First Among Equals", can be counted on to provide an accurate portrayal of the issues worked out by previous courts. Mr. Rehnquist also surprised me with his writing talent, while his opinions have always been first rate reading, they are those of an advocate for a certain position which filter-out competing positions. This book is truly a well-written, honest look at the history of the court; Rehnquist provides respectful commentary of competing positions. This book is one of my primary resources I've continuously used over the years when I require some insight into a past case, court, or justice.

I was pleasantly surprised by this introduction to the Supreme Court. It is written in accessible prose that covers the history of the Court and Rehnquist's own experiences as a law clerk for Justice Robert Jackson and as a judge on the Court. His own experiences illuminate the duties of the law clerk and the justices and how cases come to, and are decided by, the Supreme Court. The process of petitioning for a writ of certiorari to oral arguments and finally to conferences are brought to life by Rehnquist's accounts. The book's history of the court is lucid, providing the historical context, the details of most important cases, and the ramifications of the decisions. Rehnquist begins with the most important case, *Marbury vs. Madison* (during the Marshall Court), which established judicial review of the constitutionality of laws passed by Congress. What is made crystal clear is that the Court has evolved on many levels. The number of judges and their court rooms have changed. The

federal judiciary and the duties of the judges have changed. (Early on the judges had to travel and decided cases on the regional appeal circuit. Later Congress set-up the regional, federal appeals circuit courts, relieving the Supreme Court of the growing numbers of federal appeals cases.). The way cases reach the Supreme Court has changed and the influence of the Supreme Court has grown in importance. But what is also clear is that Supreme Court hasn't always gotten it right (the Dred Scott case) nor has it shied away from overturning precedent (Brown vs. the Board of Education). On the other hand, it often gets it right and is alive with relevance in the time decisions are made and through the careful work of the thoughtful men and women that make up the Court. The book is non-ideological and Rehnquist stops his history after the Warren Court. As an act of respect and dignity he did not comment on the present Court members or their decisions.

Great book, full of insights on what goes on inside the supreme court, very interesting case history of very important cases, including the Dred Scott decision and others. Have not found another book that is quite like it. Enjoyed it very much.

This able jurist takes the reader into the heart and history of the nation's high court, beginning with his own beginnings there as a clerk to one of the Justices. His flair for the historical setting and the surrounding circumstances makes for easy reading. He does not assume that his readership is well versed in technical legal jargon so is careful to define and explain as he goes, which this reviewer found very helpful. Even when I thought I knew what he was referring to, his clarity and succinctness helped immensely in the experience. For much of our country who harbors wrong thinking about the Supreme Court, how they operate and what they are to do Constitutionally this is just the book to give the needed correction. Essentially this book serves that purpose well: to provide the chronological history of the court's developments including profiles of the justices, its changing legal posture, its historic, landmark cases and Chief Justice Rehnquist's running commentary on such. It is lucid, well structured and thus easy to follow and insightful. Especially was his valuable contributions on just how the court has functioned, now functions on selecting cases to hear. I was intrigued especially by the government's seizure of the steel industry and Montgomery Ward's Chicago headquarters during WWII. Just a great read from beginning to end which will and should span a wide breath of readers. Worthy to become classic on the topic. Glad that he didn't write this as memoirs on his court term. That likely will to come, or be published posthumously.

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