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- This classic was recommended to me by someone who had read it over and over again. I enjoyed reading it for free!
- The quote above is the way Thurgood Marshall would salute the chief, Warren Burger, when they met in the hallway. When the court had to view porn films to decide whether they are "obscene" or "educational", Marshall once quipped at the end of one such movie, addressing the obviously uncomfortable and prudish Henry Blackmun: "Educational? *|* didn't learn anything new -- what about you, Harry?" This book, as you can see, had unprecedented information about the supreme court. It is by no means a "evil Nixon destroyed the saintly liberal

Warren" job. To the book's great merit, it deals as objectively as possible with the court's decisions -- showing how they were, almost invariably, not the result of "conservatives" vs. "liberals", but of complex interaction of legal views and personal characters. Let us take, for example, the discussion about the death penalty. The authors present the anti-death-penalty argument given to the court in full, but they also present, in rebuttal, the arguments of the judges who disagreed -- noting that, all in all, there was no constitutional reason to reject the death penalty as "cruel and unusual" per se, but only -- at most -- specific laws that applied it unfairly, and that this is precisely what the court did. Or take the case about abortion, something many liberals support. Far from being supportive of the decision,

the authors note that, whatever the outcome, the court's reasoning in this case was a mess -- essentially the judges acting as doctors and legislators, making "deals" to arrive at a "reasonable" opinion. The authors note that, socially, the court's decision might have been correct, but constitutionally, it was simply wrong. Why, then, four instead of five? The issue is simple: credibility. The book's claims ring true; they give a lot of verifiable detail; but you keep asking yourself, how do the authors know all this -- e.g., what happened in judges-only meetings? Who is the "deep throat" inside the court, and how does HE know all of it? Except if one of the judges themselves was the source, which is very unlikely, it is hard to see how they could get all the information. But that aside, a fascinating book.