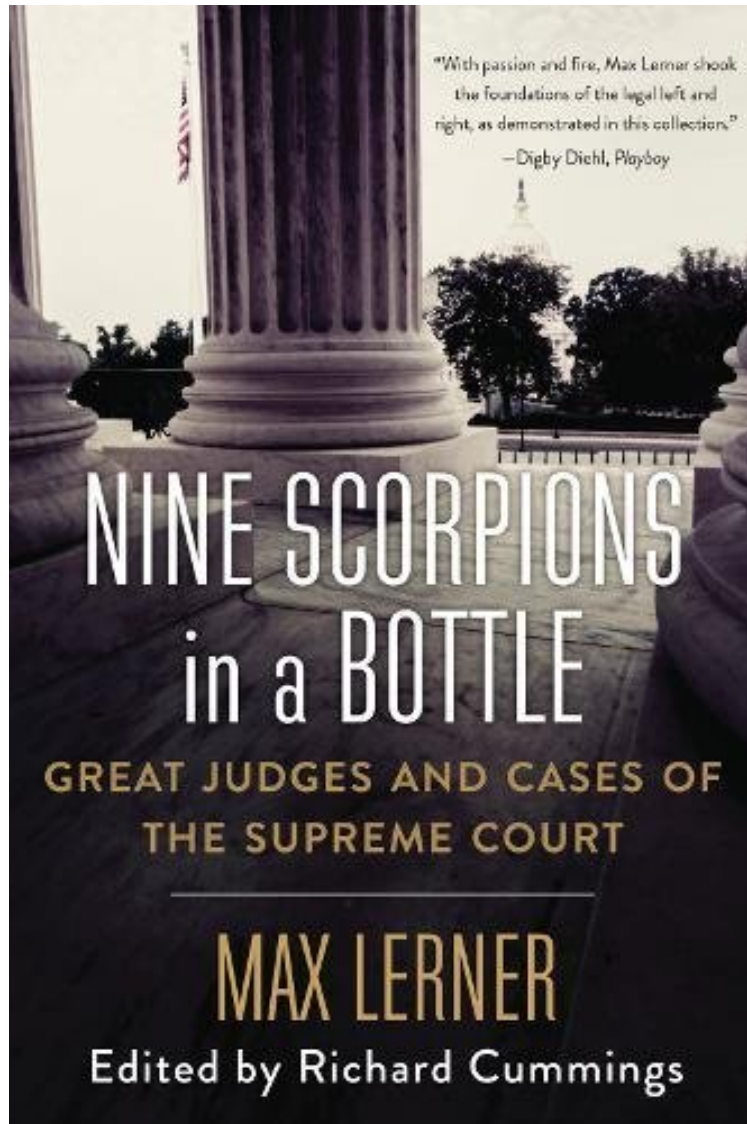


[Free] Nine Scorpions in a Bottle: Great Judges and Cases of the Supreme Court

Nine Scorpions in a Bottle: Great Judges and Cases of the Supreme Court

Max Lerner

**Download PDF | ePub | DOC | audiobook | ebooks*



[Download](#)

[Read Online](#)

#1614081 in Books 2017-01-27Original language:EnglishPDF # 1 8.90 x 1.10 x 6.00l, .0 #File Name: 1628727241356 pages | File size: 77.Mb

Max Lerner : Nine Scorpions in a Bottle: Great Judges and Cases of the Supreme Court before purchasing it in order to gage whether or not it would be worth my time, and all praised Nine Scorpions in a Bottle: Great Judges and Cases of the Supreme Court:

0 of 0 people found the following review helpful. Lerner's unique perspectiveBy Ricardo MioNine Scorpions in a Bottle" refers to the nine justices of the Supreme Court. Justice Oliver Wendell Holmes coined the term, and has been

incorporated into the title of at least one other book, *Scorpions*, by Noah Feldman. Both books cover roughly the same territory. Feldman's is a more scholarly and complete account while Max Lerner's-- no less learned--is a more personal portrait. Lerner knew many of these justices personally particularly Holmes, Brandeis, Frankfurter, Jackson, Black, and Douglas while Feldman did not. If you're interested in Constitutional law, both books are equally important. Feldman wrote during the Great Depression up through the Reagan presidency. In the 1930s, he wrote a number of pieces for the *Yale Law Journal*, and later until his death in 1992 he wrote columns for the *New York Post*. This book is comprised of the pieces concerning the Supreme Court. Some, but not all, of the pieces written in the 1930s are dated. These comprise Part I. The balance of the book is timeless. Lerner's bios and the analysis of their opinions, of John Marshall, Oliver Wendell Holmes, Felix Frankfurter, Hugo Black, Louis Brandeis, Robert Jackson and William Douglas make this book particularly worthwhile. These comprise Part II. The pieces in Part III, under the heading, *The Interaction of Courts and Culture* are noteworthy as well. These pieces are: *The Vinson Regime*, *Caught in Midpassage*, *The Career of the Warren Court*, *Watergate as Constitutional Crisis*, *The Balancing of the Burger Court*, *The Rehnquist Court Enters History* and *Bork Wars as Confirmation Crisis*. The epilogue is entitled, *Oliver Wendell Holmes Revisited*. Holmes is of particular interest to Lerner because of his sheer brilliance and his evolving thoughts concerning free speech. Lerner began his career as an FDR liberal and ended up as a Reagan conservative. Lerner covers the gamut of important Court decisions, from Marshall and Taney, to the conservative judicial activism of the early 20th century, to the judicial restraint of the Brandeis years, to the liberal judicial activism of the Warren Court, to the judicial activism of the Burger Court (notably *Roe v. Wade*), to the conservative judicial restraint of the Rehnquist years. It helps being familiar with at least a few of the landmark cases Lerner discusses. The one book I would recommend prior to reading this book is, *Lochner v. New York: Economic Regulation on Trial* by Paul Kens. This 1905 Court decision was among the most important decisions of the first half of the 20th century and continues to influence decisions to this day. Bottom line: Lerner's unique perspective informs and entertains. 3 of 3 people found the following review helpful. Intellectually captivating and incredibly well written. By Matt Fitton I did not expect to enjoy this book - to be honest I didn't even want to read it. Now it is by my bedside more often than I like; it has enlightened me, invigorated my interest in government and law, and proven indispensable to my development as a person and as a thinking human being. I wholeheartedly commend it to you if you are investigating social issues from capital punishment to women's rights to freedom of speech - he will not tell you what to think, or how others think, but he will improve your understanding of thought process and the importance of individuals' intellectual journeys to their resulting policies and legal decisions. I have to admit that it has changed my life; also lowered for good my perception of the quality of my own work. He is a brilliant writer and commentator. After reading it you will probably pick up a newspaper and feel profoundly disappointed that such quality of journalism is no more.

An eye-opening look by a renowned expert at one of the most important institutions in American democracy. To many Americans, the United States Supreme Court continues to loom large as an unimpeachable symbol of the rule of law and the triumph of justice. But behind that towering facade there has been so much infighting, intrigue, and backstabbing that Justice Oliver Wendell Holmes Jr. reportedly once described the court as nine scorpions in a bottle. Nobody appreciated this more than Max Lerner, the acknowledged dean of Supreme Court observers. From the seminal articles he wrote for the *Yale Law Journal* in the 1930s to the *New York Post* columns that ran almost until his death in 1992, Lerner demystified the court and strove to uncover the historical, social, and psychological underpinnings of its landmark decisions. He believed in the majesty and the mystique it holds, but was clear-eyed about its human dimensions and moments of shame. Here are Lerner's celebrated portraits of John Marshall, Louis Brandeis, Felix Frankfurter, Hugo Black, Earl Warren, and of course Oliver Wendell Holmes Jr., whose judicial vision Lerner most respected. Here, too, are his timeless discussions of the cases that continue to shape American society, such as *Brown v. Board of Education*, *US v. Nixon*, and *Roe v. Wade*. With a new preface for this edition, *Nine Scorpions in a Bottle* follows Max Lerner's lifetime examination of the American way of law case by case, justice by justice, and will enrich every reader's understanding of the Supreme

.com To paraphrase the great humorist Finley Peter Dunne, the Constitution follows the flag and the Supreme Court follows the election returns. Journalist and scholar Max Lerner, on the other hand, followed the Supreme Court for more than 60 years. Lerner analyzes the great minds and judicial decisions that have, over the course of his entire career, done so much to shape America's national character. Portraits of John Marshall, Louis Brandeis, Oliver Wendell Holmes Jr., Earl Warren, Felix Frankfurter, Robert Jackson, and William O. Douglas belie Dunne's comic remark. These fiercely independent thinkers followed no election returns but used their intellect and vision to preserve the American Constitution. Lerner's essays on the Court's moments of both majesty and shame are dedicated "to the newest generation of constitutional students." Among the subjects are "The Supreme Court and American Capitalism," "Watergate as Constitutional Crisis," and "The Bork Wars as Confirmation Crisis." Nonpartisan and clear-eyed, Lerner's discussions of the justices and their most important cases will enrich anyone's understanding of American culture and law. --Nancy Starr From Publishers Weekly Author and columnist, Lerner (1902-1992) gained a reputation

as a thoughtful commentator on the Supreme Court in the 1930s and continued such work to his death. This notable volume collects a range of his essays, augmented by his reflective introductions. In the 1930s, Lerner criticized the conservative court majority for invalidating liberal state and New Deal legislation; he also defended FDR's controversial attempt to "pack," or reorganize, the court. In extensive essays he analyzes the greatness of judges John Marshall, Oliver Wendell Holmes, Louis Brandeis, Hugo Black and Robert Jackson. He concludes with observations on the four most recent "Courts"--from Chief Justice Vinson's to Rehnquist's. Though Lerner sympathized with the early efforts of the Warren Court, he became critical of its activist decisions in affirmative action and criminal cases. Lerner describes his court-watching style as "contextual, organismic, integrative, even mythic." His insights have not grown stale. Cummings teaches at Pace University School of Law. Copyright 1994 Reed Business Information, Inc. From School Library Journal YA-A collection of essays written between 1933-1990 about the Supreme Court and its judges. The essays in the first and second parts of the book are on the court itself--the role it plays in the structure of the federal government and how that role has changed and developed, its symbolism, and the influence of economic forces on it and its decisions--and on the more influential justices. Because the selections were written for journals such as Nation, New Republic, and Yale Law , they will present a challenge for most YAs. The last part, newspaper columns written for a wider audience, is more easily understood and focuses on specific cases. Well written, sound, and intelligent, this volume is a good primary source on topics such as the Rosenberg case, Brown v. Board of Education, and Watergate. Clodagh Lee, Pohick Regional Library, Burke, VA Copyright 1994 Reed Business Information, Inc.