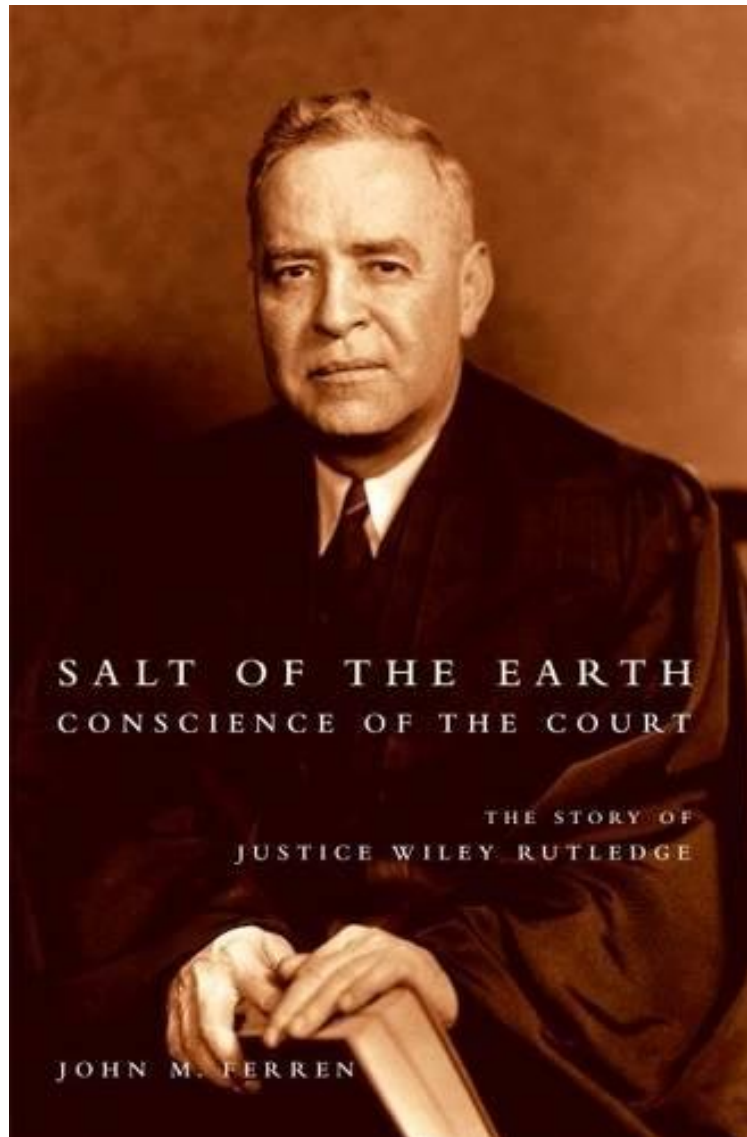


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Salt of the Earth, Conscience of the Court: The Story of Justice Wiley Rutledge

John M. Ferren

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John M. Ferren : Salt of the Earth, Conscience of the Court: The Story of Justice Wiley Rutledge before purchasing it in order to gage whether or not it would be worth my time, and all praised Salt of the Earth, Conscience of the Court: The Story of Justice Wiley Rutledge:

20 of 20 people found the following review helpful. A Fine Biography of a Neglected JusticeBy Ronald H. ClarkAt

long last, thanks to Judge Ferren, we have a complete biography of Justice Wiley Rutledge. While Rutledge is not much remembered today, and his tenure on the Supreme Court was relatively brief (1943-49), his significance merits more attention than he has received. Judge Ferren employs a completely different approach than the only other biography of the Justice, Harper's "Justice Rutledge and the Bright Constellation" (1965). Harper focused almost exclusively upon Justice Rutledge's decisions. Judge Ferren does not get Rutledge on the court until page 222 (out of 548). While one might conclude that perhaps too much detail occupies the pre-Court discussion, I can't think of another judicial biography that so effectively affords one a feeling of becoming so intimately familiar with its subject. This initial section is particularly effective in discussing the political maneuvering that accompanied filling several vacancies on the Court, including Rutledge's. The book's central focus, Rutledge on the Court, is very well developed. Judge Ferren not only brings his own insight into the judicial process to his analysis, but discusses some unique aspects as well, such as Rutledge's habit of asking trusted law faculty members their opinions on issues before the court, and Rutledge's exhaustive preparation for writing opinions. The book also adds to our understanding of the personal interplay in that most bombastic of Supreme Courts, that chaired by Chief Justice Stone. Interspersed with the discussion of Court cases is additional biographical material relating to the Justice. Finally, the underlying research is simply awesome--truly a labor of love. While it is a very long book, if you are interested in Justice Rutledge or his period on the Court, it makes for indispensable reading.

1 of 5 people found the following review helpful. A Little Prejudiced....By Cisco JonesFor anyone with an interest in law or history this is a great read. Justice Rutledge was my grandfather's first cousin -- thus the initial reason I bought the book. Unfortunately the dust jacket was crinkled upon arrival so I'll have to send it back for a new copy.

4 of 4 people found the following review helpful. Excellent biography of a great JusticeBy SchmergulsThis is a carefully researched and cogently argued biography of Wiley Rutledge, who was born near Cloverport, Kentucky, and after time as a teacher and as dean of the Iowa Law School and as judge on the Court of Appeals for the D. C. Circuit in 1943 was appointed to the U.S. Supreme Court. There are copious footnotes, though they are not as fact-filled as one would hope they would be. But the discussion of the cases Rutledge dealt with, both on the Court of Appeals and on the Supreme Court are discussed learnedly and with the expertise that we expect from the author, who served on the D.C. Court of Appeals. I found utterly fascinating the account of the years (1943-1949) that Rutledge was on the Supreme Court. The author did extensive interviewing of people who knew Rutledge, even interviewing lawyers who were at the Iowa law school when Rutledge was Dean there. This is a stellar judicial biography of a great Justice.

The Kentucky-born son of a Baptist preacher, with an early tendency toward racial prejudice, Supreme Court Justice Wiley Rutledge (1894-1949) became one of the Court's leading liberal activists and an early supporter of racial equality, free speech, and church-state separation. Drawing on more than 160 interviews, John M. Ferren provides a valuable analysis of Rutledge's life and judicial decisionmaking and offers the most comprehensive explanation to date for the Supreme Court nominations of Rutledge, Felix Frankfurter, and William O. Douglas. Rutledge was known for his compassion and fairness. He opposed discrimination based on gender and poverty and pressed for expanded rights to counsel, due process, and federal review of state criminal convictions. During his brief tenure on the Court (he died following a stroke at age fifty-five), he contributed significantly to enhancing civil liberties and the rights of naturalized citizens and criminal defendants, became the Court's most coherent expositor of the commerce clause, and dissented powerfully from military commission convictions of Japanese generals after World War II. Through an examination of Rutledge's life, Ferren highlights the development of American common law and legal education, the growth of the legal profession and related institutions, and the evolution of the American court system, including the politics of judicial selection.

A compelling biography, bringing to life the often-overlooked Rutledge . . . Ferren's biography is first-rate. -- Washington Post, October 27, 2004 Ferren . . . has written a compelling biography, bringing to life the often-overlooked Rutledge, as well as the court and times in which he labored. . . . Ferren's biography is first-rate. . . . An important contribution in reclaiming the lost life of an outstanding justice.--Washington Post Wiley Rutledge was one of the most humane people who ever sat on the Supreme Court of the United States. His mind and his heart were frequently in conflict. John Ferren's beautifully written book tells this story in a way that will delight and intrigue lawyers and non-lawyers alike.--Willard Wirtz, teacher, lawyer, former U.S. Secretary of Labor An admirer of Henry Wallace, Justice Rutledge spoke out during World War II, and thereafter, for a new world order subject to international law enforceable through the United Nations. This thoroughly researched, superbly written biography demonstrates that Rutledge believed in the power of law to create just relationships not only among individuals but also among nations.--John C. Culver, coauthor of American Dreamer: The Life and Times of Henry A. Wallace Ferren has written a splendid new biography of Rutledge based on a wide range of archival sources and interviews.--Journal of American History Ferren rescues Rutledge from an undeserved obscurity. He shows the important role that Rutledge played on a Court dominated by the likes of Frankfurter, Black, and Douglas, and beyond that, gives us a well-rounded picture of the man as well. It is not only a model judicial biography, it is a good read.--Melvin I. Urofsky, Virginia

Commonwealth University It may be plain good luck that Ferren has written such a fine book about such a fine judge at this moment, when judicial excellence is at an undeniable premium. . . . It took almost fifty years for Rutledge's biography to emerge, but today is a uniquely valuable time for Rutledge's enduring lessons about judicial role and constitutional values.--Washington University Law John Ferren brings the empathy that has characterized his own judicial career to the study of the life of Wiley Rutledge and his contributions to legal education and constitutional law. In this wonderful book, Ferren has rescued and illuminated the hitherto neglected Supreme Court career of a decent man who joined the brawling Court of the 1940s and dedicated himself to the cause of civil liberties--most (but not all) of the time.--Andrew L. Kaufman, Harvard Law School Ferren's sensitive, meticulously researched biography of Wiley Rutledge brings an almost forgotten judicial hero to center stage against the backdrop of the New Deal, World War II, McCarthyism, the Cold War, and the seldom-examined politics of judicial nomination in the turbulent 1940s and '50s. Ferren's work is a long overdue testament to the rise of a man of unassuming modesty and consummate scholarship from small-town U.S.A. to the pinnacle of the American legal system. Ferren's account of machinations behind the scenes at the Supreme Court in the infamous Korematsu Japanese American Internment case gives masterful insight into one of the darker sides of American law still achingly relevant today.--Patricia Wald, former Chief Judge, U.S. Court of Appeals for the D.C. Circuit [A] much-needed and heretofore missing biography of Wiley Rutledge, one of the nine members of the so-called 'Roosevelt Court'. . . . A fascinating narrative of national judicial politics in the 1940s. Highly recommended.--Choice In this brilliantly researched, fascinating biography, John Ferren gives Wiley Rutledge the full justice too long denied him. Rutledge, Ferren shows, was not only one of the greatest civil libertarians in the history of the Supreme Court, but also one of the most admirable public figures in the age of Franklin Roosevelt.--William E. Leuchtenburg, author of *The Supreme Court Reborn* In *Salt of the Earth*, *Conscience of the Court: The Story of Justice Wiley Rutledge*, John Ferren has crafted an important work--a major contribution to the notably short shelf of outstanding judicial biographies.--H-Law About the Author John M. Ferren is a senior judge on the District of Columbia Court of Appeals. He lives with his wife, Linda, in Washington, D.C., and South Bethany, Delaware.