



# New Deal Justice

*The Life of  
Stanley Reed  
of Kentucky*

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John D. Fassett

# New Deal Justice The Life Of Stanley Reed Of Kentucky

**James Macgregor Burns**



## **New Deal Justice The Life Of Stanley Reed Of Kentucky:**

**New Deal Justice** John D. Fassett, 1994      **Justice Robert H. Jackson's Unpublished Opinion in Brown v. Board** David M. O'Brien, 2017-11-17 Brown v Board of Education is widely recognized as one of the US Supreme Court's most important decisions in the twentieth century Robert H Jackson an associate justice on the case is generally considered one of the Court's most gifted writers Though much has been written about Brown citing the writing and remarks of the justices who participated in the 1954 decision comparatively little has been said about Jackson or his unpublished opinion which is sometimes even mistakenly taken as a dissenting opinion This book visits Brown v Board of Education from Jackson's perspective and in doing so offers a reinterpretation of the justice's thinking and of the Supreme Court's decision making in a ruling that continues to reverberate through the nation's politics and public life Weaving together judicial biography legal history and judicial politics Justice Robert H Jackson's Unpublished Opinion in Brown v Board provides a nuanced look at constitutional interpretation and the intersection of law and politics from inside the mind of a justice within the context of a Court deciding a seminal case Through an analysis of six drafts of Jackson's unpublished concurring opinion David M O'Brien explores the justice's evolving thoughts on relevant issues at critical moments in the case His retelling of Brown presents a new view of longstanding arguments confronted by Jackson and the other justices over original intent versus a living Constitution the role of the Court and social change and justice in American political life The book includes the final draft of Jackson's unpublished opinion as well as the Warren Court's opinions in Brown and in Bolling v Sharpe for comparison along with a timeline of developments and decision making leading to the Court's landmark ruling      **Chief Justice Fred M. Vinson of Kentucky** James E. St. Clair, Linda C. Gugin, 2021-12-14 Fred M Vinson the thirteenth Chief Justice of the United States started his political career as a small town Kentucky lawyer and rose to positions of power in all three branches of federal government Born in Louisa Kentucky Vinson earned undergraduate and law degrees from Centre College in Danville He served 12 years in the U S House of Representatives where he achieved acclaim as a tax and fiscal expert President Roosevelt appointed him to the U S Circuit Court of Appeals for the District of Columbia and later named him to key executive branch positions President Truman appointed him Secretary of the Treasury and then Chief Justice The Vinson court was embroiled in critical issues affecting racial discrimination and individual rights during the cold war Chief Justice Fred M Vinson of Kentucky A Political Biography offers a wealth of insight into one of the most significant and highly regarded political figures to emerge from Kentucky      **Supreme Court Justices: Illustrated Biographies** Clare Cushman, 2013 Book Description The Supreme Court Justices Illustrated Biographies 1789 2012 Third Edition provides a single volume reference profiling every Supreme Court justice from John Jay through Elena Kagan An original essay on each justice paints a vivid picture of his or her individuality as shaped by family education pre Court career and the times in which he or she lived Each biographical essay also presents the major issues on which the justice presided Essays are arranged in

the order of the justices appointments Lively anecdotes along with portraits photographs and political cartoons enrich the text and deepen readers understanding of the justices and of the Court The volume includes an extensive bibliography and is indexed for easy research access New in this edition are a foreword by Chief Justice John G Roberts a revised essay on Chief Justice William H Rehnquist updated essays on sitting or recently retired members of the court new biographies for Chief Justice John G Roberts and Associate Justices Samuel A Alito Elena Kagan and Sonia M Sotomayor an updated listing of members of the Supreme Court with appointment and confirmation dates and an updated bibliography with key sources on the Supreme Court and the justices For insightful background and lively commentary on the individuals who have served on the Supreme Court of the United States there is no better reference than this updated new volume This is a vital reference work for researchers students and others interested in the Supreme Court s past present and future

*The History of the Supreme Court of the United States* William M. Wiecek, 2006-01-23 The Birth of the Modern Constitution recounts the history of the United States Supreme Court in the momentous yet usually overlooked years between the constitutional revolution in the 1930s and Warren Court judicial activism in the 1950s 1941 1953 marked the emergence of legal liberalism in the divergent activist efforts of Hugo Black William O Douglas Frank Murphy and Wiley Rutledge The Stone Vinson Courts consolidated the revolutionary accomplishments of the New Deal and affirmed the repudiation of classical legal thought but proved unable to provide a substitute for that powerful legitimating explanatory paradigm of law Hence the period bracketed by the dramatic moments of 1937 and 1954 written off as a forgotten time of failure and futility was in reality the first phase of modern struggles to define the constitutional order that will dominate the twenty first century

**Campaigns and the Court** D. Grier Stephenson, 1999 How the Supreme Court is influenced by national electoral politics which in turn affects the Court is the focus of this sweeping study by a leading constitutional scholar Stephenson demythologizes the Court as an impartial adjudicating institution above politics

[The Kentucky African American Encyclopedia](#) Gerald L. Smith, Karen Cotton McDaniel, John A. Hardin, 2015-08-28 The story of African Americans in Kentucky is as diverse and vibrant as the state s general history The work of more than 150 writers The Kentucky African American Encyclopedia is an essential guide to the black experience in the Commonwealth The encyclopedia includes biographical sketches of politicians and community leaders as well as pioneers in art science and industry Kentucky s impact on the national scene is registered in an array of notable figures such as writers William Wells Brown and bell hooks reformers Bessie Lucas Allen and Shelby Lanier Jr sports icons Muhammad Ali and Isaac Murphy civil rights leaders Whitney Young Jr and Georgia Powers and entertainers Ernest Hogan Helen Humes and the Nappy Roots Featuring entries on the individuals events places organizations movements and institutions that have shaped the state s history since its origins the volume also includes topical essays on the civil rights movement Eastern Kentucky coalfields business education and women For researchers students and all who cherish local history The Kentucky African American Encyclopedia is an indispensable reference that highlights the diversity of the state s

culture and history      **The Supreme Court Under Earl Warren, 1953-1969** Michal R. Belknap, 2005 In The Supreme Court under Earl Warren 1953 1969 Michal Belknap recounts the eventful history of the Warren Court Chief Justice Earl Warren s sixteen years on the bench were among the most dramatic productive and controversial in the history of the Supreme Court Warren s tenure saw the Court render decisions that are still hotly debated today Its rulings addressed such issues as school desegregation separation of church and state and freedom of expression      **The Court at War** Cliff Sloan, 2023-09-19 The inside story of how one president forever altered the most powerful legal institution in the country with consequences that endure today By the summer of 1941 in the ninth year of his presidency Franklin Roosevelt had molded his Court He had appointed seven of the nine justices the most by any president except George Washington and handpicked the chief justice But the wartime Roosevelt Court had two faces One was bold and progressive the other supine and abject cowed by the charisma of the revered president The Court at War explores this pivotal period It provides a cast of unforgettable characters in the justices from the mercurial Vienna born intellectual Felix Frankfurter to the Alabama populist Hugo Black from the western prodigy William O Douglas FDR s initial pick to be his running mate in 1944 to Roosevelt s former attorney general and Nuremberg prosecutor Robert Jackson The justices shameless capitulation and unwillingness to cross their beloved president highlight the dangers of an unseemly closeness between Supreme Court justices and their political patrons But the FDR Court s finest moments also provided a robust defense of individual rights rights the current Court has put in jeopardy Sloan s intimate portrait is a vivid instructive tale for modern times      **Failing Justice** Craig Alan Smith, 2015-01-24 In the history of the U S Supreme Court Associate Justice Charles Evans Whittaker 1957 1962 merited several distinctions He was the only Missourian and the first native Kansan appointed to the Court He was one of only two justices to have served at both the federal district and appeals court levels before ascending to the Supreme Court And Court historians have routinely rated him a failure as a justice This book is a reconsideration of Justice Whittaker with the twin goals of giving him his due and correcting past misrepresentations of the man and his career Based on primary sources and information from the Whittaker family it demonstrates that Whittaker s life record is definitely not one of inadequacy or failure but rather one of illness and difficulty overcome with great determination Nine appendices document all aspects of Whittaker s career Copious notes a selected bibliography and two indexes complete a work that challenges the historical assessment of this public servant from Missouri      Religion and the Law in America Scott A. Merriman, 2007-05-18 This work is a comprehensive survey of one of the oldest and hottest debates in American history the role of religion in the public discourse The relationship between church and state was contentious long before the framers of the Constitution undertook the bold experiment of separating the two sparking a debate that would rage for centuries What is the role of religion in government and vice versa Religion and the Law in America explores the many facets of this question from prayer in public schools to the addition of the phrase under God to the Pledge of Allegiance from government investigation of religious fringe

groups to federal grants for faith based providers of social services In more than 250 A Z entries along with a series of broad thematic essays it examines the groups laws and court cases that have framed this ongoing debate Through its careful balanced exploration of the interaction between government and religion throughout the history of the United States the work provides all Americans students scholars and lay readers alike with a deep understanding of one of the central enduring issues in our history

*Tocqueville's Nightmare* Daniel R. Ernst, 2014-04-21 In the 1830s the French aristocrat Alexis de Tocqueville warned that insufferable despotism would prevail if America ever acquired a national administrative state Today s Tea Partiers evidently believe that after a great wrong turn in the early twentieth century Tocqueville s nightmare has come true In those years it seems a group of radicals seduced by alien ideologies created vast bureaucracies that continue to trample on individual freedom In *Tocqueville's Nightmare* Daniel R Ernst destroys this ahistorical and simplistic narrative He shows that in fact the nation s best corporate lawyers were among the creators of commission government that supporters were more interested in purging government of corruption than creating a socialist utopia and that the principles of individual rights limited government and due process were built into the administrative state Far from following un American models American state builders rejected the leading European scheme for constraining government the *Rechtsstaat* a state of rules Instead they looked to an Anglo American tradition that equated the rule of law with the rule of courts and counted on judges to review the bases for administrators decisions Soon however even judges realized that strict judicial review shifted to courts decisions best left to experts The most masterful judges including Charles Evans Hughes Chief Justice of the United States from 1930 to 1941 ultimately decided that a day in court was unnecessary if individuals had already had a day in commission where the fundamentals of due process and fair play prevailed This procedural notion of the rule of law not only solved the judges puzzle of reconciling bureaucracy and freedom It also assured lawyers that their expertise in the ways of the courts would remain valuable and professional politicians that presidents would not use administratively distributed largess as an independent source of political power Tocqueville s nightmare has not come to pass Instead the American administrative state is a restrained and elegant solution to a thorny problem and it remains in place to this day

**In a Time of Total War** Joshua E. Kastenberg, Eric Merriam, 2016-03-17 This book is a judicial military and political history of the period 1941 to 1954 As such it is also a United States legal history of both World War II and the early Cold War Civil liberties mass conscription expanded military jurisdiction property rights labor relations and war crimes arising from the conflict were all issues to come before the federal judiciary during this period and well beyond since the Supreme Court and the lower courts heard appeals from the government s wartime decisions well into the 1970s A detailed study of the judiciary during World War II evidences that while the majority of the justices and judges determined appeals partly on the basis of enabling a large disciplined and reliable military to either deter or fight a third world war there was a recognition of the existence of a tension between civil rights and liberties on the one side and military necessity on the other While the majority of the

judiciary tilted toward national security and deference to the military establishment the judiciary's recognition of this tension created a foundation for persons to challenge governmental narrowing of civil and individual rights after 1954 Kastenbergh and Merriam present a clearer picture as to why the Court and the lower courts determined the issues before them in terms of external influences from both national and world wide events This book is also a study of civil military relations in wartime so whilst legal scholars will find this study captivating so will military and political historians as well as political scientists and national security policy makers

**Ghosts of Jim Crow** F. Michael Higginbotham, 2013 Discusses the political economic educational and social reasons the United States is not a post racial society and argues that legal reform can successfully create a post racial America

**Packing the Court** James Macgregor Burns, 2009-06-25 From renowned political theorist James MacGregor Burns an incisive critique of the overreaching power of an ideological Supreme Court For decades Pulitzer Prize winner James MacGregor Burns has been one of the great masters of the study of power and leadership in America In Packing the Court he turns his eye to the U S Supreme Court an institution that he believes has become more powerful and more partisan than the founding fathers ever intended In a compelling and provocative narrative Burns reveals how the Supreme Court has served as a reactionary force in American politics at critical moments throughout the nation's history and concludes with a bold proposal to rein in the court's power

**Of Courtiers and Kings** Clare Cushman, Todd C. Peppers, 2015-12-03 Supreme Court justices have long relied on law clerks to help process the work of the Court Yet few outside the Court are privy to the behind the scenes bonds that form between justices and their clerks In Of Courtiers and Kings Todd C Peppers and Clare Cushman offer an intimate new look at the personal and professional relationships of law clerks with their justices Going beyond the book's widely acclaimed predecessor In Chambers the vignettes collected here range from reflections on how serving as clerks at the Supreme Court impacted the careers of such justices as Stephen Breyer Elena Kagan William Rehnquist John G Roberts Jr and John Paul Stevens to personal recollections written by parents and children who have both served as Supreme Court clerks While individual essays often focus on a single justice and his or her corps of clerks including how that justice selected and utilized the clerks taken as a whole the volume provides a macro level view of the evolution of the role of the Supreme Court law clerk Drawing on a rich repository of such anecdotes insights and experience the volume relates in a clear and accessible style how the clerking function has changed over time and what it is like for law clerks to be witnesses to history Offering a rare glimpse into a normally unseen world Of Courtiers and Kings reveals the Court's increasing reliance on law clerks and raises important questions about the selection utilization and influence of law clerks Praise for In Chambers An excellent book It's interesting for many different reasons not the least of which as a reminder of how much of a bastion of elitism the Court has always been Atlantic Monthly The best parts of the book are the behind the scenes descriptions of life at the court A n impressive and comprehensive book Associated Press

**The Warren Court** Melvin I. Urofsky, 2001-03-06 A survey and analysis of the historical context key figures and lasting

legacy of the Warren Court Earl Warren served as chief justice of the U S Supreme Court from 1953 until the end of the tumultuous 1960s This book shows why conservative critics still view this court as out of control and leftist while its liberal fans still cheer what they view as the court s progressive activism Among this court s contributions to American life are the rights accorded to the accused in *Miranda v Arizona* the limits it placed on school prayer and the abolition of school segregation in *Brown v Board of Education* To understand such basic American principles as equal protection freedom of speech freedom of the press freedom of religion separation of church and state the rights of the accused and the right to privacy every citizen should understand the Warren Court      **From Jim Crow to Civil Rights** Michael J.

Klarman,2004-02-05 A monumental investigation of the Supreme Court s rulings on race From Jim Crow To Civil Rights spells out in compelling detail the political and social context within which the Supreme Court Justices operate and the consequences of their decisions for American race relations In a highly provocative interpretation of the decision s connection to the civil rights movement Klarman argues that *Brown* was more important for mobilizing southern white opposition to racial change than for encouraging direct action protest *Brown* unquestioningly had a significant impact it brought race issues to public attention and it mobilized supporters of the ruling It also however energized the opposition In this authoritative account of constitutional law concerning race Michael Klarman details in the richest and most thorough discussion to date how and whether Supreme Court decisions do in fact matter      *A History of Securities Law in the Supreme Court* Adam C. Pritchard,Robert B. Thompson,Robert Thompson,2023 This comprehensive history of modern US securities law illustrates the key jurisprudential changes at the Supreme Court since the New Deal The authors use the justices internal memos notes and preliminary drafts to tell the story of how they actually decided the cases The securities laws were an ambitious expansion of the administrative state That expansion required a transformation of the Court s approach to business regulation abandoning the Court s prior hostility to government intervention      **Brown v. Board of Education and the Civil Rights Movement** Michael J. Klarman,2007-07-31 A splendid account of the Supreme Court s rulings on race in the first half of the twentieth century From Jim Crow To Civil Rights earned rave reviews and won the Bancroft Prize for History in 2005 Now in this marvelously abridged paperback edition Michael J Klarman has compressed his acclaimed study into tight focus around one major case *Brown v Board of Education* making the path breaking arguments of his original work accessible to a broader audience of general readers and students In this revised and condensed edition Klarman illuminates the impact of the momentous *Brown v Board of Education* ruling He offers a richer more complex understanding of this pivotal decision going behind the scenes to examine the justices deliberations and reconstruct why they found the case so difficult to decide He recaps his famous backlash thesis arguing that *Brown* was more important for mobilizing southern white opposition to change than for encouraging civil rights protest and that it was only the resulting violence that transformed northern opinion and led to the landmark legislation of the 1960s Klarman also sheds light on



broader questions such as how judges decide cases how much they are influenced by legal political and personal considerations the relationship between Supreme Court decisions and social change and finally how much Court decisions simply reflect societal values and how much they shape those values Brown v Board of Education was one of the most important decisions in the history of the U S Supreme Court Klarman s brilliant analysis of this landmark case illuminates the course of American race relations as it highlights the relationship between law and social reform Acclaim for From Jim Crow to Civil Rights A major achievement It bestows upon its fortunate readers prodigious research nuanced judgment and intellectual independence Randall Kennedy The New Republic Magisterial The New York Review of Books A sweeping erudite and powerfully argued book unfailingly interesting Wilson Quarterly

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