

A portrait of Justice Wiley Rutledge, an older man with light hair, wearing a dark suit and tie, sitting with his hands clasped. The background is a warm, reddish-brown color.

SALT OF THE EARTH
CONSCIENCE OF THE COURT

THE STORY OF
JUSTICE WILEY RUTLEDGE

JOHN M. FERREN

Salt Of The Earth Conscience Of The Court The Story Of Justice Wiley Rutledge

Lucas A. Powe, Jr.



Salt Of The Earth Conscience Of The Court The Story Of Justice Wiley Rutledge:

Salt of the Earth, Conscience of the Court John M. Ferren, 2006-03-08 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

Routledge Revivals: Encyclopedia of American Civil Liberties (2006) Paul Finkelman, 2018-04-17 Originally published in 2006 the Encyclopedia of American Civil Liberties is a comprehensive 3 volume set covering a broad range of topics in the subject of civil liberties in America The book covers the topic from numerous different areas including freedom of speech press religion assembly and petition The Encyclopedia also addresses areas such as the Constitution the Bill of Rights slavery censorship crime and war The book's multidisciplinary approach will make it an ideal library reference resource for lawyers scholars and students

John Paul Stevens Christopher E. Smith, 2015-10-22 This book examines the judicial opinions and criminal justice policy impact of Justice John Paul Stevens the U S Supreme Court's most prolific opinion author during his 35 year career on the nation's highest court Although Justice Stevens a Republican appointee of President Gerald Ford had a professional reputation as a corporate antitrust law attorney he immediately asserted himself as the Court's foremost advocate of prisoners rights and Miranda rights when he arrived at the Court in 1975 In examining Justice Stevens's opinions on these topics as well as others including capital punishment and right to counsel the chapters of the book connect his prior experiences with the development of his views on rights in criminal justice In particular the book examines his relevant experiences as a law clerk to Justice Wiley Rutledge in the Supreme Court's 1947 term a volunteer attorney handling criminal cases in Illinois and a judge on the U S court of appeals to explore how these experiences shaped his understanding of the importance of rights in criminal justice For many issues such as those affecting imprisoned offenders Justice Stevens was a strong defender of rights throughout his career For other issues such as capital punishment there is evidence that he became increasingly protective of rights over the course of his Supreme Court career The book also examines how Justice

Stevens became increasingly important as a leading dissenter against the diminution of rights in criminal justice as the Supreme Court's composition became increasingly conservative in the 1980s and thereafter. Because of the nature and complexity of Justice Stevens's numerous and varied opinions over the course of his lengthy career, scholars find it difficult to characterize his judicial philosophy and impact with simple labels. Yet in the realm of criminal justice, close examination of his work reveals that he earned a reputation and an enduring legacy as an exceptionally important defender of constitutional rights.

The Supreme Court Compendium Lee Epstein, Jeffrey A. Segal, Harold J. Spaeth, Thomas G. Walker, 2015-07-28. The Supreme Court Compendium provides historical and statistical information on the Supreme Court: its institutional development, caseload, decision trends, the background, nomination and voting behavior of its justices, its relationship with public, governmental and other judicial bodies, and its impact. With over 180 tables and figures, this new edition is intended to capture the full retrospective picture through the 2013-2014 term of the Roberts Court and the momentous decisions handed down within the last four years, including *United States v Windsor*, *National Federation of Independent Business v Sebelius*, and *Shelby County v Holder*.

The Yale Biographical Dictionary of American Law Roger K. Newman, 2009-01-01. This book is the first to gather in a single volume concise biographies of the most eminent men and women in the history of American law. Encompassing a wide range of individuals who have devised, replenished, expounded, and explained law, The Yale Biographical Dictionary of American Law presents succinct and lively entries devoted to more than 700 subjects selected for their significant and lasting influence on American law. Casting a wide net, editor Roger K. Newman includes individuals from around the country from colonial times to the present, encompassing the spectrum of ideologies from left wing to right and including a diversity of racial, ethnic, and religious groups. Entries are devoted to the living and the dead, the famous and infamous, many who upheld the law and some who broke it: Supreme Court justices, private practice lawyers, presidents, professors, journalists, philosophers, novelists, prosecutors, and others. The individuals in the volume are as diverse as the nation itself. Entries written by close to 600 expert contributors outline basic biographical facts, offer well-chosen anecdotes and incidents to reveal accomplishments, and include brief bibliographies. Readers will turn to this dictionary as an authoritative and useful resource, but they will also discover a volume that delights and entertains. Listed in The Yale Biographical Dictionary of American Law: John Ashcroft, Robert H. Bork, Bill Clinton, Ruth Bader Ginsburg, Patrick Henry, J. Edgar Hoover, James Madison, Thurgood Marshall, Sandra Day O'Connor, Janet Reno, Franklin D. Roosevelt, Julius and Ethel Rosenberg, John T. Scopes, O. J. Simpson, Alexis de Tocqueville, Scott Turow, and more than 700 others.

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

Courtwatchers Clare Cushman, 2011-10-15 In the first Supreme Court history told primarily through eyewitness accounts from Court insiders Clare Cushman provides readers with a behind the scenes look at the people practices and traditions that have shaped an American institution for more than 200 years This entertaining and enlightening tour of the Supreme Court's colorful personalities and inner workings will be of interest to all readers of American political and legal history The Third Disestablishment Steven Keith Green, 2019 The Third Disestablishment examines the formative period in the development of church state law and the rise and decline of church state separation as a legal construct and a cultural value

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

Separating Church and State Steven K. Green, 2022-03-15 Steven K Green renowned for his scholarship on the separation of church and state charts the career of the concept and

helps us understand how it has fallen into disfavor with many Americans In 1802 President Thomas Jefferson distilled a leading idea in the early American republic and wrote of a wall of separation between church and state That metaphor has come down from Jefferson to twenty first century Americans through a long history of jurisprudence political contestation and cultural influence This book traces the development of the concept of separation of church and state and the Supreme Court s application of it in the law Green finds that conservative criticisms of a separation of church and state overlook the strong historical and jurisprudential pedigree of the idea Yet arguing with liberal advocates of the doctrine he notes that the idea remains fundamentally vague and thus open to loose interpretation in the courts As such the history of a wall of separation is more a variable index of American attitudes toward the forces of religion and state Indeed Green argues that the Supreme Court s use of the wall metaphor has never been essential to its rulings The contemporary battle over the idea of a wall of separation has thus been a distraction from the real jurisprudential issues animating the contemporary courts

The Most Powerful Court in the World Stuart Banner,2025-02-04 Stuart Banner s **The Most Powerful Court in the World** is an authoritative history of the United States Supreme Court from the Founding era to the present Not merely a history of the Court s opinions and jurisprudence it is also a rich account of the Court in the broadest sense of the sorts of people who become justices and the methods by which they are chosen of how the Court does its work and of its relationship with other branches of government Rather than praising or criticizing the Court s decisions Banner makes the case that one cannot fully understand the decisions without knowing about the institution that produced them

Democratic Justice: Felix Frankfurter, the Supreme Court, and the Making of the Liberal Establishment Brad Snyder,2022-08-23 The definitive biography of Felix Frankfurter Supreme Court justice and champion of twentieth century American liberal democracy The conventional wisdom about Felix Frankfurter Harvard law professor and Supreme Court justice is that he struggled to fill the seat once held by Oliver Wendell Holmes Scholars have portrayed Frankfurter as a judicial failure a liberal lawyer turned conservative justice and the Warren Court s principal villain And yet none of these characterizations rings true A pro government pro civil rights liberal who rejected shifting political labels Frankfurter advocated for judicial restraint he believed that people should seek change not from the courts but through the democratic political process Indeed he knew American presidents from Theodore Roosevelt to Lyndon Johnson advised Franklin Roosevelt and inspired his students and law clerks to enter government service Organized around presidential administrations and major political and world events this definitive biography chronicles Frankfurter s impact on American life As a young government lawyer he befriended Theodore Roosevelt Louis Brandeis and Holmes As a Harvard law professor he earned fame as a civil libertarian Zionist and New Deal power broker As a justice he hired the first African American law clerk and helped the Court achieve unanimity in outlawing racially segregated schools in *Brown v Board of Education* In this sweeping narrative Brad Snyder offers a full and fascinating portrait of the remarkable life and legacy of a long misunderstood American figure This is the

biography of an Austrian Jewish immigrant who arrived in the United States at age eleven speaking not a word of English who by age twenty six befriended former president Theodore Roosevelt and who by age fifty was one of Franklin Roosevelt's most trusted advisers. It is the story of a man devoted to democratic ideals, a natural orator and often overbearing justice whose passion allowed him to amass highly influential friends and helped create the liberal establishment. The Supreme Court and the American Elite, 1789-2008 Lucas A. Powe, Jr., 2009-04-17 In this engaging and disturbing book, a leading historian of the Court reveals the close fit between its decisions and the nation's politics. Drawing on more than four decades of thinking about the Supreme Court and its role in the American political system, this book offers a new, clear and troubling perspective on American jurisprudence, politics and history. The Supreme Court and the American Elite, 1789-2020 Lucas A. Powe, Jr., 2022-01-07 The Supreme Court and the American Elite 1789-2020 Expanded Second Edition is a history of the Court placed within the context of a broader history of the United States and its politics. In contrast to a typical book on US history where the Supreme Court appears if at all as an interruption here and there, or in a typical history of the Supreme Court where political events intrude occasionally, Lucas A. Powe Jr. situates the Court and its work into a broad narrative of American history. Powe places the Court within the context of history and the insights of political science while remaining true to the ways the justices perceived their own work. Instead of viewing the Court as a competitor with the other two branches of government, although occasionally it is, Powe views it as a part of a ruling regime doing its part to implement the regime's policies. Some of its most historically controversial decisions are far less so when set within the politics of the time. Justices are after all as subject to the same economic, social and intellectual currents as other upper middle class professional elites. The book's dominant theme is that the Court is a majoritarian institution that identifies with and serves ruling political coalitions. The justices are for the most part in tune with their times. Relatedly, changes in personnel matter a great deal; a president able to appoint several justices can and does change the direction of the Court. Thus the Court and its decisions have moved to the center of presidential politics. This new edition adds two chapters detailing the history of the Court since 2008, including how the Court has changed election law, its entrance into the healthcare controversies, expansion of LGBTQ rights and the 2020 Census controversies. The first new chapter looks at the centrist jurisprudence of Justice Anthony Kennedy and his dominant presence as the decisive vote in a series of 5-4 decisions. The second looks at the toxic partisan political climate in the aftermath of Justice Scalia's death and Republican control of the Court. *Historical Dictionary of the U.S. Supreme Court* Artemus Ward, Christopher Brough, Robert Arnold, 2015-08-13 The US Supreme Court is an institution that operates almost totally behind closed doors. This book opens those doors by providing a comprehensive look at the justices' procedures, cases and issues over the institution's more than 200-year history. The Court is a legal institution born from a highly politicized process. Modern justices time their departures to coincide with favorable administrations, and the confirmation process has become a highly charged political spectacle played out on television and in the national press.

Throughout its history the Court has been at the center of the most important issues facing the nation federalism separation of powers war slavery civil rights and civil liberties Through it all the Court has generally though not always reflected the broad views of the American people as the justices decide the most vexing issues of the day The Historical Dictionary of the U S Supreme Court covers its history through a chronology an introductory essay appendixes and an extensive bibliography The dictionary section has over 700 cross referenced entries on every justice major case issue and process that comprises the Court s work This book is an excellent access point for students researchers and anyone wanting to know more about the Supreme Court

The Rule of Five Richard J. Lazarus, 2020-03-10 A renowned Supreme Court advocate tells the inside story of Massachusetts v EPA the landmark case that made it possible for the EPA to regulate greenhouse gases from the Bush administration s fierce opposition to the internecine conflicts among the petitioners to the razor thin 5 4 victory

The Company They Keep Neal Devins, Lawrence Baum, 2019 The Company They Keep advances a new way of thinking about Supreme Court decision making In so doing it explains why today s Supreme Court is the first ever in which lines of ideological division are also partisan lines between justices appointed by Republican and Democratic presidents

Dissent and the Supreme Court Melvin I. Urofsky, 2017-01-10 Highly illuminating for anyone interested in the Constitution the Supreme Court and the American democracy lawyer and layperson alike The Los Angeles Review of Books In his major work acclaimed historian and judicial authority Melvin Urofsky examines the great dissents throughout the Court s long history Constitutional dialogue is one of the ways in which we as a people reinvent and reinvigorate our democratic society The Supreme Court has interpreted the meaning of the Constitution acknowledged that the Court s majority opinions have not always been right and initiated a critical discourse about what a particular decision should mean before fashioning subsequent decisions largely through the power of dissent Urofsky shows how the practice grew slowly but steadily beginning with the infamous and now overturned case of Dred Scott v Sandford 1857 during which Chief Justice Roger Taney s opinion upheld slavery and ending with the present age of incivility in which reasoned dialogue seems less and less possible

Dissent on the court and off Urofsky argues in this major work has been a crucial ingredient in keeping the Constitution alive and must continue to be so

Justices, Presidents, and Senators Henry J. Abraham, 2008 Explains how United States presidents select justices for the Supreme Court evaluates the performance of each justice and examines the influence of politics on their selection

Historical Dictionary of the U.S. Constitution Richard S. Conley, 2016-08-16 The Historical Dictionary of the U S Constitution covers the Founding of the American Republic and the Framers the drafting of the Constitution constitutional debates over ratification and traces key events Supreme Court chief justices amendments and Supreme Court cases regarding the interpretation of the Constitution from 1789 2016 The Historical Dictionary of the U S Constitution contains a chronology an introduction appendixes and an extensive bibliography The dictionary section has over 300 cross referenced entries on key figures in the Founding Supreme Court chief justices explanations of the Articles and

Amendments to the Constitution and key Supreme Court cases This book is an excellent access point for students researchers and anyone wanting to know more about the U S Constitution

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