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THE OXFORD COMPANION TO THE SUPREME COURT OF THE UNITED STATES

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From Oxford University Press : The Oxford Companion to the Supreme Court of the United States before purchasing it in order to gage whether or not it would be worth my time, and all praised The Oxford Companion to the Supreme Court of the United States:

4 of 5 people found the following review helpful. An excellent referenceBy Dr. Lee D. CarlsonIt is difficult to say whether the contentious atmosphere that currently exists regarding the legal opinions of the Supreme Court is greater than any other time in the history of the United States. There have been times, especially during the Civil War and World War I when the Supreme Court raised the ire of many a citizen. Some of the "activist" justices, as some of them are now called, could perhaps be designated as "activist light" if compared with some of the justices of the past. This

book gives ample evidence for this comparison, but also gives information on a wide variety of legal issues that the Supreme Court has had to deal with throughout its history. It would probably not be read from cover to cover, but instead serves as a general reference for those readers who are not and do not intend to become legal scholars, but are curious as to the reasoning patterns deployed by the justices who sat on the Court. Readers who are approaching this subject for the first time will find many surprises about the Court, both in the opinions expressed by the judges and in their personal histories and backgrounds. It is fair to say that legal opinions are guided predominantly by the historical context in which they are put forth, and this claim seems to gain more substantiation as more articles in this book are read and studied. One of the more surprising things to learn from this book is that the Supreme Court never really considered free speech issues with the First Amendment until as late as 1919, in *Schenck v. United States*. This case is also discussed in this book, and revolves around Charles Schenck, who was general secretary of the Socialist party of the time. Schenck and a few other defendants were convicted with a violation of the 1917 Espionage Act by conspiring to obstruct military recruiting and enlistment via the circulation of pamphlet. Justice Oliver Wendell Holmes wrote the unanimous opinion for the court ruling against Schenck and defendants and thus upholding their conviction. This case was the first time the famous statement of "crying fire in a public theatre" was used to restrict an "absolutist" interpretation of the First Amendment. It could also be viewed as an example of how even legal authorities, who are supposed to be calm and rational during emergencies or times of war, can succumb to the pressures of the times (in this case the pre- and post-war hysteria of World War I) and not be able to divorce themselves from their past personal histories (Holmes himself was wounded three times while serving in the Union Army during the Civil War). The Holmes Court effectively said that the First Amendment is not to be taken literally, and if speech presents a "clear and present danger" then governmental agencies have the right to punish the purveyors of this speech. Free speech issues dominant legal discussions at the present time, and the legal standing of "hate speech" is discussed in an article in this book. One can find solace in knowing that the Supreme Court has not found "hate speech" to be prohibited by the Constitution, despite attempts of many groups to justify its prohibition by appeals to constitutional law. The article on "hate speech" discusses some of these cases and gives a few references. Without doubt the most despicable legal decision ever put forth by the Supreme Court was the case *Scott v. Sandford* in 1857. Known famously as the 'Dred Scott Case', it is characterized in this book as one of the most important cases in American constitutional law. The decision essentially said that blacks are not citizens of the United States and therefore could not sue in federal courts. In addition, slaves were "property" that was "protected" by the Constitution. Naturally, and justifiably from a moral standpoint, the decision provoked hostile reaction against the Court, and the justices who ruled against Scott clearly were "activist heavy". In reference to the Dred Scott decision, the abolitionist William Garrison was justified in his statement that the Constitution was a "a covenant with death, and an agreement with hell." The case *Roe v. Wade* is also discussed at length in this book, as expected. It will be interesting to see whether this case is overturned in the near future. If it is it might be because of a kind of 'legal fatigue' that seems to be setting in dialog about the case. The arguments both for and against *Roe v. Wade* are repeated over and over again and have become almost platitudes. Rather than being a complicated Constitutional issue, it seems that the legal reasoning surrounding *Roe v. Wade* has become desiccated and has exhausted itself, offering no further insights or justifications for privacy. 0 of 0 people found the following review helpful. Five Stars By Happycustomer Book timely received and in excellent condition. For the price paid, excellent bargain. Could not be more pleased. 0 of 0 people found the following review helpful. A ok By wmdcrain Seems comprehensive, haven't read it yet as it is about 3+ inches thick

The Supreme Court has continued to write constitutional history over the thirteen years since publication of the highly acclaimed first edition of *The Oxford Companion to the Supreme Court*. Two new justices have joined the high court, more than 800 cases have been decided, and a good deal of new scholarship has appeared on many of the topics treated in the Companion. Chief Justice William H. Rehnquist presided over the impeachment trial of President Bill Clinton, and the Court as a whole played a decisive and controversial role in the outcome of the 2000 presidential election. Under Rehnquist's leadership, a bare majority of the justices have rewritten significant areas of the law dealing with federalism, sovereign immunity, and the commerce power. This new edition includes new entries on key cases and fully updated treatment of crucial areas of constitutional law, such as abortion, freedom of religion, school desegregation, freedom of speech, voting rights, military tribunals, and the rights of the accused. These developments make the second edition of this accessible and authoritative guide essential for judges, lawyers, academics, journalists, and anyone interested in the impact of the Court's decisions on American society.

From Booklist Oxford has published a second edition of this accessible and authoritative reference to Supreme Court cases, justices, legal issues, and terminology. With 86 new articles that include biographies of Clinton appointees Ginsberg and Breyer and commentaries on *Boy Scouts v. Dale*, *Bush v. Gore*, *McConnell v. Federal Election Commission*, and other important cases, Oxford has brought the companion into the twenty-first century. The extra 200 pages make the book a little difficult to pull from a high shelf, but librarians and readers will find it worth the effort. New essays on the Age Discrimination in Employment Act, Detainee cases, and Hate speech remind us of the

continuing influence of the Supreme Court in U.S. politics and in the everyday lives of its citizens. Almost 100 articles have been revised and updated, including entries on current justices, Abortion, Impeachment, Religion, and the Second Amendment. The features that made the first edition so convenient and easy for the layperson to use remain. Each case entry includes a U.S. Reports citation, date argued, date decided, and authors of majority, concurring, and dissenting opinions. Longer entries have brief bibliographies made up predominantly of citations to books and law review articles. See and see also references are abundant but not overwhelming. There are several appendixes, including a useful chart of Supreme Court justices and their years of service, a chronology of the justices' succession, and a list of "Trivia and Traditions of the Court." The volume concludes with case-name and topical indexes. The companion will likely find its way to most of the 2,800-plus libraries that have the first edition. Its value as a quick reference source on the Supreme Court has not diminished with the passage of time. It still belongs in every library, high school and up.

Jan Lewis
Copyright American Library Association. All rights reserved "This obviously impressive and highly needed collection of over 1000 entries on the Supreme Court is sure to become the standard in the field.... This fine volume is a must-have collection for any serious student of the court. Highly recommended." --Library Journal

From the Back Cover
In *Democracy in America*, de Tocqueville observed that there is hardly a political question in the United States which does not sooner or later turn into a judicial one. Two hundred years of American history have certainly born out the truth of this remark. Whether a controversy is political, economic, or social, whether it focuses on child labor, prayer in public schools, war powers, busing, abortion, business monopolies, or capital punishment, eventually the battle is taken to court. And the ultimate venue for these vital struggles is the Supreme Court. Indeed, the Supreme Court is a prism through which the entire life of our nation is magnified and illuminated, and through which we have defined ourselves as a people. Now, in *The Oxford Companion to the Supreme Court of the United States*, readers have a rich source of information about one of the central institutions of American life. Everything one would want to know about the Supreme Court is here, in more than a thousand alphabetically arranged entries. There are biographies of every justice who ever sat on the Supreme Court (with pictures of each) as well as entries on rejected nominees and prominent judges (such as Learned Hand), on presidents who had an important impact on - or conflict with - the Court (including Thomas Jefferson, Abraham Lincoln, and Franklin Delano Roosevelt), and on other influential figures (from Alexander Hamilton to Cass Gilbert, the architect of the Supreme Court Building). More than four hundred entries examine every major case that the court has decided, from *Marbury v. Madison* (which established the Court's power to declare federal laws unconstitutional) and *Scott v. Sandford* (the Dred Scott Case) to *Brown v. Board of Education* and *Roe v. Wade*. In addition, there are extended essays on the major issues that have confronted the Court (from slavery to national security, capital punishment to religion, affirmative action to the Vietnam War), entries on judicial matters and legal terms (ranging from judicial review and separation of powers to amicus brief and habeas corpus), articles on all Amendments to the Constitution, and an extensive, four-part history of the Court. And as in all Oxford Companions, the contributions combine scholarship with engaging insight, giving us a sense of the personality and the inner workings of the Court. They examine everything from the wanderings of the Supreme Court (the first session was held in the Royal Exchange Building in New York City, and the Court at times has met in a Congressional committee room, a tavern, a rented house, and finally, in 1935, its own building), to the Jackson-Black feud and the clouded resignation of Abe Fortas, to the Supreme Court's press room and the paintings and sculptures adorning the Supreme Court building. The decisions of the Supreme Court have touched - and will continue to influence - every corner of American society. A comprehensive, authoritative guide to the Supreme Court, this volume is an essential reference source for everyone interested in the workings of this vital institution and in the multitude of issues it has confronted over the course of its history.