

The U. S. Supreme Court

Lives and Notable Opinions of the Justices

You need not be, or have been, a constitutional scholar or historian or a Supreme Court litigator or even a lawyer to take this seminar; only someone with an interest in the history of the Supreme Court.

During its 227 year history, the U. S. Supreme Court has rendered numerous consequential decisions. In many cases, the Justices' opinions (including concurring and dissenting opinions), explaining their reasoning and enunciating principles, are more interesting than the decisions themselves. As Justices interpret and apply the Constitution, their opinions reflect not only the time in which they are written, but also the evolution of law and society over time (consider, for example, *Plessy v. Ferguson* and *Brown v. Board of Education of Topeka*).

This seminar will provide members an opportunity to explore some of the Court's notable opinions by focusing presentations on, for example, significant opinions during a particular "era" (e.g., the Marshall Court or the Warren Court), the opinions of a particular Justice (e.g., John Marshall Harlan, known as the "Great Dissenter"), generally reviled opinions (e.g., *Dred Scott* and the Japanese-American internment cases), opinions on issues such as political dissent and protest and the First Amendment, and opinions on privacy rights, abortion rights and marriage rights. (The moderator will not use the Socratic method to harass any member giving a presentation on opinions!)

The seminar will also offer members an opportunity to examine a particular Justice's life, as well as his or her most noteworthy opinions. Unlike most recently appointed Justices, many of their predecessors (including, among others, Oliver Wendell Holmes, Charles Evans Hughes, Louis Brandeis, William Howard Taft, Felix Frankfurter, Thurgood Marshall and Ruth Bader Ginsburg) had interesting lives and accomplishments (as, for example, legal advocates or scholars, politicians or presidential advisors) before ever joining the Court. Other former Justices are renowned (or, in the case of Roger Taney, infamous) for the opinions they wrote and their impact on the evolution of constitutional law. Biographical presentations should also highlight the Justice's important opinions.

As background for the seminar, the moderator suggests that members familiarize themselves with the history of the Supreme Court. *A History of the Supreme Court* by Bernard Schwartz and *A People's History of the Supreme Court: The Men and Women Whose Cases and Decisions Have Shaped Our Constitution* by Peter Irons are comprehensive histories. *The Supreme Court* by Chief Justice William Rehnquist and *The Supreme Court: The Personalities and Rivalries That Defined America* by Jeffrey Rosen are more selective. For behind the scenes looks at the Court, members might also enjoy *The Brethren* by Bob Woodward and Scott Armstrong or *The Nine* by Jeffrey Toobin.

The moderator will send members of the seminar a list of suggested topic ideas and a bibliography.

