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Book Review of The Supreme Court: An Essential History

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Hoffer, Peter Charles, William James Hull Hoffer, and N.E.H. Hull. *The Supreme Court: An Essential History*. Lawrence, Kan.: University of Kansas Press, 2007. 494p. \$34.95.

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¶22 From our twenty-first century perspective, the profound impact of the United States Supreme Court—not only on the development of American law, but equally on the lives of ordinary Americans—is no longer open to question. In *The Supreme Court: An Essential History*, authors Peter Charles Hoffer, William James Hull Hoffer, and N.E.H. Hull provide historical context that helps to explain how the Court developed into the force that it is today. The authors, each an accomplished historian, give readers an historical and political lens through which to view the development of Supreme Court jurisprudence. At the same time, they illuminate the various ways in which this jurisprudence has shaped both the law and the larger history of the United States.

¶23 This title is hardly the first to offer insight into the history of the Supreme Court. However, its explication of Supreme Court history represents a unique approach that offers a new contribution to the literature. In contrast to those works focused on legal movements and characterizations of jurisprudential theory,⁷ *An Essential History* is written by historians, and it bespeaks larger historical and political themes. While multiple books have examined the personalities and biographies of individual justices⁸ and others have surveyed major cases decided by the Court,⁹ this title combines the two approaches, characterizing each era of Supreme Court history in reference both to the personalities that made up the Court and to the decisions that defined the Court's jurisprudence. In addition to these methods of analysis, the authors carefully explain the key events and historical movements taking place in the country at large and affecting the evolution of the Court.

¶24 Most of *An Essential History* is dedicated to a portrayal of Supreme Court history through the end of the Rehnquist Court. This material is organized into three discrete sections, each defined by judicial themes that pervaded an historical era of the Court: "The Heroic Courts," "The Classical Courts," and "The Modern Courts." These sections are further subdivided into individual chapters corresponding to the various Chief Justices. Each chapter begins with a brief introduction to new justices appointed to the Court during the tenure of the applicable Chief Justice. The authors' historical perspective adds valuable insight into the politics surrounding these appointments. Next, each chapter proceeds to summarize the major decisions that highlight the era. These summaries place the cases within the larger context of the time, explaining the political movements of the day and other external pressures experienced by the Court.

7. See, e.g., THE UNITED STATES SUPREME COURT: THE PURSUIT OF JUSTICE (Christopher Tomlins ed., 2005).

8. See, e.g., HENRY J. ABRAHAM, JUSTICES, PRESIDENTS, AND SENATORS: A HISTORY OF U.S. SUPREME COURT APPOINTMENTS FROM WASHINGTON TO BUSH II (5th ed. 2008); JEFFREY ROSEN, THE SUPREME COURT: THE PERSONALITIES AND RIVALRIES THAT DEFINED AMERICA (2006); THE SUPREME COURT AND ITS JUSTICES (Jesse H. Choper ed., 2d ed. 2001).

9. See, e.g., PETER H. IRONS, A PEOPLE'S HISTORY OF THE SUPREME COURT (1999).

¶25 *An Essential History* concludes with additional, prospective material and a detailed bibliographic essay. The book's final chapters look forward from the Supreme Court's history toward its future. The authors summarize the changes experienced over time by the Court and by its supporting institutions, and add a preliminary examination of the Roberts Court. The bibliographic essay introduces the reader to the wealth of information available on the Supreme Court. It also helps demonstrate how the authors pulled together materials from a vast array of sources to create their own unique and worthy contribution to Supreme Court scholarship.

¶26 As a librarian, I would recommend this book to patrons in two particular circumstances. For the law student or legal professional with some background in Supreme Court jurisprudence, the title provides a detailed exploration of the individual justices and larger historical currents that have influenced decision making on the Court. This treatment can help legal professionals expand their understanding of the Court and its jurisprudence beyond the myopic view provided by individual cases considered in isolation. Thus, academic law libraries may be particularly interested in including this book within their collections. For non-legal professionals, the book offers basic overviews of key Supreme Court cases written in easy-to-understand language that effectively defines fundamental legal concepts. Although not exhaustive in coverage, these basic treatments can help nonlawyers understand the role that the Supreme Court and its decisions have played in the development of American law and the history of the United States. Therefore, county, state, and court law libraries open to the public may find the title useful as well.
