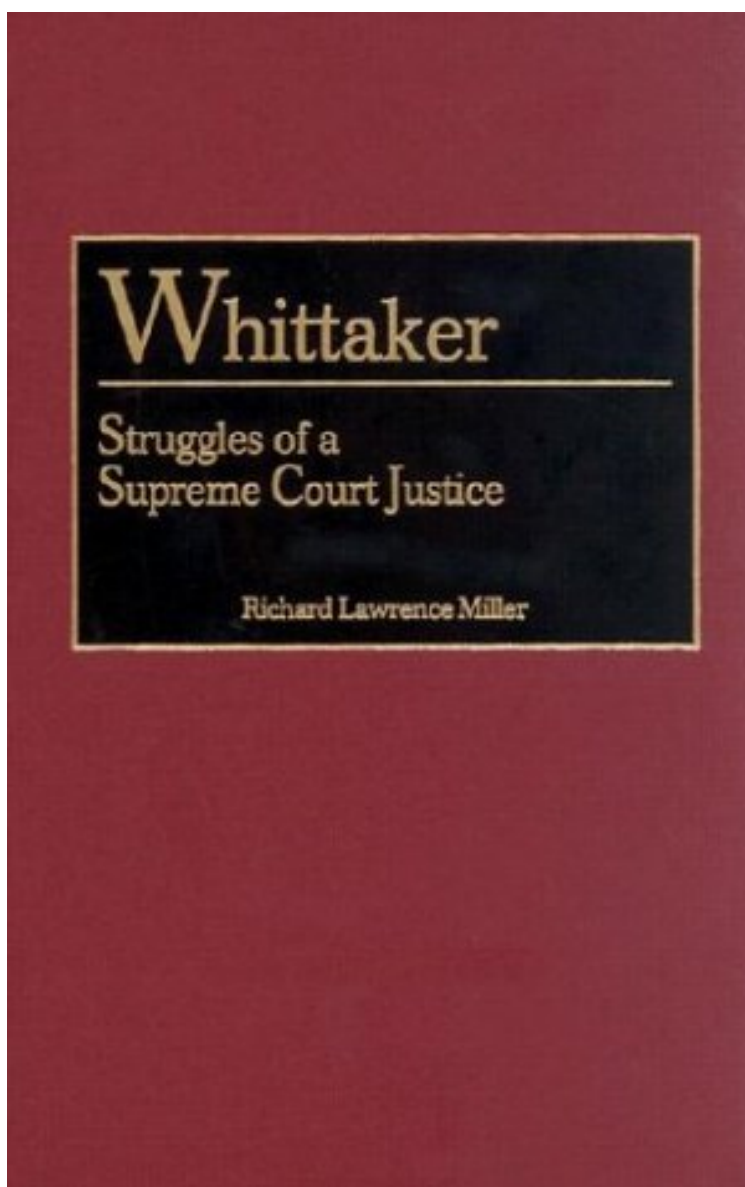


[Free pdf] Whittaker: Struggles of a Supreme Court Justice (Contributions in Economics and Economic History,)

Whittaker: Struggles of a Supreme Court Justice (Contributions in Economics and Economic History,)

Richard L. Miller

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Richard L. Miller : Whittaker: Struggles of a Supreme Court Justice (Contributions in Economics and Economic History,) before purchasing it in order to gage whether or not it would be worth my time, and all praised Whittaker: Struggles of a Supreme Court Justice (Contributions in Economics and Economic History,):

3 of 3 people found the following review helpful. A Harsh Evaluation of Justice Whittaker By Ronald H. Clark It is obvious from the outset that the author does not like his subject. This is one of the two biographies on Justice Whittaker currently available and they could not be two more different books in their approaches. While Craig Alan Smith in his "Failing Justice" [also reviewed on] wants to defend Whittaker, Richard Lawrence Miller takes every opportunity to take a poke at the Justice--no benefit of the doubt in evidence here. A lot of this animus appears to stem from Whittaker's close relationship with the University of Kansas City and its trustees (see the dedication to the book). Whatever the genesis, Miller wants to emphasize Whittaker's big firm background, his highly-successful private practice for business interests, his lack of enthusiasm for labor unions, and his generally conservative outlook. For Miller, Whittaker's major fault on the Supreme Court was his strict adherence to precedent and his lack of passion. More so than Smith, Miller focuses upon controversial decisions made by Whittaker while a district judge, on the Eighth Circuit, and while on the Supreme Court. The result is to suggest that Whittaker was fixated on the "Communist menace" of the 1950's, less than enthusiastic about protecting free speech, and not supportive of civil disobedience. Miller does have one advantage over Smith: he really examines the post-Court period of Whittaker during which the retired Justice made some highly controversial remarks about Martin Luther King, the civil rights movement, and unions. I found this chapter highly interesting and helpful in coming to grips with Whittaker. While not the book to read on Whittaker if you can only read one, the combination of the two together really helps fill out the reader's grasp of Whittaker, his strengths, weaknesses, and role on the Court. 4 of 6 people found the following review helpful. Avoid this book! By N. Peters I was fooled into thinking this was a serious biography of Whittaker-- it truly is not. The author is an "independent scholar" who apparently has some sort of bizarre political agenda which colors this work-- most of the book is devoted to exceedingly tendentious criticism of Whittaker, which frustrates any real attempt to understand Whittaker or even describe his life in a minimally coherent way. The book is remarkable in that it contains almost no biographical information of any interest, but is devoted to tendentious criticisms of Whittaker's opinions, writings, and speeches. Miller's analysis is wacky and totally off-point, informed mostly by the political views of a man writing a 40 years after Whittaker's departure from the Supreme Court, and contains no insight at all. This book can hardly even be called a "biography" because it contains no real attempt to describe Whittaker's life at all. Miller frequently speculates about what Whittaker "must" have been like or how he "must" have seemed to others, but his research falls far below what we should expect for any serious work. I would expect work of better quality from a high school student-- this book is that bad. This is a good example of how you can't judge a book by its cover-- the publisher of this book decided to present this as a serious biographical sketch. In fact, this is a incompetent, ignorant, and self-absorbed work by a hack author.

A Kansas farm boy, who talked his way into law school despite his lack of a high school diploma, Charles E. Whittaker was admitted to the bar before graduation and became the stereotype of a demanding, workaholic attorney. In a thirty-year practice representing Midwest corporations, he became universally admired among Missouri lawyers, and the American Bar Association called him one of the best selections ever made for the Supreme Court. Yet the very characteristics that made Whittaker one of the most acclaimed choices ensured that his service would be catastrophic both for the Court and for him. By the time he left that bench, legal scholars considered his performance on the Court as one of the saddest. Whittaker was apolitical, yet won judicial appointments requiring strong support from politicians of national strength. He was a hard-line law and order judge who was horrified by the death penalty. During the turbulent 1960s, he called for rational discussion of public issues, yet gave inflammatory speeches linking the civil rights movement to Communism. He was the epitome of his era's Main Street conservatism. Most biographies of justices deal with those who had great influence on law and society. From an institutional standpoint, however, this study of a justice who failed sharpens our understanding of how the U.S. Supreme Court differs from other judicial bodies and fills a surprising gap in the Court's history.