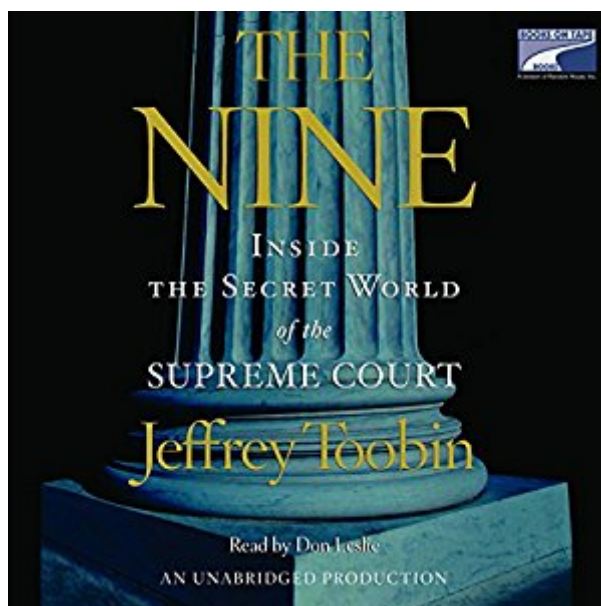


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# The Nine: Inside The Secret World Of The Supreme Court



## Synopsis

Just in time for the 2008 presidential election, where the future of the Supreme Court will be at stake, Jeffrey Toobin reveals an institution at a moment of transition. Decades of conservative disgust with the Court have finally produced a conservative majority, with major changes in store on such issues as abortion, civil rights, presidential power, and church-state relations. Based on exclusive interviews with the justices themselves, *The Nine* tells the story of the Court through personalities, from Anthony Kennedy's overwhelming sense of self-importance to Clarence Thomas' well-tended grievances against his critics to David Souter's odd 19th-century lifestyle. There is also, for the first time, the full behind-the-scenes story of *Bush v. Gore* and Sandra Day O'Connor's fateful breach with George W. Bush, the president she helped place in office. *The Nine* is the book best-selling author Jeffrey Toobin was born to write. A CNN senior legal analyst and *New Yorker* staff writer, no one is more superbly qualified to profile the nine justices.

## Book Information

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## Customer Reviews

Over the years any number of best selling books have been written about the U.S. Supreme Court. If you are an avid reader like myself then you have probably read a few of them. Of all of the books I have read on this subject I found Jeffrey Toobin's new offering "*The Nine: Inside The Secret World of the Supreme Court*" to be among the very best. As senior legal analyst for CNN and a staff writer for "*The New Yorker*" Jeffrey Toobin is uniquely qualified to tackle a topic that most Americans know precious little about and frankly find a bit mysterious. Like peeling the skin from an onion Toobin

succeeds in revealing just who these justices are and how they have evolved over time. It is a fascinating study. One notion that "The Nine" certainly reinforces is the conventional wisdom that says there really is no way of predicting how a judge is going to vote on controversial issues after receiving a lifetime appointment to the United States Supreme Court. While it seems that majority of justices remain true to their philosophies after being appointed to the Court, a fairly significant percentage of appointees veer off in totally unexpected directions. Throughout "The Nine" Jeffrey Toobin introduces us to the men and women who have served on the Court over the past two decades. Depending on your point of view you will find some of the justices extremely likeable and others enigmatic. You will also learn who the reliable liberal and conservative votes are and who tends to occupy the center. And Jeffrey Toobin spotlights a number of controversial 5-4 cases where those 1 or 2 "swing" votes would make all the difference. It is quite apparent that Jeffrey Toobin is a huge fan of the recently retired justice Sandra Day O'Connor.

The last several years have delivered a rich harvest of outstanding studies of the Supreme Court. In addition to some highly technical works by political scientists, journalists have contributed studies of remarkable value and insight. I am thinking here of Greenburg's incisive "Supreme Conflict"; Greenhouse's biography of Justice Blackmun; and Biskupic's perceptive study of Justice O'Connor to name a few (not to mention Jeffrey Rosen -- who is a George Washington law professor but who also writes for the popular press and presents PBS programs as well). The good fortune of we "Court watchers" continues in this exceptionally discerning study by Jeffrey Toobin who writes for the "New Yorker" among other publications. Toobin covers roughly the period of 1992 through the 2006-07 term of the Court. His focus is similar to that of Jan Crawford Greenburg in "Supreme Conflict": the frustration of conservatives at their inability to secure a Court that would implement their agenda on abortion, public support of religion, and diminution of federalism despite a conservative majority on the Court. But as both books so well explain, all that changed with the coming of Chief Justice Roberts and Justice Alito--as some recent decisions which Toobin discusses in his final chapters indicate. What is interesting is that the same members made up the Court between 1994 and 2005; yet the dynamics of decisionmaking changed dramatically. To trace this evolution, Toobin discusses the Federalist Society; the Thomas nomination; the pragmatism of Justice O'Connor; Jay Sekulow and his "American Center for Law and Justice"; and the perplexing Clinton White House nominations of Justices Ginsburg and Breyer.

We seem to have a view that the most interesting things to read about are those that are kept

secret. As a result we have the Woodward industry which periodically tells us the inside story of work of people who are in the political limelight. Nine is such a book and has all the assets and liabilities of these sorts of books. The main asset is that a great story is told, Whether is be the development of abortion jurisprudence or Bush v. Gore we see in the inside story. Toobin is an engaging writer so the story is well told and may even as reported. The second asset is the portraits of the Justices. They tend to be brief but we see the justices as personalities. Each has their own quirks which make them interesting. I enjoyed the stories about Thomas and Breyer passing notes. Also the friendship between Scalia and Ginsburg shows that you can be agreeable even when you disagree. Also the story of the concerted effort by conservatives to capture the court is fascinating, especially the role of groups who brought cases. Now the liabilities. First and foremost because the book is based primarily on interviews one really does not know who is telling the story. Justice O'Connor who seems to be the strongest character in the book may well have given the insights herself. Without giving the source one has to be a bit concerned. After all often the history is written by the winner or in this case by the most available. In comparing this book to Linda Greenhouse's extraordinary biography of Justice Blackmun, which is fully documented, the difference is clear. Second the book is light on understanding the legal developments. This is understandable as it is not the purpose of the book.

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