

John Marshall Definer Of A Nation

A New York Times Notable Book of 1996 It was in tolling the death of Supreme Court Chief Justice John Marshall in 1835 that the Liberty Bell cracked, never to ring again. An apt symbol of the man who shaped both court and country, whose life "reads like an early history of the United States," as the Wall Street Journal noted, adding: Jean Edward Smith "does an excellent job of recounting the details of Marshall's life without missing the dramatic sweep of the history it encompassed." Working from primary sources, Jean Edward Smith has drawn an elegant portrait of a remarkable man. Lawyer, jurist, scholars; soldier, comrade, friend; and, most especially, lover of fine Madeira, good food, and animated table talk: the Marshall who emerges from these pages is noteworthy for his very human qualities as for his piercing intellect, and, perhaps most extraordinary, for his talents as a leader of men and a molder of consensus. A man of many parts, a true son of the Enlightenment, John Marshall did much for his country, and John Marshall: Definer of a Nation demonstrates this on every page.

NATIONAL BESTSELLER - "A model presidential biography... Now, at last, we have a biography that is right for the man" - Jonathan Yardley, The Washington Post Book World One of today's premier biographers has written a modern, comprehensive, indeed ultimate book on the epic life of Franklin Delano Roosevelt. In this superlative

volume, Jean Edward Smith combines contemporary scholarship and a broad range of primary source material to provide an engrossing narrative of one of America's greatest presidents. This is a portrait painted in broad strokes and fine details. We see how Roosevelt's restless energy, fierce intellect, personal magnetism, and ability to project effortless grace permitted him to master countless challenges throughout his life. Smith recounts FDR's battles with polio and physical disability, and how these experiences helped forge the resolve that FDR used to surmount the economic turmoil of the Great Depression and the wartime threat of totalitarianism. Here also is FDR's private life depicted with unprecedented candor and nuance, with close attention paid to the four women who molded his personality and helped to inform his worldview: His mother, Sara Delano Roosevelt, formidable yet ever supportive and tender; his wife, Eleanor, whose counsel and affection were instrumental to FDR's public and individual achievements; Lucy Mercer, the great romantic love of FDR's life; and Missy LeHand, FDR's longtime secretary, companion, and confidante, whose adoration of her boss was practically limitless. Smith also tackles head-on and in-depth the numerous failures and miscues of Roosevelt's public career, including his disastrous attempt to reconstruct the Judiciary; the shameful internment of Japanese-Americans; and Roosevelt's occasionally self-defeating Executive overreach. Additionally, Smith offers a sensitive and balanced assessment of Roosevelt's response to the Holocaust, noting its breakthroughs and shortcomings. Summing up Roosevelt's legacy, Jean Smith

declares that FDR, more than any other individual, changed the relationship between the American people and their government. It was Roosevelt who revolutionized the art of campaigning and used the burgeoning mass media to garner public support and allay fears. But more important, Smith gives us the clearest picture yet of how this quintessential Knickerbocker aristocrat, a man who never had to depend on a paycheck, became the common man's president. The result is a powerful account that adds fresh perspectives and draws profound conclusions about a man whose story is widely known but far less well understood. Written for the general reader and scholars alike, FDR is a stunning biography in every way worthy of its subject.

Look out for Joel Paul's new book, *Without Precedent: Chief Justice John Marshall and His Times*. The gripping true story of how three men used espionage, betrayal, and sexual deception to help win the American Revolution. *Unlikely Allies* is the story of three remarkable historical figures. Silas Deane was a Connecticut merchant and delegate to the Continental Congress as the American colonies struggled to break with England. Caron de Beaumarchais was a successful playwright who wrote *The Barber of Seville* and *The Marriage of Figaro*. And the flamboyant and mysterious Chevalier d'Eon—officer, diplomat, and sometime spy—was the talk of London and Paris. Is the Chevalier a man or a woman? When Deane is sent to France to convince the French government to support the revolutionary cause, he enlists the help of Beaumarchais. Together, they successfully smuggle weapons, ammunition, and supplies to New

England just in time for the crucial Battle of Saratoga, which turned the tide of the American Revolution. And the catalyst for Louis XVI's support of the Americans against England was the Chevalier d'Eon, whose decision to declare herself a woman helped to lead to the Franco-American alliance. These three people spin a fascinating web of political intrigue and international politics that stretches across oceans as they ricochet from Versailles to Georgian London to the Pennsylvania State House (now Independence Hall) in Philadelphia. Each man has his own reasons for wanting to see America triumph over the British, and each contends daily with the certainty that no one is what they seem. The line between friends and enemies is blurred, spies lurk in every corner, and the only way to survive is to trust no one. An edge-of-your-seat story full of fascinating characters and lavish with period detail and sense of place, *Unlikely Allies* is Revolutionary history in all of its juicy, lurid glory.

Soldier, statesman, logistical genius: Lucius D. Clay was one of that generation of giants who dedicated their lives to the service of this country, acting with ironclad integrity and selflessness to win a global war and secure a lasting peace. A member of the Army's elite Corps of Engineers, he was tapped by FDR in 1940 to head up a crash program of airport construction and then, in 1942, Roosevelt named him to run wartime military procurement. For three years, Clay oversaw the requirements of an eight-million-man army, setting priorities, negotiating contracts, monitoring production schedules and R&D, coordinating military Lend-Lease, disposing of surplus property-all

without a breath of scandal. It was an unprecedented job performed to Clay's rigorous high standards. As Eliot Janeway wrote: "No appointment was more strategic or more fortunate." If, as head of military procurement, Clay was in effect the nation's economic czar, his job as Military Governor of a devastated Germany was, as John J. McCloy has phrased it, "the nearest thing to a Roman proconsulship the modern world afforded." In 1945, Germany was in ruins, its political and legal structures a shambles, its leadership suspect. Clay had to deal with everything from de-Nazification to quarrelsome allies, from feeding a starving people to processing vast numbers of homeless and displaced. Above all, he had to convince a doubting American public and a hostile State Department that German recovery was essential to the stability of Europe. In doing so, he was to clash repeatedly with Marshall, Kennan, Bohlen, and Dulles not only on how to treat the Germans but also on how to deal with the Russians. In 1949, Clay stepped down as Military Governor of Germany and Commander of U.S. Forces in Europe. He left behind a country well on the way to full recovery. And if Germany is today both a bulwark of stability and an economic and political success story, much of the credit is due to Clay and his driving vision. Lucius Clay went on to play key roles in business and politics, advising and working with presidents of both parties and putting his enormous organizing skills and reputation to good use on behalf of his country, whether he was helping run Eisenhower's 1952 campaign, heading up the federal highway program, raising the ransom money for the Bay of Pigs prisoners, or boosting morale in

Berlin in the face of the Wall. The Berliners in turn never forgot their debt to Clay. At the foot of his West Point grave, they placed a simple stone tablet: Wir Danken Dem Bewahrer Unserer Freiheit- We Thank the Defender of Our Freedom.

Prize-winning and bestselling historian Jean Edward Smith tells the “rousing” (Jay Winik, author of 1944) story of the liberation of Paris during World War II—a triumph achieved only through the remarkable efforts of Americans, French, and Germans, racing to save the city from destruction. Following their breakout from Normandy in late June 1944, the Allies swept across northern France in pursuit of the German army. The Allies intended to bypass Paris and cross the Rhine into Germany, ending the war before winter set in. But as they advanced, local forces in Paris began their own liberation, defying the occupying German troops. Charles de Gaulle, the leading figure of the Free French government, urged General Dwight Eisenhower to divert forces to liberate Paris. Eisenhower’s advisers recommended otherwise, but Ike wanted to help position de Gaulle to lead France after the war. And both men were concerned about partisan conflict in Paris that could leave the communists in control of the city and the national government. Neither man knew that the German commandant, Dietrich von Choltitz, convinced that the war was lost, schemed to surrender the city to the Allies intact, defying Hitler’s orders to leave it a burning ruin. In *The Liberation of Paris*, Jean Edward Smith puts “one of the most moving moments in the history of the Second World War” (Michael Korda) in context, showing how the decision to free the city came

at a heavy price: it slowed the Allied momentum and allowed the Germans to regroup. After the war German generals argued that Eisenhower's decision to enter Paris prolonged the war for another six months. Was Paris worth this price? Smith answers this question in a "brisk new recounting" that is "terse, authoritative, [and] unsentimental" (The Washington Post).

The life of John Marshall, Founding Father and America's premier chief justice In 1801, a genial and brilliant Revolutionary War veteran and politician became the fourth chief justice of the United States. He would hold the post for 34 years (still a record), expounding the Constitution he loved. Before he joined the Supreme Court, it was the weakling of the federal government, lacking in dignity and clout. After he died, it could never be ignored again. Through three decades of dramatic cases involving businessmen, scoundrels, Native Americans, and slaves, Marshall defended the federal government against unruly states, established the Supreme Court's right to rebuke Congress or the president, and unleashed the power of American commerce. For better and for worse, he made the Supreme Court a pillar of American life. In John Marshall, award-winning biographer Richard Brookhiser vividly chronicles America's greatest judge and the world he made.

Arguing that Grant has been underrated by historians, the author seeks to correct the record with this new assessment of the celebrated Civil War general and Reconstruction-era president.

By the author of acclaimed books on the bitter clashes between Jefferson and Chief Justice Marshall on the shaping of the nation's constitutional future, and between Lincoln and Chief Justice Taney over slavery, secession, and the presidential war powers. Roosevelt and Chief Justice Hughes's fight over the New Deal was the most critical struggle between an American president and a chief justice in the twentieth century. The confrontation threatened the New Deal in the middle of the nation's worst depression. The activist president bombarded the Democratic Congress with a fusillade of legislative remedies that shut down insolvent banks, regulated stocks, imposed industrial codes, rationed agricultural production, and employed a quarter million young men in the Civilian Conservation Corps. But the legislation faced constitutional challenges by a conservative bloc on the Court determined to undercut the president. Chief Justice Hughes often joined the Court's conservatives to strike down major New Deal legislation. Frustrated, FDR proposed a Court-packing plan. His true purpose was to undermine the ability of the life-tenured Justices to thwart his popular mandate. Hughes proved more than a match for Roosevelt in the ensuing battle. In grudging admiration for Hughes, FDR said that the Chief Justice was the best politician in the country. Despite the defeat of his plan, Roosevelt never lost his confidence and, like Hughes, never ceded leadership. He outmaneuvered isolationist senators, many of whom had opposed his Court-packing plan, to expedite aid to Great Britain as the Allies hovered on the brink of defeat. He then led his country through World War II.

Collected here are correspondence, papers, and legal documents--including selected judicial opinions--of American jurist John Marshall. Revolutionary officer, congressman, and secretary of state before his appointment to the Supreme Court, Marshall served as the Court's fourth Chief Justice. In this capacity, he helped define the role of the Court and elevate its status, as he interpreted the Constitution from the bench. The documents presented in these volumes--with introductory material and notes--shed light not only on Marshall's life and thought but on the evolution of American jurisprudence as well.

"John Marshall remains one of the towering figures in the landscape of American law. From the Revolution to the age of Jackson, he played a critical role in defining the "province of the judiciary" and the constitutional limits of legislative action. In this masterly study, Charles Hobson clarifies the coherence and thrust of Marshall's jurisprudence while keeping in sight the man as well as the jurist." "Hobson argues that contrary to his critics, Marshall was no ideologue intent upon appropriating the lawmaking powers of Congress. Rather, he was deeply committed to a principled jurisprudence that was based on a steadfast devotion to a "science of law" richly steeped in the common law tradition. As Hobson shows, such jurisprudence governed every aspect of Marshall's legal philosophy and court opinions, including his understanding of judicial review." "The chief justice, Hobson contends, did not invent judicial review (as many have claimed) but consolidated its practice by adapting

common law methods to the needs of a new nation. In practice, his use of judicial review was restrained, employed almost exclusively against acts of the state legislatures. Ultimately, he wielded judicial review to prevent the states from undermining the power of a national government still struggling to establish sovereignty at home and respect abroad."--BOOK JACKET. Title Summary field provided by Blackwell North America, Inc. All Rights Reserved

This electronic version has been made available under a Creative Commons (BY-NC-ND) open access license. Beyond Observation is structured by the argument that the 'ethnographicness' of a film should not be determined by the fact that it is about an exotic culture – the popular view – nor because it has apparently not been authored – a long-standing academic view – but rather because it adheres to the norms of ethnographic practice more generally. On these grounds, the book covers a large number of films made in a broad range of styles across a 120-year period, from the Arctic to Africa, from the cities of China to rural Vermont. Paul Henley discusses films made within reportage, exotic melodrama and travelogue genres in the period before the Second World War, as well as more conventionally ethnographic films made for academic or state-funded educational purposes. The book explores the work of filmmakers such as John Marshall, Asen Balikci, Ian Dunlop and Timothy Asch in the post-war period, considering ideas about authorship developed by Jean Rouch, Robert Gardner and Colin Young. It also discusses films authored by indigenous subjects

themselves using the new video technology of the 1970s and the ethnographic films that flourished on British television until the 1990s. In the final part of the book, Henley examines the recent work of David and Judith MacDougall and the Harvard Sensory Ethnography Lab, before concluding with an assessment of a range of films authored in a participatory manner as possible future models.

John Marshall Definer of a Nation Henry Holt and Company

Maryland, cited by the Court thousands of times over the years, are still part of the working discourse of constitutional law in America. Drawing on a new and definitive edition of Marshall's papers, R. Kent Newmyer combines engaging narrative with new historiographical insights in a fresh interpretation of John Marshall's life in the law." . Examines the events that led up to the historic case, Marbury vs. Madison, and the important work of John Marshall who empowered the Supreme Court and reestablished the concept of separation of powers, forever impacting the formative years of the United States and pulling the government back from the real possibility of a second revolution. The Supreme Court in United States History is a three-volume history of the U.S. Supreme Court, detailing its establishment, the major cases reviewed and decided by the Court, the historical events surrounding cases and decisions, and the effects that Supreme Court decisions had on the public. Author Charles Warren often references newspaper and magazine articles and letters in an attempt to capture the spirit of the times. Written with one eye on the Court and

one eye on people, The Supreme Court in United States History was "an attempt to revivify the important cases decided by the Court and to picture the Court itself from year to year in its contemporary setting." Volume I describes Supreme Court History from 1789 to 1821, including the establishment of the first courts and the circuit, state sovereignty and neutrality, The Mandamus Case, impeachment and treason, Pennsylvania and Georgia against the Court, The Bank of the United States, and various Chief Justices throughout this time period. CHARLES WARREN (1868-1954) was an American legal historian and lawyer. Warren graduated from Harvard University and Harvard Law School, and received his Doctorate from Columbia University. In 1894, he founded the Immigration Restriction League with fellow Harvard graduates Prescott Hall and Robert DeCourcy Ward. He authored several legal history books, including A History of the American Bar, The Supreme Court in United States History, and The Making of the Constitution, and won the Pulitzer Prize for History in 1923. Warren was the Assistant Attorney General from 1914 to 1918 during Woodrow Wilson's Presidency and drafted the Espionage Act of 1917. Chronicles the life, career, and contributions of the man who sat on the United States Supreme Court for thirty-five years and who was instrumental in molding the court into the powerful body it is today

John Marshall (1755--1835) was arguably the most important judicial figure in American history. As the fourth chief justice of the United States Supreme Court, serving from 1801 to 1835, he helped move the Court from the fringes of power to the epicenter of constitutional government. His great opinions in cases like *Marbury v. Madison* and *McCulloch v. Maryland* are still part of the working discourse of constitutional law in America. Drawing on a new and definitive edition of Marshall's papers, R. Kent Newmyer combines engaging narrative with new historiographical insights in a fresh interpretation of John Marshall's life in the law. More than the summation of Marshall's legal and institutional accomplishments, Newmyer's impressive study captures the nuanced texture of the justice's reasoning, the complexity of his mature jurisprudence, and the affinities and tensions between his system of law and the transformative age in which he lived. It substantiates Oliver Wendell Holmes Jr.'s view of Marshall as the most representative figure in American law.

“A brilliant orator, a firebrand for freedom and individual rights, Henry stands as an American luminary, and Kukla’s magisterial biography shines the glow of achievement on subject and author alike” (Richmond Times Dispatch). Patrick Henry restores its subject, long underappreciated in history as a founding father, to his seminal place in the story of American independence. Patrick Henry is best

known for his fiery declaration, “Give me liberty, or give me death!” Born in 1736, he became an attorney and planter before being elected as the first governor of Virginia after independence, winning reelection several times. After declining to attend the Constitutional Convention of 1787, Henry opposed the Constitution, arguing that it granted too much power to the central government. He pushed vigorously for the ten amendments to the new Constitution, and then supported Washington and national unity against the bitter party divisions of the 1790s. Henry denounced slavery as evil, but he accepted its continuation. Henry was enormously influential in his time, but many of his accomplishments were subsequently all but forgotten. Jon Kukla’s “detailed, compelling...definitive” (Kirkus Reviews) biography restores Henry and his Virginia compatriots to the front rank of advocates for American independence. Kukla has thoroughly researched Henry’s life, even living on one of Henry’s estates. He brings both newly discovered documents and new insights to Henry, the Revolution, the Constitutional era, and the early Republic. This “informational and enlightening biography of the great agitator for democracy” (Library Journal) is a vital contribution to our understanding of the nation’s founding.

NAMED ONE OF THE BEST BOOKS OF THE YEAR BY The Christian Science Monitor • St. Louis Post-Dispatch “Magisterial.”—The New York Times In this

extraordinary volume, Jean Edward Smith presents a portrait of Dwight D. Eisenhower that is as full, rich, and revealing as anything ever written about America's thirty-fourth president. Here is Eisenhower the young dreamer, charting a course from Abilene, Kansas, to West Point and beyond. Drawing on a wealth of untapped primary sources, Smith provides new insight into Ike's maddening apprenticeship under Douglas MacArthur. Then the whole panorama of World War II unfolds, with Eisenhower's superlative generalship forging the Allied path to victory. Smith also gives us an intriguing examination of Ike's finances, details his wartime affair with Kay Summersby, and reveals the inside story of the 1952 Republican convention that catapulted him to the White House. Smith's chronicle of Eisenhower's presidential years is as compelling as it is comprehensive. Derided by his detractors as a somnambulant caretaker, Eisenhower emerges in Smith's perceptive retelling as both a canny politician and a skillful, decisive leader. He managed not only to keep the peace, but also to enhance America's prestige in the Middle East and throughout the world. Unmatched in insight, Eisenhower in War and Peace at last gives us an Eisenhower for our time—and for the ages. NATIONAL BESTSELLER Praise for Eisenhower in War and Peace “[A] fine new biography . . . [Eisenhower's] White House years need a more thorough exploration than many previous biographers

have given them. Smith, whose long, distinguished career includes superb one-volume biographies of Grant and Franklin Roosevelt, provides just that.”—The Washington Post “Highly readable . . . [Smith] shows us that [Eisenhower’s] ascent to the highest levels of the military establishment had much more to do with his easy mastery of politics than with any great strategic or tactical achievements.”—The Wall Street Journal “Always engrossing . . . Smith portrays a genuinely admirable Eisenhower: smart, congenial, unpretentious, and no ideologue. Despite competing biographies from Ambrose, Perret, and D’Este, this is the best.”—Publishers Weekly (starred review) “No one has written so heroic a biography [on Eisenhower] as this year’s Eisenhower in War and Peace [by] Jean Edward Smith.”—The National Interest “Dwight Eisenhower, who was more cunning than he allowed his adversaries to know, understood the advantage of being underestimated. Jean Edward Smith demonstrates precisely how successful this stratagem was. Smith, America’s greatest living biographer, shows why, now more than ever, Americans should like Ike.”—George F. Will

A history of the American Constitution's formative decades from a preeminent legal scholar When the US Constitution won popular approval in 1788, it was the culmination of thirty years of passionate argument over the nature of government. But ratification hardly ended the conversation. For the next half century, ordinary

Americans and statesmen alike continued to wrestle with weighty questions in the halls of government and in the pages of newspapers. Should the nation's borders be expanded? Should America allow slavery to spread westward? What rights should Indian nations hold? What was the proper role of the judicial branch? In *The Words that Made Us*, Akhil Reed Amar unites history and law in a vivid narrative of the biggest constitutional questions early Americans confronted, and he expertly assesses the answers they offered. His account of the document's origins and consolidation is a guide for anyone seeking to properly understand America's Constitution today.

When he resigned last June, Justice Stevens was the third longest serving Justice in American history (1975-2010)--only Justice William O. Douglas, whom Stevens succeeded, and Stephen Field have served on the Court for a longer time. In *Five Chiefs*, Justice Stevens captures the inner workings of the Supreme Court via his personal experiences with the five Chief Justices--Fred Vinson, Earl Warren, Warren Burger, William Rehnquist, and John Roberts--that he interacted with. He reminisces of being a law clerk during Vinson's tenure; a practicing lawyer for Warren; a circuit judge and junior justice for Burger; a contemporary colleague of Rehnquist; and a colleague of current Chief Justice John Roberts. Along the way, he will discuss his views of some the most significant cases that

have been decided by the Court from Vinson, who became Chief Justice in 1946 when Truman was President, to Roberts, who became Chief Justice in 2005. Packed with interesting anecdotes and stories about the Court, *Five Chiefs* is an unprecedented and historically significant look at the highest court in the United States.

Eighteenth- and 19th-century contemporaries believed Marshall to be, if not the equal of George Washington and Benjamin Franklin, at least very close to that pantheon. *John Marshall: The Final Founder* demonstrates that not only can Marshall be considered one of those Founding Fathers, but that what he did as the Chief Justice was not just significant, but the glue that held the union together after the original founding days. The Supreme Court met in the basement of the new Capitol building in Washington when Marshall took over, which is just about what the executive and legislative branches thought of the judiciary. *John Marshall: The Final Founder* advocates a change in the view of when the “founding” of the United States ended. That has long been thought of in one or the other of the signing of the Constitution, the acceptance of the Bill of Rights or the beginning of the Washington presidency. *The Final Founder* pushes that forward to the peaceful change of power from Federalist to Democrat-Republican and, especially, Marshall’s singular achievement -- to move the Court from the

basement and truly make it Supreme.

"It is emphatically the province and duty of the judicial department," John Marshall wrote in *Marbury v. Madison*, "to say what the law is." As its Chief Justice from 1801 to 1835, Marshall made the Supreme Court a full and equal branch of the federal government. In so doing, he joined Washington, his mentor, and Jefferson, his ideological rival, in the first rank of American founders. His legacy extends far beyond *Marbury*, which held for the first time that the Supreme Court has the power to declare acts of Congress unconstitutional. Under his leadership, the Court upheld the constitutionality of a national bank, established the supremacy of the federal judiciary over state courts and legislatures in matters of constitutional interpretation, and profoundly influenced the economic development of the nation through vigorous interpretation of the contract and interstate commerce clauses. His major judicial opinions are eloquent public papers, written with the conviction that "clearness and precision are most essential qualities," and designed to inform and persuade the citizens of the new republic about the meaning and purpose of their Constitution. This volume collects 200 documents written between 1779 and 1835, including Marshall's most important judicial opinions, his influential rulings during the Aaron Burr treason trial, speeches, newspaper essays, and revealing letters to friends, fellow

judges, and his beloved wife, Polly. It follows Marshall's varied career before becoming Chief Justice: as an officer in the Revolution, a supporter of the ratification of the Constitution, an envoy to France during the notorious "XYZ Affair," a congressman, and secretary of state in the Adams administration. The personal correspondence gathered here reveals the conviviality, good humor, and unpretentiousness that helped him unite the Court behind many of his landmark decisions, while selections from his biography of George Washington offer vivid descriptions of battles he fought in as a young man. Charles F. Hobson, editor, is the author of *The Great Chief Justice: John Marshall and the Rule of Law*. He is the editor of *The Law Papers of St. George Tucker* at the Omohundro Institute of Early American History and Culture and was the editor of *The Papers of John Marshall*. "A marvelous and much-needed single-volume collection of the writings of America's greatest Chief Justice, selected by the scholar who knows him best." -Gordon Wood, author of *Empire of Liberty*

LIBRARY OF AMERICA is an independent nonprofit cultural organization founded in 1979 to preserve our nation's literary heritage by publishing, and keeping permanently in print, America's best and most significant writing. The Library of America series includes more than 300 volumes to date, authoritative editions that average 1,000 pages in length, feature cloth covers, sewn bindings,

and ribbon markers, and are printed on premium acid-free paper that will last for centuries.

In ruling after ruling, the three most important pre-Civil War justices--Marshall, Taney, and Story--upheld slavery. Paul Finkelman establishes an authoritative account of each justice's proslavery position, the reasoning behind his opposition to black freedom, and the personal incentives that embedded racism ever deeper in American civic life.

What Kind of Nation is a riveting account of the bitter and protracted struggle between two titans of the early republic over the power of the presidency and the independence of the judiciary. The clash between fellow Virginians (and second cousins) Thomas Jefferson and John Marshall remains the most decisive confrontation between a president and a chief justice in American history. Fought in private as well as in full public view, their struggle defined basic constitutional relationships in the early days of the republic and resonates still in debates over the role of the federal government vis-à-vis the states and the authority of the Supreme Court to interpret laws. Jefferson was a strong advocate of states' rights who distrusted the power of the federal government. He believed that the Constitution defined federal authority narrowly and left most governmental powers to the states. He was suspicious of the Federalist-dominated Supreme

Court, whose members he viewed as partisan promoters of their political views at the expense of Jefferson's Republicans. When he became president, Jefferson attempted to correct the Court's bias by appointing Republicans to the Court. He also supported an unsuccessful impeachment of Federalist Supreme Court Justice Samuel Chase. Marshall believed in a strong federal government and was convinced that an independent judiciary offered the best protection for the Constitution and the nation. After he was appointed by Federalist President John Adams to be chief justice in 1801 (only a few weeks before Jefferson succeeded Adams), he issued one far-reaching opinion after another. Beginning with the landmark decision *Marbury v. Madison* in 1803, and through many cases involving states' rights, impeachment, treason, and executive privilege, Marshall established the Court as the final arbiter of the Constitution and the authoritative voice for the constitutional supremacy of the federal government over the states. As Marshall's views prevailed, Jefferson became increasingly bitter, certain that the Court was suffocating the popular will. But Marshall's carefully reasoned rulings endowed the Court with constitutional authority even as they expanded the power of the federal government, paving the way for later Court decisions sanctioning many pivotal laws of the modern era, such as those of the New Deal, the Great Society, and the Civil Rights Act of 1964. In a fascinating description of

the treason trial of Jefferson's former vice president, Aaron Burr, James F. Simon shows how Marshall rebuffed President Jefferson's claim of executive privilege. That decision served as precedent for a modern Supreme Court ruling rejecting President Nixon's claim that he did not have to hand over the Watergate tapes. More than 150 years after Jefferson's and Marshall's deaths, their words and achievements still reverberate in constitutional debate and political battle. *What Kind of Nation* is a dramatic rendering of a bitter struggle between two shrewd politicians and powerful statesmen that helped create a United States. In his major work, acclaimed historian and judicial authority Melvin Urofsky examines the great dissents throughout the Court's long history. Constitutional dialogue is one of the ways in which we as a people reinvent and reinvigorate our democratic society. The Supreme Court has interpreted the meaning of the Constitution, acknowledged that the Court's majority opinions have not always been right, and initiated a critical discourse about what a particular decision should mean before fashioning subsequent decisions--largely through the power of dissent. Urofsky shows how the practice grew slowly but steadily, beginning with the infamous and now overturned case of *Dred Scott v. Sandford* (1857) during which Chief Justice Roger Taney's opinion upheld slavery and ending with the present age of incivility, in which reasoned dialogue seems less and less

possible. Dissent on the court and off, Urofsky argues in this major work, has been a crucial ingredient in keeping the Constitution alive and must continue to be so.

"Presidential biographer Jean Edward Smith offers a ... biography of George W. Bush, showing how he ignored his advisors to make key decisions himself--most [famously] in invading Iraq--and how these decisions were often driven by the President's deep religious faith"--Amazon.com.

Sponsored by the College of William and Mary and the Institute of Early American History and Culture under the auspices of the National Historical Publications Commission.

A leading Supreme Court expert recounts the personal and philosophical rivalries that forged our nation's highest court and continue to shape our daily lives The Supreme Court is the most mysterious branch of government, and yet the Court is at root a human institution, made up of very bright people with very strong egos, for whom political and judicial conflicts often become personal. In this compelling work of character-driven history, Jeffrey Rosen recounts the history of the Court through the personal and philosophical rivalries on the bench that transformed the law—and by extension, our lives. The story begins with the great Chief Justice John Marshall and President Thomas Jefferson, cousins from the Virginia elite whose differing visions of

America set the tone for the Court's first hundred years. The tale continues after the Civil War with Justices John Marshall Harlan and Oliver Wendell Holmes, who clashed over the limits of majority rule. Rosen then examines the Warren Court era through the lens of the liberal icons Hugo Black and William O. Douglas, for whom personality loomed larger than ideology. He concludes with a pairing from our own era, the conservatives William H. Rehnquist and Antonin Scalia, only one of whom was able to build majorities in support of his views. Through these four rivalries, Rosen brings to life the perennial conflict that has animated the Court—between those justices guided by strong ideology and those who forge coalitions and adjust to new realities. He illuminates the relationship between judicial temperament and judicial success or failure. The stakes are nothing less than the future of American jurisprudence.

A soul-stirring biography of John Marshall, the young republic's great chief justice, who led the Supreme Court to power and brought law and order to the nation

The remarkable story of John Marshall who, as chief justice, statesman, and diplomat, played a pivotal role in the founding of the United States. No member of America's Founding Generation had a greater impact on the Constitution and the Supreme Court than John Marshall, and no one did more to preserve the delicate unity of the fledgling United States. From the nation's founding in 1776 and for the next forty years, Marshall was at the center of every political battle. As Chief Justice of the United States - the longest-serving in history - he established the independence of the judiciary and the

supremacy of the federal Constitution and courts. As the leading Federalist in Virginia, he rivaled his cousin Thomas Jefferson in influence. As a diplomat and secretary of state, he defended American sovereignty against France and Britain, counseled President John Adams, and supervised the construction of the city of Washington. D.C. This is the astonishing true story of how a rough-cut frontiersman - born in Virginia in 1755 and with little formal education - invented himself as one of the nation's preeminent lawyers and politicians who then reinvented the Constitution to forge a stronger nation. Without Precedent is the engrossing account of the life and times of this exceptional man, who with cunning, imagination, and grace shaped America's future as he held together the Supreme Court, the Constitution, and the country itself. Interprets the life, career, and contributions of the man who sat on the United States Supreme Court for thirty-five years and who was instrumental in molding the court into the powerful body it is today. 15,000 first printing.

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