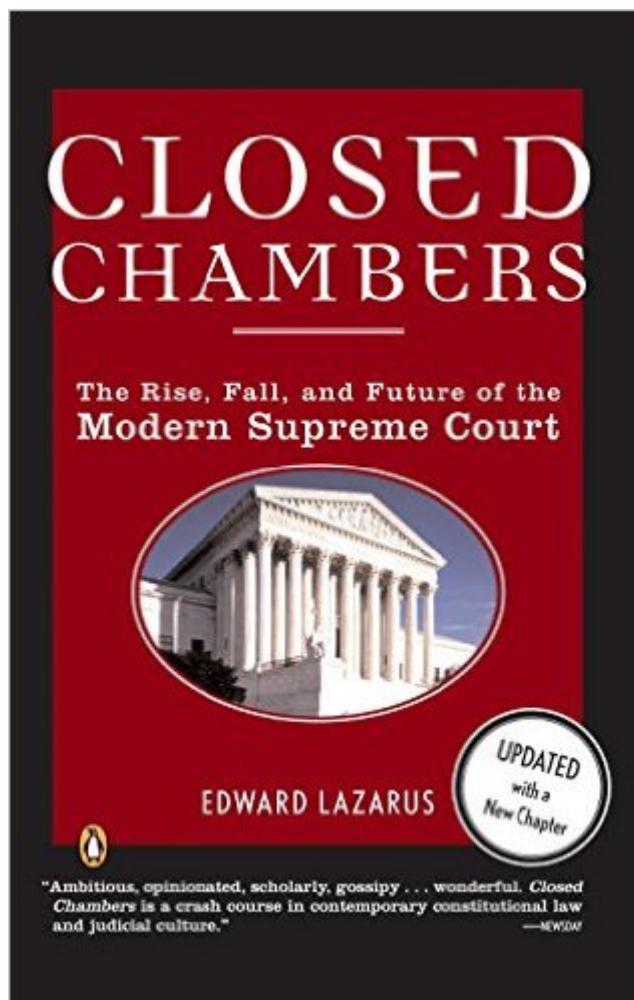


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Closed Chambers: The Rise, Fall, And Future Of The Modern Supreme Court



Synopsis

When *Closed Chambers* was first published, it was met with a firestorm of controversy "as well as a shower of praise" for being the first book to break the code of silence about the inner workings of this country's most powerful court. In this eloquent, trailblazing account, with a new chapter covering *Bush v. Gore*, Guantanamo, and other recent controversial court decisions, Edward Lazarus, who served as a clerk to Justice Harry Blackmun, presents a searing indictment of a court at war with itself and often in neglect of its constitutional duties. Combining memoir, history, and legal analysis, Lazarus reveals in astonishing detail the realities of what takes place behind the closed doors of the U.S. Supreme Court "an institution that through its rulings holds the power to affect the life of every American.

Book Information

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Customer Reviews

Given that a fairly large number of my classmates at Harvard had high aspirations of clerking on the Supreme Court, it was always surprising to me that none of them had read this book. Reading through the (often unfair) reviews here, it is not surprising why. Several complaints of Lazarus' 'unfair' attitudes are evinced: Lazarus focuses on abortion, discrimination, and death penalty 'snapshots' from a legal historical perspective then turns to the inner workings of the court. Shallower readers more interested in Grisham or other fiction might object to Lazarus' description of the Scottsboro case: a legal reader wouldn't begin trying to understand death penalty litigation without that critical starting point. Lazarus describes death penalty obstructionists as dueling with death

penalty hawks - such as law clerks who threw parties when executions were carried out, while Marshall/Brennan clerks conducted vigils. After Woodward/Armstrong's scathing reviews of Blackmun in 'The Brethren,' one cannot fault Lazarus for striving to resuscitate Blackmun's career. After all, the man read deeply, thought profoundly, and cared tremendously about his legacy (which comes down, for better or worse, to *Roe v. Wade*). And this drives the large number of deprecatory reviews: people who hate *Roe v. Wade* will hate anything written about Blackmun with the slightest degree of fairness, deriding the author unfairly and underscoring his claims that closed, prejudiced (or at least, pre-judged) minds dominate, and only a few are willing to stand up to them.

I approached CLOSED CHAMBERS in response to hearing that a Supreme Court Clerk--a coveted one-year position as assistant to the Justices gained by a handful of top law graduates each year--had written a book about the experience and the Court reacted by tightening its rules. Instead of scandal, however, in CLOSED CHAMBERS I found a profound analysis of burning legal questions, primarily the death penalty and abortion. The author does not use the clerk's vantage point to sully the reputation of the Court or to give the impression of arbitrariness in the process by which the Supreme Court reaches its decisions. This unique perspective is used to show the reader the human side of the process, and show how the democratic decisions of the electorate came to influence policy through the persons that the elected, mostly Republican, Presidents could get approved by the mostly Democratic Senate. Of course, this seems genuinely interesting to me, because I realize the unavoidably subjective and political nature of much legal decision-making. Others might see the same text as debasing the sanctity of the objectivity of the law. The decisions of the Supreme Court have not been considered objective application of the law' in many decades--but, yes, the few who might read CLOSED CHAMBERS believing in objective application of the law might be surprised to find acknowledgment of subjectivity, here as in practically every other book about law written in the last 100 years. The book offers little, if any, gossip and much legal reasoning. The history of the death penalty litigation occupies the greater part of the book, and is given in rich historical detail.

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