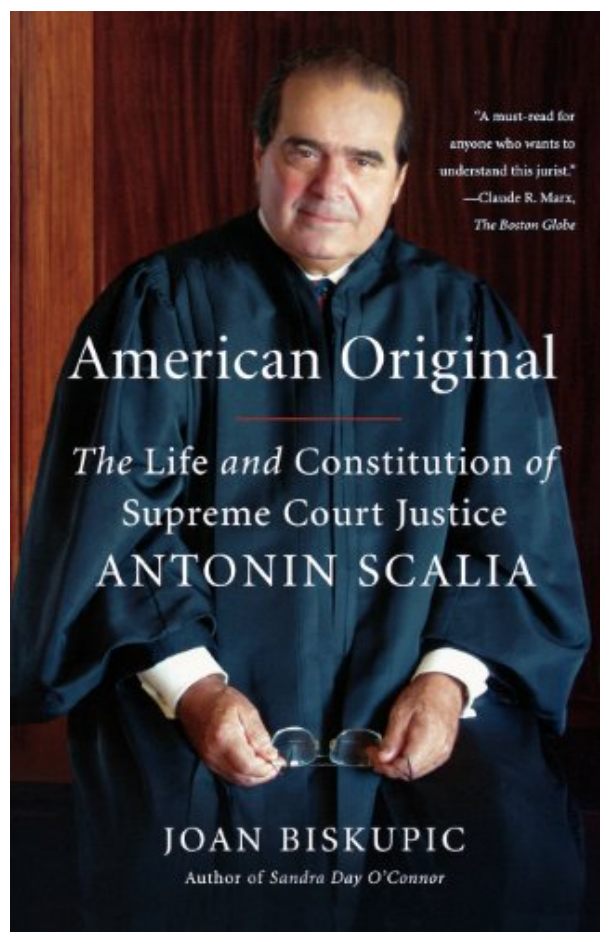
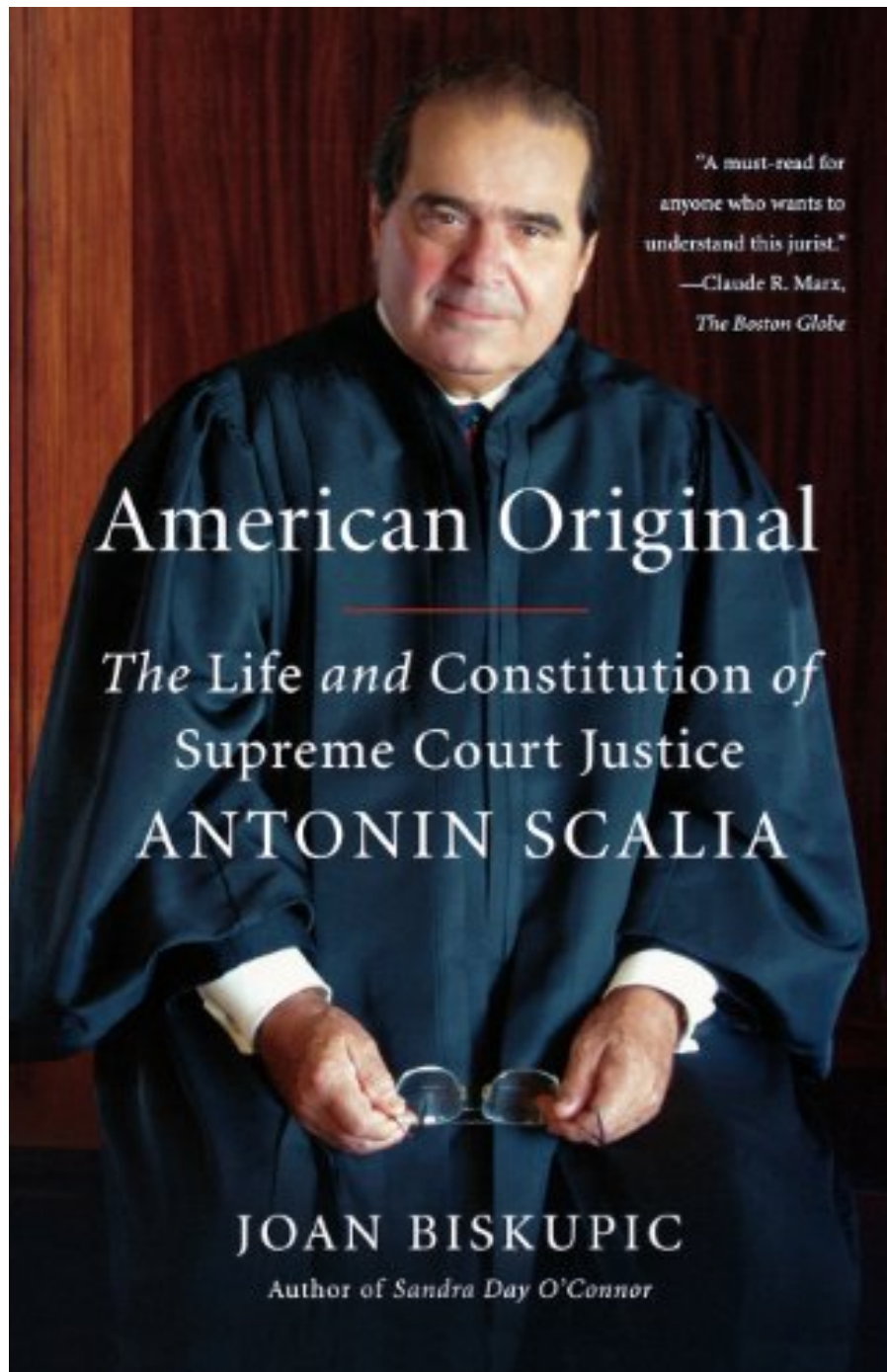


AMERICAN ORIGINAL: THE LIFE AND CONSTITUTION OF SUPREME COURT JUSTICE ANTONIN SCALIA BY JOAN BISKUPIC



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If the U.S. Supreme Court teaches us anything, it is that almost everything is open to interpretation. Almost. But what's inarguable is that, while the Court has witnessed a succession of larger-than-life jurists in its two-hundred-plus-year history, it has never seen the likes of Supreme Court Justice Antonin Scalia.

Combative yet captivating, infuriating yet charming, the outspoken jurist remains a source of curiosity to observers across the political spectrum and on both sides of the ideological divide. But for all his public grandstanding, Scalia has managed to elude biographers' until now. In *American Original: The Life and Constitution of Supreme Court Justice Antonin Scalia*, the veteran Washington journalist Joan Biskupic presents for the first time a detailed portrait of this complicated figure and provides a comprehensive narrative that will engage Scalia's adherents and critics alike. Drawing on her long tenure covering the Court and on unprecedented access to the justice, Biskupic delves into the circumstances of his rise and the formation of his rigorous approach on the bench. This book shows us the man in power: his world, his journey, and the far-reaching consequences of a transformed legal landscape.

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97 of 105 people found the following review helpful.

Not Much Life Story

By Jeff Kelleher

If this first-ever biography of the colorful and prickly Associate Justice were a New Yorker profile, it would merit four stars; if an Atlantic Monthly feature, three. It is an accessible and compact survey of Scalia's public writings and pronouncements, and of public commentary on them. But as biography, it is disappointing.

Biskupic devotes only 21 pages to the first 38 years of her subject's life--the very period the reader is most curious about. How can this be called biography? Compare the first volume of Robert Caro's life of Lyndon Johnson-- 800 deeply illuminating pages on Johnson's first 33 years.

The book offers few glimpses of the influences that shaped Scalia's thought and temperament. Who were the teachers, priests, and professors who taught him? What courses did he take, books did he read, bull sessions did he attend, course papers and letters did he write? He did years of ROTC in school but never served in the military; why not? He spent his junior year at Switzerland's University of Fribourg in what Biskupic calls "a yearlong academic and sightseeing feast." That feastful year gets 43 words.

What was his work during his six years at the law firm of Jones, Day? Hardly a word on this. His four years as a professor at the University of Virginia get only glancing coverage.

The book is drawn almost entirely from published sources. The author did interview the Justice himself several times, and a scattering of family and acquaintances, but collectively these interviews add only the faintest coloration to the public record. Most of Scalia's friends, classmates, and colleagues are still alive, and so loquacious a man certainly has left a lot of private writings and utterances scattered about. But Biskupic did not bother to do the hard digging necessary to uncover them. She worked libraries, not the streets.

Biskupic surmises, casually and obviously, that his view of Roe v. Wade might have been shaped by his Catholic faith; and that his view of the District of Columbia's gun ban might have been influenced by his

lifelong hunting hobby. Hardly profound.

Two speculations are particularly tantalizing. First, Scalia's literalist "originalism" in constitutional interpretation has a parallel in the literalist catechism of the Catholic Church. Second, as a law student he was taken with Herbert Wechsler's doctrine of "neutral principles" of constitutional law--the notion that judges should decide by applying transcendent principles that are detached from the outcome in a particular case. Both of these beg for elaboration, but Biskupic simply tosses them into a paragraph or two and moves on.

If you want a refresher on recent constitutional struggles, as expressed in Scalia's opinions, speeches, and writings, this is a useful book. If you are looking for illuminating biography, you will find, on finishing it, that you have learned almost nothing that was not already extant.

24 of 26 people found the following review helpful.

rich in fact, weak in ideas

By Joseph A. Harder

Having read this biography several times, I must largely concur with Mr. Kelleher's review. This is a good IDEA for a biography, but the end product is badly flawed. Ms. Biskupic, like many of Scalia's critics, and like many aminstream journalists who cover conservative thought, does not really engage with Scalia's ideas, or with his intellectual development. I was amazed that she does not even discuss Scalia's book *A Matter of Interpretation*. She talks about the influence of Catholicism on Scalia, yet does not discuss in detail what he studied at Georgetown or who he studied with. One reads constanly that Scalia graduated with honors in History. Which branch of History? Did he focus on American History or on European? Was he influenced by Georgetown's renowned and controversial Professor Carrroll Quigley? Scalia is usually seen as an "intellectual" conservative. What book and writers influenced him. We know that Clarence Thomas read Harry Jaffa and that William Rehnquist was deeply influenced by Hayek and Oakeshott. Who influenced Scalia?

In short, this book leaves a lot of questions unanswered. It is a brilliant piece of inside reporting on court politics and personalities, but a superficial view of its subject.

15 of 18 people found the following review helpful.

Even-Handed & Illuminating

By K. N.

Supreme Court reporter Joan Biskupic has accomplished a commendable feat of narrative art: to present in an engaging yet even-handed tone the legal, political, and spiritual perspectives that inform the jurisprudence of the Court's most controversial member. Scalia has been the subject of numerous books and articles which alternately laud or condemn his influence on the Court. Biskupic eschews "taking sides" in any partisan way and offers up the closest thing we have to a measured account of Scalia's life and his approach to the law.

Particularly commendable about the book is the fact that Scalia is a sitting Justice. It's usually very difficult for an author to remain tonally impartial when she is writing a "history of the present." Yet Biskupic manages to do just that, even when considering such recent events as Scalia's duck-hunting trip with then-Vice President Dick Cheney and the 2009 New Haven firefighters case.

One way Biskupic manages this task is to cite responses to Scalia's public statements and/or opinions from a range of perspectives, "liberal" to "conservative." Another way is to highlight both the consistencies and inconsistencies with Scalia's professed "originalism." But much of the credit should go to Biskupic's own narrative style, which is the hallmark not of "objective" journalistic reporting but of measured historical analysis. Reading her book almost feels like assessing the career of a highly influential jurist from the past. That Scalia is a sitting Justice seems incidental to Biskupic's larger project of understanding his life and

perspectives in rigorous historical context.

I highly recommend this book not only to students of law and the U.S. Supreme Court but also to anyone interested in civics, legal reasoning, and the art of biographical writing.

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