

# The Selling of Supreme Court Nominees (Interpreting American Politics)

By John Anthony Maltese



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Politics has always been at the heart of the Supreme Court selection process. According to John Anthony Maltese, the first "Borking" of a nominee came in 1795 with the defeat of John Rutledge's nomination as chief justice. What is different about today's appointment process, he argues, is not its politicization but the range of players involved and the political techniques that they use. In *The Selling of Supreme Court Nominees*, Maltese traces the evolution of the contentious and controversial confirmation process awaiting today's nominees to the nation's highest court. In this paperback edition, he includes a discussion of the recent nomination of Stephen Breyer, addressing various reform proposals made by critics of the current process and crediting President Clinton's protracted selection process with restoring some decorum to the proceedings.



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### The Selling of Supreme Court Nominees (Interpreting American Politics) By John Anthony Maltese Bibliography

• Sales Rank: #2041522 in Books

• Brand: Brand: Johns Hopkins University Press

Published on: 1998-04-07Original language: English

• Number of items: 1

• Dimensions: 9.00" h x .52" w x 6.00" l, .70 pounds

• Binding: Paperback

• 216 pages

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#### **Editorial Review**

#### Amazon.com Review

Think that controversial Supreme Court confirmation hearings are a recent phenomenon? You may be surprised to learn of the large numbers of rejections of nominations to the Court in the 19th century for reasons one might think trivial today. John Anthony Maltese documents the increased role of special-interest groups in the nominations process; as recently as 1970, a justice could be nominated and approved with a day of hearings without a single organization testifying--without even a specific public statement of support from the president. In contrast, the Robert Bork and Clarence Thomas hearings lasted more than 10 days, with representatives from 60 organizations filling thousands of transcript pages with their testimony. Because of the necessarily small sample sizes, Maltese occasionally has to torture his data to come to his conclusions (how much does President John Tyler's nomination troubles in the 1840s *really* tell us about today's system?), but he provides a brisk overview of the process, its increased politicization, and President Clinton's success in avoiding divisive confirmation battles. --Ted Frank

#### Review

A careful and concise history, description, and analysis of the modern Supreme Court appointment process... A model of concese and careful scholarship, and I highly recommend it.

(Michael Comiskey Journal of Politics)

Stands out in its scholarly thoroughness and innovative theory... one of the best books currently available for understanding the contemporary politics of Supreme Court nominations.

(John B. Gates The Law and Politics Book Review)

A highly informative study of presidential appointments and senatorial confirmation-or rejection-of those nominees to the Supreme Court throughout our history... This book is clearly written, fast paced, and very well documented. It is recommended to all interested to the political gateway to the federal appellate judiciary.

(Appellate Practice Journal and Update)

A model of concise and careful scholarship.

(Journal of Politics)

John Anthony Maltese sets out to explain how the confirmation process of Supreme Court nominees has arrived at its present point? and he succeeds admirably by interweaving historical and contemporary materials. He demonstrates precisely when and how interest groups became involved in the process and when and how the White House became actively involved in, as he puts it, 'selling' the nominees. I know of no other work that more thoroughly mines the presidential papers and other archival materials, and

effectively integrates contemporary scholarship.

(Sheldon Goldman, University of Massachusetts, Amherst)

#### From the Back Cover

In The Selling of Supreme Court Nominees, Maltese traces the evolution of the contentious and controversial confirmation process awaiting today's nominees to the nation's highest court. His story begins in the second half of the nineteenth century, when social and technological changes led to the rise of organized interest groups. Despite occasional victories, Maltese explains, structural factors limited the influence of such groups well into this century. Until 1913, senators were not popularly elected but chosen by state legislatures, undermining the potent threat of electoral retaliation that interest groups now enjoy. And until Senate rules changed in 1929, consideration of Supreme Court nominees took place in almost absolute secrecy. Floor debates and the final Senate vote usually took place in executive session. Even if interest groups could retaliate against senators, they often did not know whom to retaliate against.

#### **Users Review**

#### From reader reviews:

#### **Manuel Arndt:**

The experience that you get from The Selling of Supreme Court Nominees (Interpreting American Politics) could be the more deep you looking the information that hide in the words the more you get serious about reading it. It does not mean that this book is hard to recognise but The Selling of Supreme Court Nominees (Interpreting American Politics) giving you enjoyment feeling of reading. The article writer conveys their point in a number of way that can be understood by anyone who read the item because the author of this guide is well-known enough. This book also makes your vocabulary increase well. So it is easy to understand then can go to you, both in printed or e-book style are available. We recommend you for having this particular The Selling of Supreme Court Nominees (Interpreting American Politics) instantly.

#### **Bernice Martinez:**

Playing with family in the park, coming to see the water world or hanging out with buddies is thing that usually you could have done when you have spare time, after that why you don't try matter that really opposite from that. One activity that make you not sensation tired but still relaxing, trilling like on roller coaster you already been ride on and with addition associated with. Even you love The Selling of Supreme Court Nominees (Interpreting American Politics), you could enjoy both. It is very good combination right, you still desire to miss it? What kind of hangout type is it? Oh can happen its mind hangout folks. What? Still don't get it, oh come on its identified as reading friends.

#### **John Merritt:**

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#### William Rockwood:

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