

# The Antagonists



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From Publishers Weekly

From 1939, when he joined the Supreme Court, until his retirement in 1962, Justice Frankfurter often engaged in vociferous arguments with Justice Black over the interpretation of constitutional law. Simon reveals how their olympian arguments shaped American law during the 23 years they served together. Tracing their very different backgrounds--Black, a rough-hewn populist senator from Alabama, was once a member of the Ku Klux Klan; Frankfurter, an Austrian-born Jew, became a Harvard law professor--Simon explains why initially they were bitter judicial enemies, yet developed a mutual respect that eventually turned into friendship. The author analyzes the cases in which the two men were most passionately involved, with Black leading the Court's "activist" wing and giving special attention to the protection of the civil rights of minorities, while Frankfurter concentrated on preserving the integrity of the judicial system itself. This is a scholarly work yet accessible to lay readers. Dean and professor of law at New York Law School, Simon is the author of *Independent Journey: The Life of William O. Douglas*.

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From Library Journal

New York Law School Dean Simon has written a lucid, probing, and vibrant account of how the lives and careers of the two most influential Supreme Court Justices in the last 50 years intertwined and clashed. Except during World War II, when Black supported government restrictions on freedom, the former Southern senator and Ku Klux Klan member became the most forceful spokesperson of Bill of Rights' absolutism, often injecting his politics into a decision. Challenging him was Frankfurter, a liberal political activist who, once he was appointed to the Court, strongly espoused judicial restraint, focusing on narrow legal and procedural issues and avoiding broad political statements. Yet, as Simon shows, these "antagonists" had grudging respect for each other and, especially during their later Court years, became legal allies and supportive friends, both leaving significant legal legacies. Baker's book covers some of the same territory as Mark Silverstein's *Constitutional Faiths: Felix Frankfurter, Hugo Black and the Process of Judicial Decision Making* (Cornell Univ. Pr., 1984), but this is more readable, broader in scope, and makes use of new information.

- Jack Forman, Mesa Coll. Lib., San Diego

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