



# Becoming Justice Blackmun: Harry Blackmun's Supreme Court Journey

*Linda Greenhouse*

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**"A fascinating book. In clear and forceful prose, *Becoming Justice Blackmun* tells a judicial Horatio Alger story and a tale of a remarkable transformation . . . A page-turner."--The New York Times Book Review**

In this acclaimed biography, Linda Greenhouse of *The New York Times* draws back the curtain on America's most private branch of government, the Supreme Court. Greenhouse was the first print reporter to have access to the extensive archives of Justice Harry A. Blackmun (1908-99), the man behind numerous landmark Supreme Court decisions, including *Roe v. Wade*.

Through the lens of Blackmun's private and public papers, Greenhouse crafts a compelling portrait of a man who, from 1970 to 1994, ruled on such controversial issues as abortion, the death penalty, and sex discrimination yet never lost sight of the human beings behind the legal cases. Greenhouse also paints the arc of Blackmun's lifelong friendship with Chief Justice Warren E. Burger, revealing how political differences became personal, even for two of the country's most respected jurists.

From America's preeminent Supreme Court reporter, this is a must-read for everyone who cares about the Court and its impact on our lives.

## Becoming Justice Blackmun: Harry Blackmun's Supreme Court Journey Details

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## From Reader Review Becoming Justice Blackmun: Harry Blackmun's Supreme Court Journey for online ebook

### Lightreads says

More history than biography, written almost entirely on the basis of Blackmun's recently unsealed papers (he kept *everything*). It's a bit of a weird book because of that. The opening biographical sketches getting Blackmun to his Scotus appointment are very cursory, as these things go, and the real meat of the book is the themed sections on abortion and Blackmun's authorship of *Roe*, then the death penalty through *Greg v. Ga.* and beyond, and to women's rights (which were, by the way, completely unrelated to the abortion issue for Blackmun, at least at first).

Ah, Blackmun. Thin-skinned, tetchy, precise, finicky, rigorous, occasionally quite funny. That comes through in this book, in his personal notes, casual correspondence, editorial marginalia on letters and drafts. What doesn't really come through is the bigger picture. You'd really think that the personal papers would give the best view of how Blackmun, the Nixon appointee, swung in the last third of his life from voting almost entirely with the conservative Burger end of the court to almost entirely with Brennan and often Marshall. But Blackmun, who wrote down nearly everything else, didn't really explain that, and neither does this book, quite. So the focus on the Blackmun lens is interesting, but not as illuminating as I thought it would be, and the whole book is a bit lighter weight than I was hoping.

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### Cherif Jazra says

This is a fine book about the life of justice Blackmun, a person I have grown to really like in reading this book. A large focus of the focus is in the intimate relationship he had with chief justice Burger, a close childhood friend who was his strongest ally at bringing him to the Supreme Court just a couple years before he was faced with *Roe v. Wade*. The tone of the book is personal as the author Linda greenhouse draws from his personal papers donated tot library of congress in 2003. You find a persons of great integrity and respective of all, never acrimonious. The author takes us through the many cases he authored and his relationship with the other justices through his 24 years at the court. He grew much more liberal as he got older and voted much closer to Brennan than Burger when he first started. Overall enjoyable, particularly the first part of the book

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### Mark says

This is a concise biography of Supreme Court Justice Harry Blackmun. Because it is concise it focuses on a small number of his most famous decisions plus describing briefly how the Supreme Court functions and the relations between the judges. It doesn't spend any time describing a theory of law, but shows on specific concrete cases what he was thinking.

What was most interesting to me was seeing how a conservative judge of just a couple decades ago could take positions that would place him on the left end of the court today. The biggest difference seems to be that Blackmun always remembered that the law was about real people while the ultra-conservative judges regard the law as a theory distinct from the people it affects.

## Madison Thornton says

An excellent judicial biography. Tracks the personal and professional evolutions of one of the great Justices of the latter half of the 20th century. The background information on *Roe v. Wade* was fascinating, and one walks away from the whole experience lamenting the absence of a Justice Blackmun in America today.

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## Earl says

An interesting account of the Justice most known for his authorship of the *Roe v. Wade* majority opinion. A defender of women's rights to the end, this book does a decent job of telling the tale of a complex man from Minnesota who left an indelible mark on the history and course of this nation.

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## Matt says

If you've never heard of Harry Blackmun, well, you should have. As I write this, President Obama's visit to Notre Dame is on the front pages of America's major newspapers. There was a controversy because Notre Dame is a Catholic college and President Obama is not an abortion hardliner. This controversy springs from the most polarizing case in Supreme Court history: *Roe v. Wade*. Written by Justice Blackmun.

Linda Greenhouse's book traces the "journey" of Blackmun by using his private papers. In place of journey, though, I would substitute "evolution." Blackmun was a Republican and Nixon appointee. He came to the Court as one half of the (in)famous Minnesota Twins, alongside Chief Justice (and Billy Mitchell flunky) Warren Burger. (Side note: Oh! How I pine for those days when we could appoint a Supreme Court justice who (a) didn't go to Harvard or Yale and (b) actually practiced in the real world).

At first, all seemed right with the world. Then along came Norma McCorvey who introduced herself to the world as "Jane Roe." Burger gave Blackmun a chance to write the opinion, and depending on where you land on the political spectrum, it was either a monument to pragmatism or a burst of Solomonic madness.

To write the opinion, Blackmun went to the Mayo Clinic, where he'd been general counsel, and stayed up nights in the medical library. From his research, he devised the now-infamous (and also discarded) trimester system.

In my legal opinion, *Roe* is a badly written case. Not because of judicial overreaching, but in its loose constitutional moorings. For some reason, Blackmun tried to avoid the then-evolving concept of a constitutional right to privacy, as embodied by *Griswold v. Connecticut*, and instead tethered his reasoning, and the trimester framework, upon the protected relationship between a woman and her doctor. Of course, this has allowed the decision to be chipped away by every new advance in medical science. He really would've been better off going in the *Griswold* direction of sexual privacy. But alas.

*Roe* changed Blackmun. He changed from a target of feminists to their hero. He received thousands of letters thanking him, as well as those that were not as pleasant. One might argue that he is too empathetic, and allowed himself to be swayed by public sentiment. Others would argue that he, unlike the current Supreme Court, is in touch with real world consequences outside the Beltway.

Blackmun was one of a string of Republican appointees who bit the hand that appointed him, see, e.g. John Paul Stevens, David Souter, and the Great Earl Warren. The joy in this book doesn't come from the writing, which is merely clean and workmanlike, but for its ability to show Blackmun change before our eyes, a change which he describes himself. I'll admit, I got a little teary-eyed when I saw the reproduction of a note written by Thurgood Marshall, telling Blackmun he'd done well, after Blackmun's dissent in the horrid *Bowers v. Hardwick*. (Side note: Whizzer White telling me that a State can outlaw sodomy bothers me on so many levels that I don't know where to begin).

The best part of the book is the reproduction of the documents - the notes, annotations, and internal memos of the secretive Supreme Court. I got a kick out of justices passing notes back and forth during oral arguments updating each other on baseball scores.

Justice Blackmun was not a great legal mind, but he was a great justice. In his later years, his vigorous dissents showed the human side of judging that is often ostentatiously hidden by the justices. As someone who has worked on a capital case, I can say from experience that Blackmun hit it on the head when he called for an end to tinkering "with the machinery of death."

A justice like Blackmun will never come along again. The vetting and confirmation process has become too rigorous. Only those with a long paper trail and rigorous views will ever be nominated and confirmed, and that is a shame. I look at the doctrinaire conservatives on the Court today and shudder. It's impossible to imagine today's justices - Roberts (the smug protector of the status quo, who has shown little of his promised humility), Scalia (the heaven-sent interpreter of the Constitution, who is the only one alive who knows the Framers' intent), and Thomas (the self-hater who wishes to destroy the institutions that gave him so many opportunities) - ever having the thoughtfulness to rethink their entrenched positions.

That means decades and decades of the prosecution beating the defendant, the corporation beating the plaintiff, and the big guy beating the little guy. Justice Blackmun is needed more than ever, but it was a stroke of fortune to have had him at all.

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### **Neil says**

A must-read for anyone interested in the Court.

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### **Dolina Millar says**

This is an excellent biography of Supreme Court Justice Harry Blackmun, the author of the *Roe v. Wade* decision. Looking particularly at cases involving abortion, women's rights, and the death penalty, the author traces Blackmun's judicial thinking and his evolution to more liberal views on these subjects. It also deals with Blackmun's estrangement from his boyhood friend Chief Justice Warren Burger as they increasingly part ways in their thinking. Blackmun's notes to himself and to other justices elucidate the work of the court.

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### **Chris Miller says**

This short biography was well-sorted-out. It drew a clear arc from Justice Blackmun's beginnings at the Mayo Clinic through the surprise of his confirmation as an Associate Justice of the Supreme Court to the

eloquent and motivated jurist he became. Because Linda Greenhouse limited her sources to the papers maintained by Justice Blackmun, many details were omitted and a truly objective portrayal of his impact became impossible. I'm glad I took the time to read it, especially having just finished Sisters in Law: How Sandra Day O Connor and Ruth Bader Ginsburg Went to the Supreme Court and Changed the World by Linda Hirshman.

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### **Bill Sleeman says**

A very good history of one man's contributions. The role that "Roe" ended up playing in his life was unexpected and unfortunate because, as author Linda Greenhouse makes plain, his contributions to constitutional law and scholarship were immense. Oftentimes it is easy to forget that these are just men and women that we have asked to perform a thankless task – Greenhouse makes plain that at least Justice Blackmun struggled daily with what it meant to be on the Court and to shape the rights of so many.

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### **Yeein Lee says**

about time

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### **Mary says**

Good book. Interesting insider information about the Supreme Court. Was also interesting to learn more about Justice Blackmun and how his views changed or evolved while he was on the Court. It was sad, though, to learn of the dissolution of his childhood friendship with Justice Burger because of their differences of opinions while on the Court.

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### **Robin Miller says**

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### **Emily Klein says**

Fascinating book about an important and compelling legal scholar.

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### **Jessica says**

Every time I read it, I take something different out of it. A masterpiece

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