



## John Marshall: Definer of a Nation

*Jean Edward Smith*

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**John Marshall: Definer of a Nation** Jean Edward Smith

A New York Times Notable Book of 1996

It was in tolling the death of Chief Justice John Marshall in 1835 that the Liberty Bell cracked, never to ring again. An apt symbol of the man who shaped both court and country.

Working from primary sources, Jean Edward Smith has drawn an elegant portrait of a remarkable man. Lawyer, jurist, scholars; soldier, comrade, friend; and, most especially, lover of fine Madeira, good food, and animated table talk: the Marshall who emerges from these pages is noteworthy for his very human qualities as for his piercing intellect, and, perhaps most extraordinary, for his talents as a leader of men and a molder of consensus. A man of many parts, a true son of the Enlightenment, John Marshall did much for his country, and *John Marshall: Definer of a Nation* demonstrates this on every page.

## John Marshall: Definer of a Nation Details

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## From Reader Review John Marshall: Definer of a Nation for online ebook

### Joe says

If you have any interest in the early years of our nation and how it was formed, this is a must read. This is also a biography of John Marshall, which fits hand in glove with how he was involved in the Revolutionary War, was involved in the formation of the constitution, and how his knowledge of the constitution and the division of responsibilities served him as our Chief Justice.

They talk about the tightrope that the Supreme Court walked since the constitution does not spell out exactly how the Supreme Court will operate - and John Marshall carved out the courts place in the USA. I know that some people today agree with Thomas Jefferson who worked hard to reduce the influence of the court. Did you know the blood connection between the 2 men? And which of these 2 men would be more lively at a dinner party?

I have an interest in the Supreme court and am interested in other books that you can recommend on the current courts. I read The Bretheran! Maybe more scholarly.

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### Pasfendis says

This is an excellent biography of John Marshall, officer in the Revolutionary War, lawyer, congressman, Secretary of State under John Adams and Chief Justice of the US Supreme Court from 1800 to 1835. Written in a crisp, clear narrative style that moves along at an agreeable pace, the reader is transported back to revolutionary times and immersed in the profoundly important issues of the day. The thing that struck me most about this biography is that John Marshall's appointment to the bench was one of those fortuitous events in the early history of the United States that, had it not occurred, had someone else been the Chief Justice when the most fundamental Constitutional issues were placed before the Court as a matter of first impression, the United States would not exist as we know it today. John Marshall and the Supreme Court that he led was the stabilizing force that glued the nation together in the first three decades of the 1800's and provided stability and force to the Constitution. The author also paints a vivid picture of John Marshall the man: unassuming, simple, likable and honest (he got along with everyone, even his political opponents other than Jefferson), but one of the strongest minds of his generation.

Two caveats: this biography is extremely heavily footnoted- some chapters have well over a hundred footnotes, many of which are substantive and can be lengthy and some of which are placed in the middle of sentences. Some readers will find this disruptive. I did at first but grew accustomed to it as the book progressed. In the end, I was happy to have the information. Second, John Marshall's greatest contribution to history was as a judge, so be prepared to delve into the facts of many of the cases that came before the Supreme Court. This in-depth treatment of the cases allows the reader to understand the issues in context, but does sometimes bring back memories of law school. The author covers the cases skillfully though, so it was never a slog. All in all, a very good read.

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### Mark Fitzpatrick says

Read for a graduate-level American Political Thought course. I must say, I was quite entertained by this biography. Smith does an excellent job outlining the political and cultural atmosphere during the revolutionary and Founding Generation within the context of Marshall's biography. Smith also does an excellent job breaking down Marshall's philosophy on federalism and how it related to the time and to other prominent Founding Generation figures. Court cases are given excellent details along with Marshall's military and early political career. Smith was able to make an interesting, page-turning work that not only gives the reader insight on Marshall personally, but also the early republican years for the country. "Definer of a Nation" is an apt title as Smith shows how Marshall was extremely influential in the judicial and societal framework for the federal government and the public/private sphere.

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## Vincent Li says

I bought the book about a year ago and was reminded of it at an event recently where Chief Justice Roberts, citing this book as the best biography of John Marshall, mentioned that if he could work with anyone, it would be Marshall. The book is rather conventional biography and chronicles Marshall's life rather well though I have four major complaints. 1) On pg 189, the author mistakenly refers to Hamilton as a governor of New York [he never was, this stuck out to me as odd, since Hamilton consistently had conflicts with the state government], 2) the discussion of Marshall's views on the Alien and Sedition act and first amendment failed to mention at all, the scholarly work on the Framers' understanding of the first amendment and how that is shaped by Blackstone's views on prior restraint [scholarly work indicates that many Framers thought the first amendment only prohibited prior restraint, not seditious libel, while this book seems to indicate that most people thought the Sedition act was violation of the first amendment] 3) the general use of the high Federalist, federalist and republican labels without regard to the nuances of the first "party" system, where there is at least a good argument that politicians did not think of themselves in permanent parties. The Federalists thought of themselves as the government, while the Republicans thought of themselves as a temporary faction that would dissolve after overturning the "tyranny" of the federalists. 4) the normality of having judges also be involved in politics, which the author seems to recognize and contradict himself by portraying it as an unusual practice.

However, those complaints aside, the book is a good chronicle of Marshall's life. Marshall comes off as fascinating character, who was a political moderate (though this may be overwrought in the book), who had good personal relations regardless of cross politics (except with Jefferson his cousin, they apparently hated each other) and knew how to have a good time [often dining out and famous for his love of wine]. The book covers Marshall's time as a light infantryman in the revolution, to his legal practice, state legislator [and previous state experience that demonstrated that he was a convert to the independence of the judiciary and the separation of powers from a young age], his role in Virginia's ratification convention, envoy to Paris, Congressman, secretary of state and finally Chief justice (while having the time to write a definitive 5 volume biography of Washington). It was interesting to me that Marshall had been nominated and senate confirmed for a few positions, but turned them down in order to focus on his private practice. It seems like a primary reason he was one of the envoys to the XYZ affair was to find private financing for his Fairfax land acquisition deal (but he so honorably handled the affair, that he was widely celebrated by the country and even political enemies such as Patrick Henry). Marshall apparently only ran for Congress (off of an anti-Alien/Sedition platform) after being beat browed into it by Washington.

Being a law student, I of course was mostly interested in Marshall's time on the court. The biography stresses a few themes of Marshall's cases which are the generally strongly pro-Union stance taken, cases that helped anchor early capitalistic growth in America (particularly in not allowing state legislatures to impair contracts, and corporate charters as well as striking down a state granted steam boat monopoly), and the unanimity that Marshall encouraged along with a keen moderatism that gave something to all sides (in Marbury for

example, Marshall pleased republicans by finding that the court could not issue a writ of mandamus by striking down the congressional statute that gave the court authority to issue the writ, the first case to claim judicial review). The book stresses the very purposeful unanimity that Marshall strived for in the decisions (helped by his congenial personality) to give clearer guidance to the bar and enhanced the reputation of the court (something Jefferson hated and thought allowed justices to be lazy and be manipulated by Marshall). The descriptions of the major cases are pretty standard, with a good background and summary of the holding. I was pretty interested in the role of the court in Burr's treason trial, which definitively rejected constructive treason in favor of a very strict textual reading of the constitution's treason clause (also an unflattering portrayal of Jefferson's eagerness to disregard due process and judicial independence to convict Burr). It is unbelievable to me how vulnerable the court was in the early stages, which Congress and Jefferson agitating to strip the judiciary of its independence, or state rights theorists who attacked the nationalist decisions that the Marshall court handed down. Overall a recommended reading, though I cannot confirm the legal analysis, not having taken constitutional law yet.

The book was also filled with some pretty fascinating anecdotes. While courting his future wife Polly, Marshall has his marriage proposal turned down. Marshall simply got on his horse and rode away, until Polly sent after him with a lock of her hair. After their marriage Polly wore the lock of her hair in a locket until she died, at which point Marshall wore the locket until he died. In another story, Justice Story related to his friend that the court only drank wine when it was raining, but Marshall after asking Story to feel the weather outside the window always responded that the court's jurisdiction was so wide it must be raining somewhere! Marshall apparently was famous for being slothly dressed, in one anecdote while he was shopping in the market, a man who recently moved into the neighborhood and did not recognize the Chief Justice paid the justice a tip to carry his turkey home for him.

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### Tim says

Fan fiction set in Lin-Manuel Miranda's "Hamilton" universe. The main character defends Aaron Burr in court and serves alongside **Lafayette!** makin' redcoats redder with bloodstains.

I bought this book 15 years ago because people were singing its praises. I finally finished it this weekend after several false starts. There is no reason to be intimidated, though. It is a biography of a man instead of a law book.

Each decision makes the reader realize, "so that's why things are like that". The book spends several hundred pages describing his life before he became Chief Justice and that portrayed the legal and economic landscape of colonial Virginia, the revolution, the framing of the constitution, the XYZ affair and the bitter struggle between High Federalists and Radical Republicans. By the time he becomes chief justice, you feel personally connected enough to be cheering him on as he cajoles and compromises to make the court work.

The only thing missing for me was the aftermath of his time as Chief Justice. The book ended abruptly with his funeral and I needed a little explanation of how the Supreme Court made the transition without the man who essentially shaped it.

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### Philip says

When reading a biography, one should always keep in mind that the biographer likely has some affinity for the subject of the book. The author took the vast amount of time to research and write the book; so, I am always skeptical as I read a biography.

This work on Marshall follows the same path as most biographical accounts. As a person who has studied the Founders at some length, I must admit that I knew the least about Marshall; yet, he is the founder with the longest and arguably most influential role in the young republic. This biography provides a well-balanced perspective on Marshall. The chief justice is stripped of his robes, and a human emerges. It was a fascinating read and worth one's while.

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### **Kathleen says**

John Marshall is a lesser known Founding Father. He shouldn't be, because he is to the Supreme Court what George Washington is to the Presidency. The author, Jean Smith, gives the reader a complete picture of John Marshall the man, but focuses on Marshall's term as Chief Justice of the court. Mr. Smith outlines the facts of the major cases decided by the Marshall court. Further, the author explains how these cases established the importance, reach, and character of the court. As Mr. Smith explains, the Supreme Court we see today is largely the result of John Marshall. Mr. Smith is an able historian and biographer and his writing style makes reading a pleasurable trip through time. I have read Mr. Smith's book on U.S. Grant and look forward to reading his other writings.

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### **Sandra Wagner-Wright says**

John Marshall shaped the U. S. Supreme Court into an equal and flexible arm of government. His reputation pales in comparison to his contemporaries Washington, Adams, and Jefferson. He never held national elected office. Yet Marshall's influence as Chief Justice was critical to building our modern democracy.

Marshall's keen mind, social skills, and long life enabled him to build a cohesive Supreme Court that spoke with one voice. In *Marbury v Madison* Marshall established the principal of federal over state jurisdiction. In *Sturgis v Crowninshield*, Marshall broke with Jefferson over the issue of whether the new nation should be agrarian or commercial. In *Cherokee National v Georgia* defied Jackson over the rights of indigenous people.

Jean Smith's prize-winning biography portrays Marshall as a well-connected Virginia family man, a public servant, and a committed judge. She deftly demonstrates how Marshall's experiences shaped his views, and how these views made themselves part of Supreme Court decisions.

Smith's research is nothing short of exhaustive. Her writing style is deft – fully forthcoming without being unnecessarily tedious. *John Marshall: Definer of a Nation* is well worth a read.

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### **Manray9 says**

The Constitution of the United States was not born fully-formed and mature. All three branches of the federal government grew into their respective responsibilities and proper roles. In 1788 Alexander Hamilton wrote that “the judiciary is beyond comparison the weakest of the three branches.” This was undeniable true.

The people of the United States owe a great debt to John Marshall for transforming the wobbly leg of the Constitutional stool into one that effectively checked executive and legislative powers and fostered the rule of law. Jean Edward Smith, with another excellent political biography, reveals the extent of that debt.

John Marshall was not our first Chief Justice, but he was the most significant. He took over a Supreme Court with no authority and little prestige. The court's decisions under his guidance cemented its role as a separate and equal branch of the U.S. government. The decisions were groundbreaking. In *Marbury v. Madison* the Marshall Court established the principle of judicial review – creating the basis for the Supreme Court's role as arbiter of the Constitution; *McCullough v. Maryland* authenticated the implied powers of Congress and confirmed the supremacy of federal actions under the Constitution; in *Cohens v. Virginia* the court refuted the compact theory of states' rights and cut the ground from under secessionist legal arguments decades before the Civil War; and with *Dartmouth College v. Woodward* it upheld the sanctity of contracts thereby strengthening free enterprise throughout the Union. These decisions made the court a powerful bulwark in the drive for national unity. When Marshall assumed the bench, the Supreme Court's role in America was ambiguous. When he died, still sitting as Chief Justice in 1835, that role was indelibly impressed into the fabric of American life. The Marshall Court sat in an era of contentious partisanship, but did so fairly, thoughtfully, articulately, and judiciously. Perhaps its greatest legacy was in drawing a stark line between the law and politics. Marshall knew politics – and kept his court out of them.

As with all of Jean Edward Smith's biographies, *John Marshall: Definer of a Nation* immerses the reader in the life and times of his subject, and does so in a manner scholarly and comprehensive (524 pages of text, 151 pages of Smith's typically illustrative footnotes, and 30 pages of bibliography), yet also entertaining. While most of the book is devoted to Marshall's career as Chief Justice, Smith does not neglect his combat experiences as a soldier during the Revolution, his years as the most prominent and successful lawyer in Virginia, a term as a Federalist member of the U.S. Congress, his exemplary performance as a peace commissioner in France during the notorious XYZ Affair, as well as service as Secretary of State under John Adams, and authorship of a five volume biography of George Washington. Any reader with interest in the early days of the American republic and the shaping of our government and institutions need look no further than *John Marshall: Definer of a Nation*. Jean Edward Smith earned Five Stars from me.

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## Jeremy Perron says

When President John Adams utter the words "I believe I must nominate you" he committed--as Smith points out--the most important nomination since he had recommended that General Washington be made Commander-In-Chief of the American Army during the Revolutionary War. John Marshall is known as the 'Great Chief Justice'. He was not the first but the fourth man to serve as Chief Justice of the United States; nevertheless it was he who would turn the Court into the institution it is today. John Marshall's accomplishment makes him probably the greatest public servant never to serve as president.

I have read and reviewed Professor Smith's biographies of Presidents Grant and Franklin Roosevelt. One of the things that Professor Smith does extremely well is his ability to cut through the myth of any particular individual and get straight to the substance of who they really were. Here, in his first attempt, Smith succeeds in getting to the man behind the myth.

Smith's Marshall is a Revolutionary soldier whose nationalism is strengthened at Valley Forge along with men like George Washington and Alexander Hamilton. He becomes a successful lawyer who finds himself thrust into public service. Often he is pressured to enter the arena by the man who he admired the most: George Washington. Marshall greatly admired Washington and after the death of the first President of the United States, Marshall became his biographer.

"In Marshall's opinion, the power of government derived from the express authority granted by the people. Unlike the British parliament, the American government was not sovereign, and when it acted in the economic sphere, it was bound by the same laws of contract as a private citizen. This view became law of the land in such leading decisions of the Marshall Court as *Fletcher v. Peck* and the *Dartmouth College* case. The holding in those cases reaffirmed the vested rights of property against governmental intrusion and helped set the stage for the growth of American capitalism." (p.108)

As the Chief Justice of the United States, Marshall laid down what was to be the foundation of American constitutional law. Smith shows that Marshall was helping to do that even before he was on the bench, his action concerning the *Robbins* case during his stay in Congress is a good preview of what he would do on the court. This book was written in 1996, I wish some Supreme Court justices had read this prior to the disaster that was *Bush v. Gore*.

"Marshall was drawing a distinction between legal issues and political questions. Not everything that arises under the Constitution involves a legal issue. Some matters are political. And the courts are empowered to render decisions on legal issues only. They have no authority to decide political questions. These are the province of the executive and the legislature. Three years later in the great case of *Marbury v. Madison*, Marshall employed that distinction to establish the authority of the Supreme Court to interpret the Constitution in matters of law. While explicitly recognizing that political questions might raise constitutional issues, Marshall stated that these questions were ultimately the responsibility of the president and Congress. The distinction that Marshall drew has become one of the cornerstones of American constitutional law. In the case of the Vietnam war for example, important constitutional questions were raised about war powers, but these were political questions not legal ones. Federal courts consistently declined to entertain suits testing the war's constitutionality, citing the distinction first articulated by Marshall in his speech on the *Robbins* case."(p.261)

One of the myths that Smith shoots down is with the rivalry and hatred between him and President Jefferson. Smith does not say the rivalry did not exist but he shows that this developed as time went on; each side built up reasons not to like the other. A major part of myth that Smith breaks down is Jefferson's reasons for not liking the famous *Marbury v. Madison* decision, not because of the decision's ultimate result but rather minor technicalities with it.

"It was judicial tour de force. Marshall had converted a no-win situation into a massive victory. The authority of the Supreme Court to declare an act of Congress unconstitutional was now the law of the land. Typically, Marshall's decision paid heed to the claims raised on both sides of the case. The High Federalists were awarded the nominal prize of hearing that *Marbury* was entitled to his commission, and the Republicans gained a victory with the dismissal of the rule to show cause. But the real winner was the Supreme Court an, some might say, the Constitution itself.

The legal precedent for judicial review, that unique American doctrine that permits the Supreme Court to declare acts of Congress and the executive unconstitutional, traces the holding in *Marbury v. Madison*. Marshall did not say that the Supreme Court was the ultimate arbiter of the Constitution. He did not say that the authority to interpret the Constitution rested exclusively with the Court, and he certainly did not endorse grandiose schemes that envisaged the Supreme Court as a board of review sitting in judgment of each act of Congress to determine its constitutionality. He simply stated that the Constitution was law, and that as a judicial matter, it could be interpreted by the Court in cases that came before it." (p.323-4)

Marshall would also lay down what would be the bane of the South's argument of the nature of the Union with important decisions that reinforced the position of the Federal Government over the states.

"Marshall returned to Washington in early February for the 1810 term of the Court, a term that, with possible exception to 1803, would prove to be the most important during his tenure as chief justice. In 1803, in

Marbury v. Madison the Court had established its authority to declare an act of Congress unconstitutional. In 1810, in another landmark case, Fletcher v. Peck, it would assert its authority to strike down state laws repugnant to the Constitution." (p.388)

Probably the decision that most affected the nation as a whole, was the restatement of national supremacy that would become the bedrock of Constitutional law, John C. Calhoun be damned.

"The Court's decision in McCulloch v. Maryland is a ringing restatement of national supremacy. Marshall's eloquent phrases have been invoked repeatedly by later generations of jurists and legislators to justify the expansion of national authority at the expense of the states. At the time, however, Marshall could not have envisioned the modern federal government with its greatly augmented powers to regulate the economy and promote social welfare. His decision was a defensive one. In 1819 the Court was concerned with preserving the Union against the powerful centrifugal forces that constantly threatened its dissolution. McCulloch did not so much expand federal sovereignty as restrict state sovereignty. As one scholar has written, the Court's intention was to enable the federal government to exercise its powers effectively and to prevent state encroachments upon its legitimate operations." (p.445)

The final chapter deals with the Chief Justice's last years. He dies waiting for President Andrew Jackson to get done being president so that he can retire as the Chief Justice. Marshall does not make it; Jackson is elected to a second term defeating Marshall's favorite Henry Clay. Although President Jackson did not make any Supreme Court appointments that Marshall did not like, he clashed directly with Jackson on the rights of Native Americans. However popular support was not on the aboriginal people's side. The Court stood powerless to stop what would become the trail of tears.

"The Supreme Court was on record. The Indian laws passed by the state of Georgia were unconstitutional. `The Court has done its duty,' Story wrote, `let the nation now do theirs.' But the nation was unwilling. Georgia again ignored the Court; Worcester and Butler remained in prison; and President Jackson is reported to have said, `Well, John Marshall has made his decision, now let him enforce it.' Jackson probably did not say that, and at that point the president had no responsibility for enforcing the judgment. The decree issued by the Supreme Court merely instructed Georgia to reverse its decision and release the missionaries. The Court adjourned shortly thereafter, which meant that the decree could not be enforced until the 1833 term and that the state would not be in defiance until then." (p.518)

Like the other two books I read by Smith, John Marshall: Definer of a Nation is a great read. It is the book you want to read if you want to know about one of our most important figures in American jurisprudence, John Marshall.

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## **Kenneth says**

After reading 50 pages of this book, I asked myself, " what other books has this author written? I have to pick up another one of his books". After 100 pages, I find myself reading up on the biography of the author and after finding out that his daytime job is as Professor of Political Science at the University of Toronto, wishing that I was one of his students. Forget about Antonin Scalia and these modern day justices. They are midgets. Marshall was a giant who towered over them and was as important as any of the founding fathers. In reading this book, you learn all about John Marshall the man, but I also picked up quite a few points about the American Revolution period that some of those "rock-star" historians left out of their best selling books. If you like reading American history, or about the Supreme Court, then I highly recommend this book.

## Vheissu says

This is a first-rate scholarly account of one of if not the most important Supreme Court justice in American history.

Having re-read Gore Vidal's *Burr*, I was especially interested in Marshall's relationships with Jefferson, Hamilton, and Burr. Here, again, it is Thomas Jefferson who draws the author's greatest ire and who was one of the people that Marshall despised the most. Marshall personally presided over Jefferson's trumped up trial against Burr. Marshall didn't like Burr much, given his deadly duel with Hamilton, but he believed that Jefferson was the actual threat to the Constitutional government proposed in 1787.

Thomas Jefferson was not simply a slave-owner (and hypocrite), but he was a staunch defender of the expansion of slavery to the Louisiana Territory and defended the right of states to nullify federal actions and even secede from the Union. Jefferson was a well-known critic and abuser of civil liberties and denied the propriety of an independent judiciary.

I suppose that we should always honor Jefferson for the Declaration of Independence; let his statues stand. As a person, politician, and president, however, Jefferson deserves the contempt of friends of liberty and rule of law.

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## Steven Peterson says

This is a definitive biography of the country's first important chief justice of the Supreme Court (with apologies to John Jay--the first). Marshall transformed the Court from an equivocal position among the three branches of government to a coequal branch, as per the Founding Fathers' preference.

The book makes several contributions: (a) it provides a good depiction of Marshall the person; (b) it gives the reader a sense of his effect on the American governmental system through his influence on the Supreme Court. A few words about each.

John Marshall as a person is an important issue, since, in some ways, it affected his performance as Chief Justice. He was an affable person. Less politicized than others in the Federalist political camp. By the mid-1790s, the country had begun to develop its political party system in a rather primitive way. The Federalists--the party of President George Washington (who despised the concept of political party) and of those who desired an energetic national government. Then, the Democrat-Republicans--the party of Jefferson and Madison, desiring a less powerful national government. Marshall was a Federalist, but not of the fire-breathing variety. He was more an accommodationist. One point: He and Jefferson were related but had a healthy dislike for one another. The volume does a very good job depicting Marshall as a person. And this was not unrelated to his performance as Chief Justice.

The book also does a fine job of describing his jurisprudence. It covers his role in such major cases as *Marbury v. Madison*, *Ogden v. Gibbons*, the Dartmouth case, *McCulloch v. Maryland* and so on. His impact on constitutional law is immense and the book details this nicely,

There is also tidbits about his self perception. Late in his career, he noted of himself: "Non sum qualis ernam" (if my memory is accurate)--"I am no longer who I was." I find the passage powerful in that it shows

his understanding of where he was as opposed to where he had been in his powers, acuity, and so on.

All in all, a masterful biography of a major figure in American history.

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### **Janelle says**

After reading this John Marshall may be my new favorite founding father. The man who shaped the Supreme Court was in turn shaped by his upbringing in the foothills of Shenandoah and his service in the Revolution. His devotion to his country and family was remarkable as well as the skill with which he got his fellow justices to work together despite differences in judicial opinion. As the title states, he did a lot to define the nation and he did so with the utmost sense of duty and integrity. The descriptions of him in his rumpled and simple clothing while loving a good party contrast with the gravity of duty he felt toward the bench. Aside from highlighting a somewhat forgotten founder, the book also provided great detail on how the country was shaped, what sentiment was really like at the times, and how things initially worked. Great read for history and biography lovers.

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### **Jean says**

It appears that Smith has written a well-balanced biography of Marshall, looking at the many facts of his long history. The book is well researched into both his legal development and personal life. Smith has also set out to correct misinformation and errors of prior biographies of Marshall. Despite playing a prominent role in the early history of this country, Marshall has remained a surprisingly elusive subject for historians. Jean Edward Smith in “John Marshall: Definer of a Nation” does not offer fresh insights into Marshall’s constitutional philosophy. Instead, Smith devotes nearly half the book to Marshall’s prejudicial career. Thus Smith discusses in detail Marshall’s family background, legal education, marriage to Polly Ambler. The author also describes Marshall’s success with his Richman legal practice, acquisition of large land tracts and early forages into Virginia politics. Smith demonstrates that Marshall enjoyed a superior instruction in the law by the standards of the era. Beside reading the law, he attended the first law classes at William and Mary College. Smith goes into depth about Marshall’s service in the Revolutionary Army. The wartime experience convinced Marshall of the need for effective national government. Smith obtained the rank of General in the Virginia Militia.

The latter half of the book covers Marshall’s time as Chief Justice of the Supreme Court. Smith also covers the other members of the court and how they worked together most often producing a unanimous decisions. The author discusses the death and appointments of new justices and how they did or did not affect the relationship between members of the court. Many of the routines Marshall established about the operation of the Court and the Justices work assignments are still in effect today. Smith does a good job of explaining how Marshall set out to strengthen the Supreme Court as an institution. Marshall moved to reduce partisan influence of and on the court.

Jean Edward Smith is the John Marshall Professor of Political Science at Marshall University. He won the 2008 Francis Parkman prize for “FDR” (2007) biography. I read this as an e-book on my Kindle app for my iPad. If you are interested in early U.S. history or history of the Supreme Court you will enjoy this easy to read book.

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