

Supreme Quotes: Surprising Quotations in Supreme Court Opinions

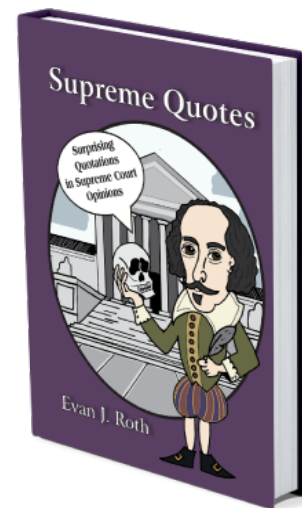
Evan J. Roth

Administrative Judge for the United States Merit Systems Protection Board /Lakewood, Colorado

The views expressed are those of the author and do not necessarily represent the position of the U.S. Merit Systems Protection Board or the United States government.

*In 2008, when 60 Minutes' Leslie Stahl interviewed Supreme Court Justice Antonin Scalia, she asked why his judicial opinions often included quotations from history, literature, and popular culture. Justice Scalia answered: "**It makes the opinion interesting, which might induce somebody to read it.**"*

- First reference book to highlight how frequently Supreme Court Justices use **surprising quotations to enhance their opinions**
- Among the quoted are **satirists, actors, playwrights, politicians, musicians, poets, and more**
- **Contextual summaries** to illustrate how each quote was used to crystallize an important legal point
- Each case involves a **matter of great public importance**, from defamation to search and seizure
- A unique compilation for legal professionals, government employees, teachers, students, journalists, or **anyone with an interest in the nation's highest court!**



Featured Quotes Include:

- Mark Twain
- Albert Camus
- Clark Gable
- William Shakespeare
- John F. Kennedy
- John Lennon
- Ralph Waldo Emerson
- and more!

Supreme Quotes

About *Supreme Quotes*

What do Clark Gable, The Dalai Lama, Mark Twain, and Bob Dylan all have in common? They've each been quoted in a Supreme Court opinion. *Supreme Quotes: Surprising Quotations in Supreme Court Opinions* collects surprising quotations used by Supreme Court justices to spice up their opinions and highlight the crux of a case's underlying dispute. For each entry, *Supreme Quotes* presents the quote first, inviting readers to wonder why the Justice might have selected it. Then, a contextual summary provides the answer, offering an engaging way to learn about the underlying subject matter.

Every case involves a matter of great public importance. For example, Justice Brennan quoted George Orwell's *1984* as part of his dissent in *Florida v. Riley*, an important search-and-seizure case. Similarly, Justice Stewart quoted Joseph Heller's *Catch-22* in *Parker v. Levy*, a court-martial case arising out of opposition to the Vietnam War. Likewise, Chief Justice Rehnquist quoted Shakespeare's *Othello* in *Milkovich v. Lorain Journal Co.*, one of the Court's most important defamation cases. In each case, the selected quotation reveals the Justice's mindset about the disputed legal issue.

Supreme Quotes is an excellent reference book for everyone from legal professionals to those with a casual interest in political issues. At the same time, *Supreme Quotes* is entirely apolitical. As a result, for those tired of the political back-and-forth, *Supreme Quotes* offers an entertaining approach to legal issues of national importance.

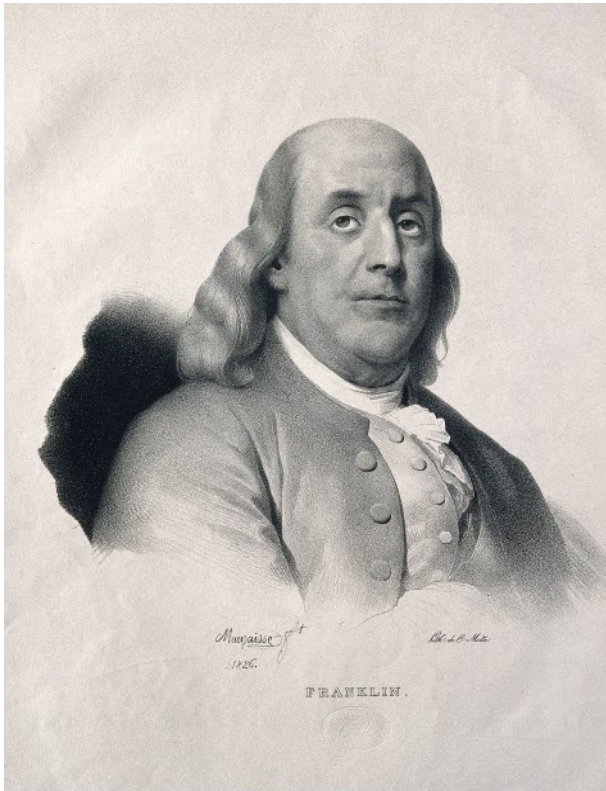
Includes Quotations from Famous and Infamous Names Such As....

- Franklin Pierce Adams
- Alan Alda
- Humphrey Bogart
- Robert Bolt
- James Boswell
- Albert Camus
- George Carlin
- Lewis Carroll
- The Dalai Lama
- Clarence Darrow
- Benjamin Disraeli
- John Donne
- Arthur Conan Doyle
- Bob Dylan
- Albert Einstein
- Ralph Waldo Emerson
- Anatole France
- Benjamin Franklin
- Robert Frost
- Clark Gable
- John Gay
- Ira Gershwin
- Joseph Heller
- Hercules
- Adolph Hitler
- Homer
- John F. Kennedy
- John Maynard Keynes
- Stan Lee
- John Lennon
- John McCrae
- Herman Melville
- The New Testament
- The Old Testament
- George Orwell
- William Shakespeare
- Alfred Tennyson
- Henry David Thoreau
- Mark Twain
- Virgil
- Kurt Vonnegut



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Samples from Supreme Quotes



Benjamin Franklin, 1826 (lithograph by J. B. Mauzaisse)

BENJAMIN FRANKLIN

In this world nothing can be said to be certain, except death and taxes.

United States v. Estate of Romani, 523 U.S. 517, 520 n.2 (1988) (Stevens, J.) (quoting Benjamin Franklin's November 13, 1789 letter to Jean Baptiste LeRoy, as published in 10 *The Writings of Benjamin Franklin* 69 (A. Smyth ed. 1907)).

In 1985, a private creditor recorded a \$400,000 judgment lien against Francis Romani's Pennsylvania real estate. Soon thereafter, the federal government recorded \$490,000 in tax liens against the same property. All of the debts remained uncollected until 1992, when Romani died, and his real estate was valued at only \$53,000.

The shortfall triggered a \$53,000 collection dispute between the private creditor and the federal government. The central issue involved an inconsistency between two federal statutes. One was the federal priority statute, 31 U.S.C. § 3713, which provided the federal government "shall be paid first" when a decedent's estate cannot pay all of its debts. The other was the Federal Tax Lien Act, 26 U.S.C. § 6321, which declared that a federal tax lien "shall not be valid" against a previously recorded judgment lien.

The federal government's attempt to rely on the first statute, while ignoring the second, raised the ire of Justice Stevens, who opined that the government's aggressive collection tactics "gave new meaning to Franklin's aphorism," quoted above. Writing for the unanimous Court, Justice Stevens concluded the Federal Tax Lien Act blocked the government's collection efforts, thus proving that while death is inevitable, taxes are not.

JOHN LENNON

Imagine there's no countries
It isn't hard to do
Nothing to kill or die for
And no religion too
Imagine all the people
Living life in peace.

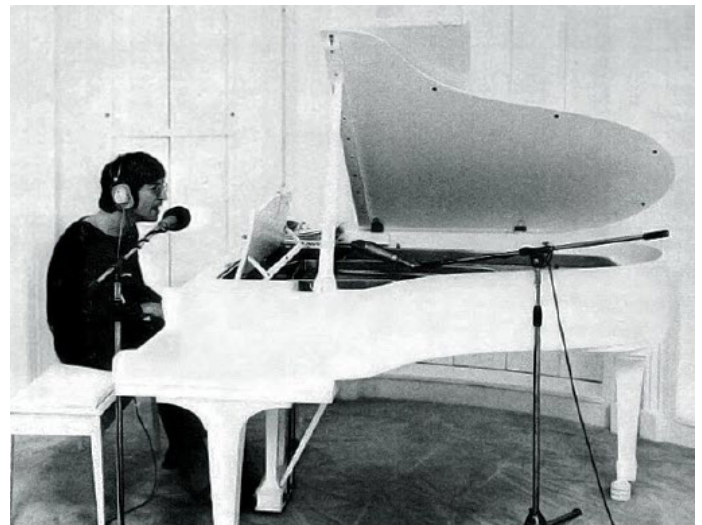
Pleasant Grove City v. Sumnum, 555 U.S. 460, 475 n.2 (2009) (Alito, J.) (quoting John Lennon, "Imagine," on *Imagine* (Apple Records 1971)).

In 1971, the Fraternal Order of Eagles donated a Ten Commandments monument for permanent placement in Pioneer Park, Pleasant Grove City, Utah. In 2003, and again in 2005, the Gnostic Christian organization Sumnum offered to place its own stone monument in the park, which would be similar to the Ten Commandments monument, but instead the inscription would be "the Seven Aphorisms of Sumnum." Pleasant Grove denied the requests. Sumnum sued and alleged Pleasant Grove violated the Free Speech Clause by accepting a Ten Commandments monument while rejecting one for the Seven Aphorisms. A unanimous Supreme Court ruled for Pleasant Grove.

The central issue was whether a donated permanent monument in a public park was "private speech," which is subject to the Free Speech Clause, or "government speech," which is not. Writing for the Court, Justice Alito explained that when a government accepts a permanent monument (even one donated by a private citizen), it is "government speech," so the Free Speech Clause does not apply.

In such circumstances, to avoid the "government speech" doctrine from being used as a "subterfuge" to favor certain private speech, Sumnum argued that governments should be required to state, explicitly, the "message" they are promoting. The Court rejected the idea because of the difficulty of knowing a monument's true "message."

In support of that determination, Justice Alito relied on the New York Central Park's John Lennon monument, which states simply: "Imagine." According to Justice Alito, the "message" for some might be to "imagine" the musical contributions lost when Lennon was murdered, while for others the "message" would be the lyrics of Lennon's famous ballad, quoted above.



John Lennon, as pictured in an advertisement for Imagine from Billboard, Sept. 18, 1971 (photograph by Peter Fordham)

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About the Author



Evan J. Roth previously published *Strategic Legal Writing* (Cambridge University Press, 2008), a textbook he co-authored with Professor Donald Zillman. From 2002 to 2014, Professor Zillman and Roth used that textbook to teach “Advanced Legal Writing” to third-year law students at the University of Maine School of Law. Since 2014, Roth has been a federal Administrative Judge in the Denver Office of the U.S. Merit Systems Protection Board. He adjudicates federal employment disputes, including whistleblower claims, employee terminations, and veterans’ rights violations. From 1994 to 2014, he was an Assistant U.S. Attorney for the District of Maine, where he was promoted to Chief of the

Civil Division. As an Assistant U.S. Attorney, he was featured in the 2007 documentary, “Returning America’s Art to America,” regarding Roth’s successful litigation to recover a missing painting commissioned by the Franklin Roosevelt Administration (produced by the WPA Art Recovery Project) (narrated by Charles Osgood).

From 1987 to 1994, Roth was a litigation associate for the law firm of Williams & Connolly in Washington, DC. From 1986 to 1987, he was a Judicial Clerk for the Hon. W. Eugene Davis of the U.S. Court of Appeals for the Fifth Circuit. In 1986, Roth graduated cum laude from Georgetown University Law Center. In 1982, he graduated summa cum laude from Tufts University, which awarded Roth the Houston Scholarship in Economics.

Roth is an expert in the subject of this book. Since 2009, he has published individual *Supreme Quotes* as an ongoing feature in each issue of the quarterly *Maine Bar Journal*. This book is a comprehensive collection of those features.

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✉ customerservice@wshein.com

📞 800-828-7571

