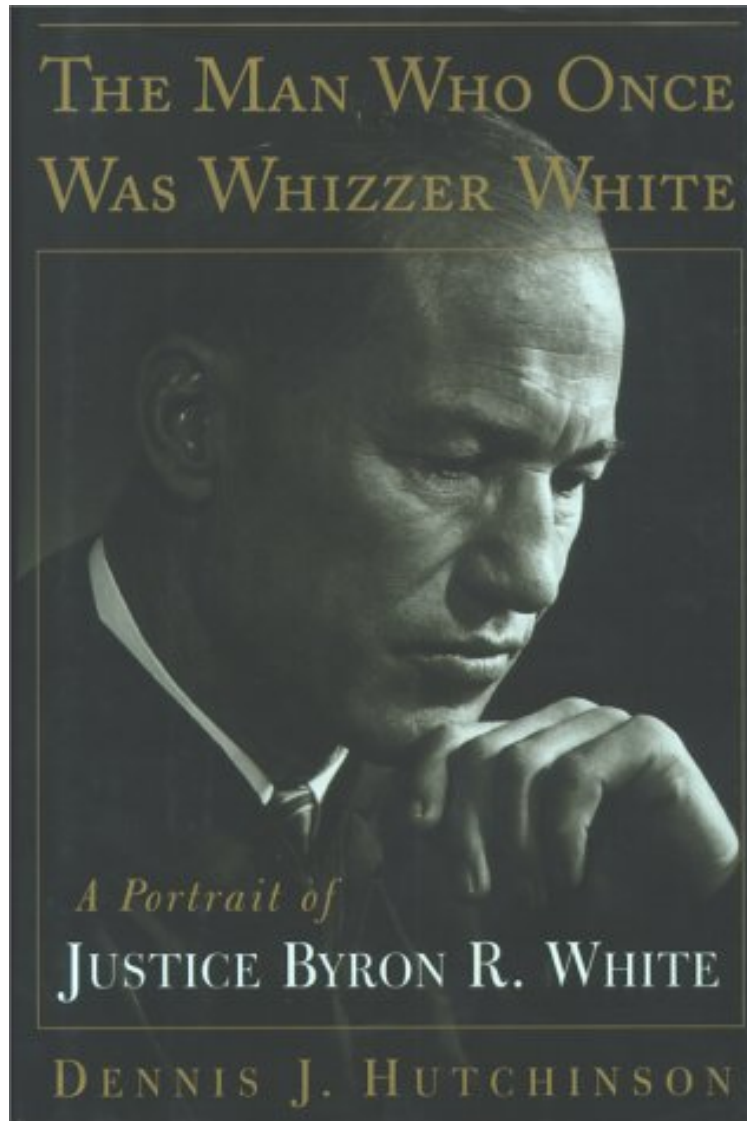


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The Man Who Once Was Whizzer White: A Portrait of Justice Byron R. White

Dennis Hutchinson

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Hutchinson provides the first definitive biography of Justice Byron 'Whizzer' White -- this century's most famous scholar-athlete -- who served on the Supreme Court for 31 years and was the author of the famous dissenting opinion in 'Roe vs. Wade.' Byron White was not only one of the longest serving Supreme Court Justices in history; he was also one of the last in an elite group of classic American heroes. Born to near-poverty, he became a college football sensation at the University of Colorado, where he earned the nickname 'Whizzer' White and carried his obscure team to the Cotton Bowl. White went on to become a Rhodes scholar, one of the most brilliant students in the history of Yale Law School, the highest paid rookie in professional football, a World War II hero, and a deeply principled and influential Supreme Court Justice. Written by a former clerk of White's and a distinguished Constitutional historian, this exemplary, flesh-and-blood portrait is based on extensive archival work and scores of interviews with White's former colleagues. Richard Posner calls it one of 'the two best judicial biographies [ever written]...difficult to put down.' Capturing the essence of a principled justice who spent his post-college life dodging the 'Whizzer' myth, this beautifully written biography will stand for years as a model of its genre.

.com Justice Byron White had a life that could fill two biographies. As a young man, he was a national celebrity as a student athlete who excelled on both fronts. On the gridiron, he led Colorado to its first bowl game and finished second in the Heisman Trophy voting; in the classroom, he earned himself a Rhodes scholarship. But he put off going to Oxford to lead the National Football League in rushing, garnering a record salary along the way. He served in World War II in the Pacific, and returned to earn another degree from Yale Law and clerk for the Supreme Court. After a year in the Kennedy administration, he was appointed to the Supreme Court, where he served three decades. White's reputation with the press as a Supreme Court justice suffered because, despite his personal pro-choice views and desire for privacy, he dissented in *Roe v. Wade* and, 13 years later, wrote the majority opinion in *Bowers v. Hardwick*, determining that "the Constitution does not confer a fundamental right upon homosexuals to engage in sodomy," even behind closed doors. Hutchinson argues persuasively that these opinions were the result of a consistent judicial philosophy that refused to view the judiciary as a legislature. In his dissenting opinion in *Roe v. Wade*, for example, White wrote, "This issue, for the most part, should be left with the people and to the political processes the people have devised to govern their affairs." And in *Bowers v. Hardwick*, he commented, "The Court is most vulnerable and comes nearest to illegitimacy when it deals with judge-made constitutional law having little or no cognizable roots in the language or design of the Constitution." Dennis Hutchinson, a former clerk for White and a University of Chicago Law professor, has written a smooth-reading biography of White, although it suffers from some gaps in coverage caused by his subject's passive lack of cooperation. Although clearly sympathetic to his subject, he writes in a neutral tone that provides a thorough overview of the justice's press coverage and Supreme Court work, helped in the latter by interviews with several dozen clerks (and, no doubt, Hutchinson's own experience). A remarkable book about a remarkable man. --Ted Frank
From Publishers Weekly
Justice Byron White, who retired from the Supreme Court in 1993, 31 years after his appointment by President Kennedy, remains a contentious figure. Liberal critics deride a plodding, reactionary, homophobic decision-maker who inadequately protected citizens from government intrusion into their private lives, reneged on support for affirmative action and wrote few memorable opinions. But in University of Chicago law professor Hutchinson's admiring, dry biography, White is a Rhodes scholar, college and pro football star (whence the nickname "Whizzer"), Colorado lawyer, decorated Navy veteran. As a nonideological, self-effacing, principled public servant, a moving force on First Amendment libel and privacy issues. White, a publicity-shy ex-athlete who declined to be interviewed for this bio, even though Hutchinson once clerked for him, is best remembered for dissenting in 1973 on *Roe v. Wade*, not because he objected to abortion but because he believed there is no constitutional support for such a right. Hutchinson's closely argued, nuanced brief will appeal mostly to legal buffs. Copyright 1998 Reed Business Information, Inc.
From Library Journal
Readers who think the day of the keenly crafted judicial biography has gone the way of the manual typewriter should read this impressive biography of former U.S. Supreme Court Justice Byron White by Hutchinson (Univ. of Chicago), who once clerked for White. This work, however, is not hagiographical. White's career was extraordinary and unique: Phi Beta Kappa student, all-American college football player (hence, the nickname "Whizzer"), Rhodes scholar, NFL running back, World War II navy veteran, first in his class at Yale Law School, clerk to the chief justice of the United States, Justice Department lawyer, and associate justice of the U.S. Supreme Court for 31 years. Hutchinson reveals a complex person of extraordinary ethical integrity and virtually unparalleled devotion to a life of privacy. White did not practice results-oriented jurisprudence and fancied himself neither a legal philosopher nor a social engineer, making "decisions according to law." Hutchinson delivers a persuasive and compelling account of a person more interested in doing what was right rather than that which would make him famous. Highly recommended for all libraries. A
Stephen Shaw, Northwest Nazarene Coll., Nampa, ID
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