



The Cult Of The Court

John Brigham

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In recent years widespread attention has been focused on decisions handed down by the Supreme Court that grapple with passionate issues: integration, school prayer, abortion, affirmative action. The appointment of new justices is a highly charged political event although the Court is supposed to be "above" politics. Amidst the bicentennial celebration of the Constitution and almost daily reports of major confrontations awaiting the highest court's judicial review, John Brigham presents a fresh and innovative examination of the U.S. Supreme Court as the final arbiter of constitutional interpretation. Drawing on philosophy and anthropology, *The Cult of the Court* offers a social scientific investigation of an institution whose authority has come to be taken for granted. The author emphasizes that the Court is an institution and that its authority is founded less in the claim of legal expertise than in hierarchical finality--the assertion of political will, not of legal judgment. He shows how the Court has supplanted the Constitution as the authority in our political world and that what makes legal "sense" is affected by these factors of institutionalization, bureaucratization, and court-dominated constitutionalism.

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