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Erwin Chemerinsky



UC Irvine School of Law

Irvine

Professor of law

Specialties: constitutional law, civil rights and civil liberties

Erwin Chemerinsky, a preeminent constitutional law scholar and founding dean of the UC Irvine School of Law, has long been an icon in the legal community.

Now the masses can get a window into the mind of the legal giant with his new book geared for mainstream consumption: "The Case Against the Supreme Court."

Chemerinsky's eighth book, which hit bookstores in September, contains reflections on 35 years of teaching, writing, litigating and studying the highest court in the land.

"The thesis of the book is that the Supreme Court has largely failed

through American history in its most important tasks. And, I think, these are enforcing the constitution and protecting the rights of minorities of all sorts, especially in times of crises," Chemerinsky said.

The book, meant for a general audience, looks at the U.S. Supreme Court historically and contemporaneously.

The 350-page text stemmed from the realization "that I have been making excuses for the Supreme Court too much," said Chemerinsky, who has argued before the high court five times, including last year when the justices ruled against his client caught protesting the military at a location he had been ordered to avoid.

When he spoke to students about *Dred Scott*, *Plessy v. Ferguson*, and *Korematsu v. United States*, Chemerinsky said, "My tendency was to want to say these [decisions] are aberrations and they are not what really the Supreme Court has done to American history. ... I don't think the Supreme Court's overall track record is generally a positive one."

"This is the first time that I have said that if you look at the sweep of American history, the Supreme Court has largely failed," he said.

The liberal constitutional scholar in June saw the law school he has shepherded since its founding in 2009 achieve a major milestone: full accreditation by the American Bar Association.

"We have watched so many law schools, including in California, struggle to get accreditation," Chemerinsky said. "It is a wonderful rite of passage."

The school now has its sixth entering class, the class of 2017, of approximately 100 students, and it has added six new faculty members, bringing the total to 43.

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