

Answer Sheet: SCOTUS quiz on “Table for 9”

- 1) “I’ll tell you what, if I am lucky enough to be confirmed, I will ask Justice Scalia to take me hunting.” Which justice made this promise to the Senate Judiciary Committee?

Answer: Elena Kagan

After going bird hunting “four or five times,” Kagan and Scalia went big-game hunting in Wyoming. Kagan shot a deer, but Scalia was apparently not that impressed: “She ended up killing a white-tailed doe, which she could have done in my driveway.”

For the next time you shoot a deer in your driveway, Marty Ginsburg provides a recipe for venison stew in “Table for 9.”

- 2) “Good cheese is one of the gifts of the Gods, a fact that is not appreciated in this country as it ought to be.” Which chief justice lamented this sad fact?

Answer: Harlan Fiske Stone

Shame on you if you chose Taft. He’s the only person in history who can compare being president with being chief justice, and he much preferred the latter position. Much happier and walking to work each day, he lost 100 pounds after he became chief justice.

Stone also loved clams. See “Table for 9” for a recipe for a Maine clambake.

- 3) “The Justice had a lot of faith in bourbon as a cure for just about any ailment.” A clerk said this about which Kentucky-born justice?

Answer: John Marshall Harlan

Louis and Alice Brandeis were well-known for their intellectually stimulating parties – and underwhelming fare. A man with Spartan tastes, every day at lunch Brandeis ate fresh spinach between two slices of wheat bread.

I don’t think I’m infringing on copyright if I give away Harlan’s “Table for 9” recipe: two cups ice, half cup water, bourbon (measured to the first joint in Harlan’s finger).

- 4) Which Prohibition-era justice, after being sent three bottles of wine, made this pseudo-constitutional determination: “The 18th Amendment forbids manufacture, transportation and importation. It does not forbid possession or use. If I send it back I will be guilty of transportation. On the whole, I think I shall apply the maxim de minimis and drink it.”

Answer: Oliver Wendell Holmes

Holmes also used to bring his lunch to the court, in an old ammunition tin from the Civil War – possibly the very one he had carried as a soldier.

See “Table for 9” for Fanny Holmes’ fish chowder. As Cushman writes, “This dish is more like a fish stew because it lacks milk or cream and instead uses a traditional New England trick for making soups creamier: stirring in crackers.”

- 5) “The trick is to keep the steak moving on the hot pan, add butter just before it’s finished, and accent with a little garlic salt.” Which justice offered this culinary advice?

Answer: Hugo Black

You want the recipe for Gorsuch’s now-famous turmeric-based steak rub? That’s off the record.

Louise Gorsuch makes her own English marmalade – American marmalade is too sweet for this British woman’s taste. See “Table for 9” for the recipe.

- 6) False. They used to, however. In the late 19th century, the justices heard argument from noon until 4 p.m., without a lunch break. This stopped after the advocates complained about the loud clanking of cutlery and the justices’ apparent lack of attention.
- 7) False. Although the early justices used to deliberate during dinner, the lunch exists primarily to foster a spirit of collegiality.
- 8) True. Sotomayor loves to cook... other dishes. As she says: “I tasted the best from my mother, my grandmother, my uncles, my father. I can’t duplicate anything they make. So I have lost heart and I don’t try.”
- 9) False – according to Justice Antonin Scalia. But, according to Maureen Scalia, there’s some disagreement in the family: “The Justice made well-known his opposition to serving bread with pasta; on this, some of his children have dissented since a recipe is a living-breathing document.”
- 10) I plead the Fifth. Free point if you made it this far.