

BOOK REVIEW

A HISTORY OF THE FIFTH CIRCUIT 1891-1981: By Harvey C. Couch, The Bicentennial Committee of the Judicial Conference of the United States, United States Government Printing Office, 1984.

It is difficult to summarize and describe an entity that has, over its history, turned out millions of words about law and our society. Harvey Couch, however, has captured an essence of one of our premier judicial institutions, the Fifth Circuit Court of Appeals. From the days of the Supreme Court Justices riding circuit in this region until the creation of the Eleventh Circuit, Mr. Couch has chronicled the evolution of the court.

His narrative examines the composition and function of the Fifth Circuit and its predecessors in light of the jurists who did its work. Each change in the court's personnel is detailed, and the background of the appointees explored. The descriptions of those who served make the reader feel the personalities. This is his description of Chief Judge John Brown:

John Brown is an ebullient, florid man with a seemingly inexhaustible capacity for enjoying life and a seemingly endless supply of multi-colored sports coats. He possesses boundless energy, an unexpected sensibility, a joviality laced with toughness, and an unfailing desire to get on with the job at hand. These qualities translated into a superb administrator

Couch also touches on the cases which the circuit decided. Some became the basis on which the Supreme Court resolved conflicts among the circuits, using the Fifth Circuit's rationales. Others were reversed, often on grounds suggested in Fifth Circuit dissents.

The most far reaching work of the Fifth Circuit came in the wake of the Supreme Court's decision in *Brown v. Board of Education*.² Couch outlines the segregation cases arising in this circuit and the judges' responses to them. Perhaps the most intense section of the book describes the firm resolve with which the judges responded to those who would attempt to preserve unconstitutional segregation.

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1. H. COUCH, A HISTORY OF THE FIFTH CIRCUIT, 1891-1981, p. 140.
 2. *Brown v. Board of Education*, 347 U.S. 483 (1954).

The book gives a broad overview to the Fifth Circuit's history and significance. It is well documented and cites sources where the reader can delve into more detail about specific cases and personalities. This work is not just for attorneys, though. The style and content are presented in an informative manner that will be comprehensible to anyone. It will serve as a thorough and concise roadmap into the intricacies of a circuit which Couch describes in closing as "a Court that shaped the course of Southern history; a Court, finally, that brought respect and dignity and honor to the judicial process, to the profession of law, and to the South."³

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3. H. COUCH, *A HISTORY OF THE FIFTH CIRCUIT, 1891-1981*, p. 198.