

Not just umpires — justices are fans, too.

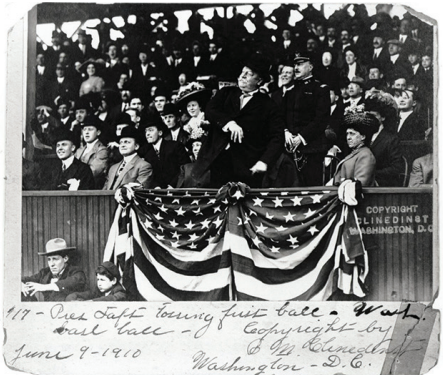
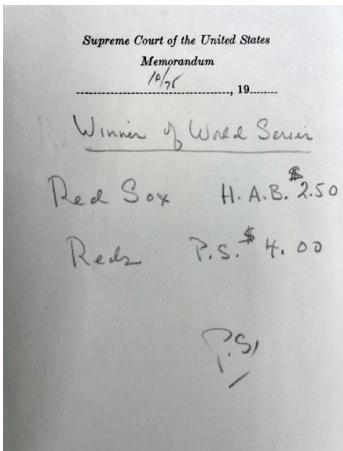
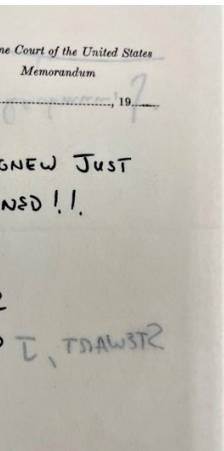
THE SUPREME COURT’S JURISPRUDENCE ON BASEBALL began in 1922 with a unanimous ruling in an anti-trust case, *Federal Baseball Club v. National League*, that holds to this day. But the Court’s relationship with baseball isn’t just through its cases. The men and women who have served on the Court include many committed baseball fans.

Justice William Rufus Day served on the Court from 1903 to 1922. His devotion to baseball was renowned. He would leave the Court after oral argument and go straight to the ballpark to watch the Washington Senators play. During both the 1910 and 1912 World Series, a page had the task of slipping a note to the Justice with the game score at every half inning. The note would then be passed down the bench for every justice to see.

This note-passing continued with Justice Potter Stewart, a devoted Cincinnati Reds fan, receiving updates on the National League playoffs in 1973. One note includes an extra bit of breaking news: “Mets 2, Reds 0. V.P. Agnew Just Resigned!!” Justice Potter passed this down the bench. A short time later a second note read, “1/2 Innings Gone Mets 2 Reds 0, NBC News is the Source of the Agnew Story.”

Justice William Brennan’s introduction to his colleagues on the Supreme Court came during the 1956 World Series opening game. Chief Justice Earl Warren quickly introduced him to the other justices, who then returned to watching the game on a television set placed in the Court’s conference room.

After he stepped down from the Court, Supreme Court Justice Arthur Goldberg, a longtime labor



TOP: A PAGE PASSED NOTES TO JUSTICE POTTER STEWART WITH UPDATES ON THE REDS AND THE VICE PRESIDENT’S RESIGNATION IN 1973; A NOTE FROM JUSTICE STEWART TO JUSTICE HARRY BLACKMUN IN OCTOBER 1975 DOCUMENTED A WAGER. (PHOTOS LIBRARY OF CONGRESS) BOTTOM: THE FIRST U.S. PRESIDENT TO THROW A CEREMONIAL FIRST PITCH WAS WILLIAM HOWARD TAFT, FUTURE CHIEF JUSTICE OF THE U.S. SUPREME COURT, PICTURED HERE AT A WASHINGTON SENATORS (NOW MINNESOTA TWINS) GAME IN 1910. (PHOTO WHITE HOUSE HISTORICAL ASSOCIATION)

lawyer, represented Major League Baseball three-time All-Star player Curt Flood in his 1972 suit seeking free agency and the end of the reserve clause in baseball. Justice Goldberg was a native of Chicago and a lifelong Cubs fan. Even when he ran for governor of New York, Goldberg’s allegiance to the Cubs was hard to hide. He attended a Mets-Cubs game with columnist Jimmy Breslin in an effort to estab-

lish his bona fides as a New Yorker. His cover was blown when he asked if he could get his picture taken with Cubs legend Ernie Banks.

Justice John Paul Stevens also was a Cubs fan. He loved telling the story of being in the stands for Babe Ruth’s “called shot” game in the 1932 World Series. He said a highlight of his life was being invited to throw out the opening pitch at a Cubs

game in 2005. He saw his beloved Cubs win the World Series in 2016, attending Game 4 in person at Wrigley Field.

As President Franklin D. Roosevelt threw out the first pitch at a Washington Senators game in 1937, a plane flew overhead with a banner reading “Play the game, don’t pack the Court,” referencing FDR’s proposal to expand number of seats on the Supreme Court.

Today’s Supreme Court has at least a few baseball fans on the bench. Justice Sonia Sotomayor is a confirmed Yankee fan — she threw out the first pitch at a game at Yankee Stadium in 2009 and, for a game in 2017, she sat in “The Judges Chamber” — the section named for outfielder Aaron Judge. She again took the mound to throw the opening pitch at a Washington Nationals game during the 2019 season.

Justice Samuel Alito is a Philadelphia Phillies fan, and the justices invited the team’s mascot, the Phillie Phanatic, to the welcome dinner they hosted when Justice Alito joined the Court. Justice Elena Kagan is a New York Mets fan, and Justice Brett Kavanaugh roots for his hometown Washington Nationals.

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