

Emancipating Lincoln: The Proclamation in Text, Context, and Memory

By Harold Holzer

Harvard University Press, Cambridge, MA, 2012. 213 pages, \$24.95.

REVIEWED BY HENRY COHEN

On Sept. 22, 1861, President Abraham Lincoln wrote a letter stating that only a dictator, not a President, “may make permanent rules of property by proclamation.” He was referring to freeing the slaves. One year to the day later, on Sept. 22, 1862, Lincoln issued the preliminary Emancipation Proclamation, stating that, on Jan. 1, 1863, all slaves in any state that remained in rebellion against the United States “shall be then, thenceforward, and forever free.” On the date promised, Lincoln issued the Emancipation Proclamation, which he later called “the central act of my administration, and the great event of the nineteenth century.”

Lincoln presented the preliminary Emancipation Proclamation as an implementation of the Confiscation Act of 1862, which provided that slaves who escaped from slavery or who were captured by the Union army shall be “forever free.” Therefore, the preliminary Emancipation Proclamation was consistent with Lincoln’s statement of the previous year that the President may not himself make permanent rules of property. By Jan. 1, 1863, however, Lincoln’s thinking had changed, and he justified the final Emancipation Proclamation not on the basis of an act of Congress but “as a fit and necessary war measure for suppressing [the] rebellion,” which he could implement under his Article II power as commander in chief of the Army and Navy. The Emancipation Proclamation was crucial to the war effort because it deprived the Confederacy of its slaves’ labor, and it allowed freed slaves to join the Union Army. The final Emancipation Proclamation, however, dropped the phrase “forever

free,” perhaps because, being a war measure, the proclamation could not have remained in effect after the war ended. Of course, the adoption of the 13th Amendment in 1865 mooted this issue.

Lincoln had read a draft of the preliminary Emancipation Proclamation to his cabinet on July 22, 1862—exactly two months before he issued it. Secretary of State William Seward advised Lincoln to delay issuing it, because the Union Army had suffered a defeat at the end of June. To issue the proclamation under the circumstances would look like a sign of weakness, Seward believed, and it would be better to wait until after a Union victory. Lincoln agreed, and he issued the proclamation after the victory at Antietam on Sept. 17, 1862.

A month before, on Aug. 19, 1862, Horace Greeley, editor of the *New York Tribune* and a founding member of the Republican Party, had published a piece titled “The Prayer of Twenty Millions,” declaring that “an immense majority” of Union supporters “are sorely disappointed and deeply pained” that Lincoln had not enforced the Confiscation Act to free the slaves, and that Lincoln was unduly concerned about the potential reaction of the border slaves states that had not seceded (Delaware, Maryland, Kentucky, and Missouri). On Aug. 22, Lincoln published his famous open letter to Greeley, in which he wrote:

My paramount object in this struggle *is* to save the Union, and is *not* either to save or to destroy slavery. If I could save the Union without freeing *any* slave I would do it, and if I could save it by freeing *all* the slaves I would do it; and if I could save it by freeing some and leaving others alone I would also do that.

When Lincoln published his reply to Greeley, he had already decided to issue the preliminary Emancipation Proclamation, so all the “if’s in his reply were disingenuous. But Lincoln

was laying the groundwork for the proclamation. He feared that it would upset not only the border states but also Democrats who supported the Union without opposing slavery, as well as soldiers who would desert rather than risk their lives for the sake of black people. As Harold Holzer explains in *Emancipating Lincoln*, with the letter to Greeley, Lincoln was “introducing the idea of freeing some slaves if such a policy could win the war and save democracy. Lincoln’s genius for public relations was never in sharper focus.”

Emancipating Lincoln consists of three essays in descending order of significance. This short book is not an introduction to the Emancipation Proclamation, but, though accessible to the casual reader, it is aimed more at Lincoln buffs. The first and most valuable essay shows Lincoln’s political genius in preparing the public for the preliminary Emancipation Proclamation. The second essay explores why Lincoln made the Emancipation Proclamation a legalistic document, without poetic and inspiring prose such as he would use in the Gettysburg Address and the Second Inaugural Address. The third essay discusses prints and sculptures that were produced in response to the Emancipation Proclamation and includes reproductions of more than two dozen of them.

Lincoln’s Political Genius

Notice the dates mentioned thus far in this review: on July 22, 1862, Lincoln read a draft of the Emancipation Proclamation to his cabinet; on Aug. 22, he published his letter to Greeley; and on Sept. 22, he issued the preliminary Emancipation Proclamation. Holzer finds “ingenious” the suggestion made by another scholar that Lincoln chose these dates to channel the memory of George Washington, who, of course, was born on Feb. 22, 1732. Yet Holzer discounts the suggestion and offers unrelated reasons for Lincoln’s choice of each of the three dates.

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On Aug. 14, 1862—a date between Lincoln’s reading a draft of the preliminary Emancipation Proclamation to his cabinet and issuing it—Lincoln met with what was called a “Deputation of Free Negroes” at the White House. It was the first time that an American President had invited a group of African-Americans to confer with him officially. Yet Lincoln did not do himself honor on the occasion, saying to his guests, “your race suffer very greatly, many of them living among us, while ours suffer from your presence,” and “[b]ut for your race among us there could not be a war.” Lincoln’s behavior on this occasion has always seemed out of character. Lincoln had made racist remarks before but apparently only, as during the 1858 debates with Stephen A. Douglas, to win votes from racist audiences. Even on those occasions, Lincoln thought that he would advance the cause of ending slavery if he made clear that he did not favor racial equality.

Holzer, however, argues that Lincoln’s remarks to the delegation of free blacks, like his statements in the debates with Douglas, were politically motivated to advance the cause of ending slavery. Lincoln’s “heartless words,” Holzer writes, were intended “to remind Northern whites that he was no friend of black people. Any action he might take in the days to come [that is, issuing the preliminary Emancipation Proclamation] would be aimed at securing victory in the war and restoration of the Union, not the controversial liberation ... of millions of slaves. ... Lincoln made sure his harsh speech did not just leak [to the press] but poured.”

A good deal of the first essay in *Emancipating Lincoln* shows how Lincoln gradually leaked word of his intentions to more and more people so as to reduce the shock when he issued the preliminary Emancipation Proclamation. Holzer claims that “as many as six people, not including his own staff and family,” knew of it before he revealed it to his cabinet on July 22. On July 17, the *New York Times* reported that it seemed “not improbable” that Lincoln would

end slavery. After Lincoln informed his cabinet of his plans, 15 people knew of them. Holzer keeps tabs on subsequent leaks, at one point writing that the number of people in the know “had now reached at least twenty-three, not counting the *Tribune’s* claimed national circulation of 200,000.” (On Aug. 22, Greeley’s *New York Tribune* had reported, “Two or three weeks ago, the President laid before his Cabinet a proclamation of Emancipation abolishing Slavery wherever in the 1st of next December the Rebellion should not be crushed.”) In subsequent days, Holzer writes, “Lincoln brought still more people into the circle of his confidence, while the privileged few began doing no small amount of confiding themselves.” Holzer concludes that an adroit Lincoln thereby “produced a sense of inevitability” and a “surprisingly warm reception” for the preliminary Emancipation Proclamation.¹

A Bill of Lading

The final Emancipation Proclamation is a legal document, and it reads like one. Here is its key sentence: “And by virtue of the power, and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States, and parts of States, are, and henceforward shall be free; and that the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.” Nary a “Four score and seven years ago” is in the document. Historian Richard Hofstadter famously declared the Emancipation Proclamation to boast “all the moral grandeur of a bill of lading.” A contemporary of Lincoln’s thought it “clear the writer was not in it either with his heart or with his soul.”

Yet Lincoln feared, according to Holzer, that opposition to the proclamation “could foment insubordination and worse” from “the conservative wing of the military.” Holzer writes that “that understandable concern was one of Lincoln’s chief motivations for keeping celebratory hallelujahs out

of the document.” If so, Lincoln was wise, for George B. McClellan, the chief commander of the Army of the Potomac, wrote to his wife that the proclamation made it “almost impossible for me to retain my commission & self-respect at the same time. I cannot make up my mind to fight for such an accursed doctrine as that of a servile insurrection—it is too infamous.”

Lincoln’s legalistic approach in the Emancipation Proclamation had other motivations as well. According to Holzer, Lincoln feared that “a potentially crippling public outcry” to the proclamation could “drive a border state or two out of the Union, doom the Republican Party to a disastrous midterm election result in November, and embolden the neutral but unpredictable capitals of Europe to recognize the Confederacy as a separate nation.” This last fear, however, is inconsistent with something else that Holzer reports: nine days before he issued the preliminary Emancipation Proclamation, Lincoln said that “emancipation would help us in Europe and convince them that we are incited by something more than ambition.”

In the end, the Emancipation Proclamation’s prosaic language did not lessen its effect or its memorability. Ralph Waldo Emerson, in fact, found it all the more powerful precisely because it was issued “without inflation or surplusage.” Holzer writes that “the document that appeared to have no more moral grandeur than a bill of lading safely launched its human cargo toward liberty after all.” Lincoln told Senator Charles Sumner, “I know very well that the name which is connected to this act will never be forgotten.”

Artistic Responses

“No artist or photographer was on hand,” Holzer writes, “to record an occasion [that Lincoln] sensed from the outset would make him immortal”—his signing of the final Emancipation Proclamation, which occurred in a ceremony attended only by his two private secretaries, Secretary of State Seward, and Seward’s personal aide (his son). The images that were subse-

quently produced “were independent, stand-alone visual creations, specifically produced for audiences passionately eager both to install large ones in places of honor in civic settings and to display smaller, more affordable versions in the sacred realm of the American home to signal their own political and patriotic convictions.” Holzer adds that, though the prints that mark the ceremony—“both fine engravings and less-expensive lithographs”—“may look contrived, crude, oversimplified, or racially stereotyped to modern eyes, in their day they were symbols of genuine progressivism or, alternatively, totems of fierce opposition to Lincoln and his policies.”

Holzer discusses artwork connected with Lincoln up to the present. However, because this book review cannot reproduce the images of the prints and sculptures that appear in *Emancipating Lincoln*, there is little point in discussing them further. It would have been good if they had been numbered in the book so that the text could have referred to them by number. But Holzer discusses them in the order they are pictured, and he discusses few that are not pictured, so their lacking numbers is not a major drawback. Holzer concludes by quoting a poem by Langston Hughes that ends,

And yet a voice forever
Against the
Timeless walls
Of time—
Old Abe. **TFL**

Henry Cohen is the book review editor of The Federal Lawyer. He reviewed other books on the Emancipation Proclamation in the September 2004, September 2006, and March/April 2010 issues of The Federal Lawyer.

Endnote

¹In *Lincoln and the Triumph of the Nation*, Mark E. Neely Jr. writes, “Lincoln could hardly have done a poorer job of managing news of the [preliminary] Emancipation Proclamation,” and this “public relations debacle” represents “the longest period of loss of political mastery in Lincoln’s whole life.”

Gambling with Borrowed Chips: The Common Misdiagnosis of the Crisis of 2007–08

By Christopher C. Faille

Abbott Press, Bloomington, IN, 2012.
159 pages, \$13.99.

REVIEWED BY JANE G. GRAVELLE

In *Gambling with Borrowed Chips*, Christopher C. Faille offers both a claim about the cause of the financial crisis of 2007–2008 and a set of prescriptions to remedy it. Most of the book, however, is taken up by a narrative about the players and events of the crisis as well as some of the history that led up to it. (I particularly enjoyed the chapter looking back to the Middle Ages and the sin of usury.) *Gambling with Borrowed Chips* is not a scholarly work, in that it has no references or footnotes. But the book is readable and entertaining, although not entirely focused, and Faille explains a lot of concepts and practices along the way.

I don’t regret the time I spent reading the book. But, ultimately, one presumes that an author cares most about his analysis and his prescriptions, and I see very little in the book to justify either. Faille has a habit of making a pronouncement about something and then dropping the train of thought to turn to something else, making it unclear at times what he really intends. I will interpret as best I can.

Faille’s analysis is that the commonly cited causes of the crisis—speculation combined with leveraging, deregulation, and other problems—are not, in fact, its causes. He apparently views the cause as the expansionary monetary policies of the Board of Governors of the Federal Reserve System, a claim that he appears to make based on the low interest rates set by the Fed. (In other parts of the book, he also seems to blame the Fed for shoring up the economy when asset prices were falling during the Greenspan years.)

I can agree with Faille’s general proposition that speculation is not a problem in and of itself, even if

the funds with which one speculates are borrowed. Risk-taking, the term I would prefer, is an important part of economic activity, as is borrowing. The problems arise not from borrowing funds to make risky investments, but from engaging in this activity with poor information and in ways that cause those other than the risk-taker and the creditor to suffer the consequences of a negative outcome.

Like most economists, I think that a number of factors contributed to the crisis, including many of those that Faille rejects, such as lack of oversight, excessive leveraging, and poor risk management by some large financial institutions. I cannot undertake a full discussion of these issues in a book review, but I suggest that the reader take a look at what an expert says—namely, what Ben Bernanke, the chairman of the Federal Reserve says. His accessible testimony on this subject before the Financial Crisis Inquiry Commission on Sept. 2, 2010, discusses the triggers (such as sub-prime mortgage loans and increased reliance on short-term funding by shadow banks) and the existing vulnerabilities in the financial system that resulted in a financial panic that turned into an economic downturn.¹ Of course, the Fed chairman is vilified in some quarters, as is often the case with powerful persons, but he is widely respected in the economics community. Bernanke’s arguments are so clear that a reader without economics training can follow them.

There is little evidence for the causal factor that Faille advances—namely, easy money. It is certainly hard to make the case that monetary policy was excessively loose: inflation continued to be stable and remained at the same low levels, more or less, that it had been since the mid-1980s. Accelerating inflation while at full employment, rather than low interest rates, should be the sign of easy money. Interest rates on long-term debt, such as mortgages, had been falling (indeed had been falling since the late 1980s) but not at an overly dramatic rate at the time leading up to the financial crisis. The fall of inter-

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est rates on long-term debt and other borrowing may be partially related to the increasing expectations of low inflation rates and perhaps also to the inflow of capital from abroad. In his testimony to the Financial Crisis Inquiry Commission, Bernanke also considered monetary policy, but for several reasons that seem compelling to me, he did not consider monetary policy closely related to the principal trigger—the housing finance crisis.

If Faille's analysis of the cause of the crisis is questionable, his prescriptions to remedy it—whether or not the analysis is correct—can only be described as extreme. Faille presents his solutions at the end of the book, unaccompanied by any analysis of the benefits and costs of the provisions. As with his take on the cause of the crisis, Faille simply asserts his prescriptions without making a case for them.

Faille's first two proposals—to abolish legal tender and to abolish the Federal Reserve—are linked in some ways. Because Faille does not spell out anything beyond “abolishing legal tender,” I take that phrase, based on some Internet surfing, as a code to mean a return to commodity-linked money—that is, the gold standard. (In some places, Faille, hoping that the United States would adopt “sound” money, seems to be talking about using other countries' currency, which again would presumably be the gold standard. I have no idea how we would go about using other countries' currency.) One hopes that whatever Faille is proposing would be done with an orderly transition; it took many years and a serious and prolonged economic downturn for the United States to return to the gold standard after the Civil War.

A return to the gold standard (or some form of commodity-linked money) is espoused by a small but vocal group, which finds few supporters among economists. In fact, most economics textbooks, for good reason, devote no more than a page or two to explaining the gold standard and how the U.S. and other countries' economies moved away

from commodity money to fiat money (money backed by the promises of the government). Advocates for the gold standard would argue that tying money to a commodity limits the ability of government to engage in excessive money creation and inflation. Of course, there is no evidence that the U.S. government has been guilty of that since at least the mid-1980s; inflation has been low and relatively constant.

The very advantage cited for a gold standard is also its cost: such a money standard does not allow flexibility to manage the economy, which has been, since the Great Depression and its aftermath, a central concern of economic policy. Gold discoveries can spark inflation, and, if the supply of gold does not increase enough to support economic growth, deflation and economic contraction result. The period when the United States had a pure gold standard (1879 to 1933) was marked by extensive volatility in output and prices as well as by financial panics. This volatility is documented, for example, in an encyclopedia entry by Michael Bordo, an economics professor at Rutgers University.² Or, if a visual picture is more appealing, then take a look at a graph of percentage changes in output from 1821 to 2007 on page 4 of a Congressional Research Service report that I co-authored.³

The true gold standard period lasted from after the Civil War until the Depression, ending in 1933. Indeed, one could argue that it was a significant contributing factor to the Depression, because it limited the ability of the Federal Reserve to perform its function of lender of last resort. Even the recent contraction looks mild compared to the swings in output in the later 19th and early 20th centuries. (Faille seems to believe that the gold standard was restored after World War II, but that standard only applied to international transactions and even then in a limited fashion. Dollars held domestically could not be converted into gold. This era cannot be characterized as being on the gold standard.)

The Federal Reserve actually co-

existed with the gold standard for 20 years, with the Fed functioning primarily as a lender of last resort. This function was needed in part to deal with the rigidity of the gold standard itself, which provided insufficient money, particularly around harvest time. Today, the Fed's primary function is to manage the economy and attain the objectives of full employment and price stability. The Fed or a similar institution with that responsibility is necessary with fiat money, but some sort of institution would probably also be needed with a gold standard.

On the whole, things have gone reasonably well—so well, in fact, that economists referred to the most recent period as the Great Moderation. The 2007–2008 financial crisis does not change the fact that, for many years, the economy enjoyed full employment and low inflation relatively undisturbed by business cycles.

Avoiding business cycles entirely is not possible: the economy is too complex and prediction is too difficult. Moreover, even if higher interest rates could have deflected the financial panic, would we have traded it for 25 years of chaos and contraction? The best we can do now is not to throw the baby out with the bath water, but to take what lessons we can from recent events, just as we did after the 1929 crash. Those lessons mostly point to regulatory changes that have been undertaken, although whether they strike the right balance between controlling systemic risk and allowing markets to work efficiently is never easy to know.

Faille's third proposal is to eliminate the idea of “too big to fail.” I won't dwell on this issue because Chairman Bernanke did so quite succinctly in the testimony referenced above. As Bernanke pointed out, it is not enough to assert that the government will let failures fail in the future; that assumption is not credible. In the midst of a crisis, the government is unlikely to hold to such a standard if it means disaster for the broader economy, as it well might. Rather, Bernanke suggested regulatory changes.

Faille's final proposal is to "learn greater respect for the profession of accounting." Because I'm not sure what Faille specifically proposes, I have no comments on this prescription.

If you are interested in what happened during the financial crisis of 2007–2008, then you might want to read *Gambling with Borrowed Chips* for its descriptions of the players and events. But I would not advise relying on it to guide your views on economic policy. **TFL**

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Endnotes

¹Available at www.federalreserve.gov/newsevents/testimony/bernanke20100902a.htm.

²Available at www.econlib.org/library/Enc/GoldStandard.html.

³Available at www.fas.org/sgp/crs/misc/R41849.pdf.

Capitol Punishment: The Hard Truth about Washington Corruption from America's Most Notorious Lobbyist

By Jack Abramoff

WND Books, Washington, D.C., 2011.
303 pages, \$25.95.

REVIEWED BY ELIZABETH KELLEY

As the saying goes, "The bigger they come, the harder they fall." Jack Abramoff was huge, and he fell hard. Very hard.

Capitol Punishment is Beltway lobbyist Jack Abramoff's story of his rise, fall, and—perhaps—redemption. Abramoff was an uber-successful,

uber-connected man who owned the corridors of power during the 1980s and 1990s. His autobiography, released after he served almost four years in prison, begins with his childhood in southern California, his years at Brandeis University, and his rise to political prominence as the national chairman of the College Republicans. The book includes great coming-of-age stories—about his golf lessons with Arnold Palmer, his discovery of orthodox Judaism, and his against-all-odds rallying of college Republicans in the liberal bastion of Massachusetts.

Largely unknown to the general public is that Abramoff started out as a screenwriter and producer, and a fair amount of the book is devoted to the financing, filming, and release of the 1988 adventure movie, "Red Scorpion," set in Namibia. The story of the film's production is itself a small-scale international thriller.

In search of a more conventional and stable livelihood to support his family, Abramoff, quite logically, hoped to take advantage of the political connections he forged during his college days and began work as a Washington lobbyist. The rest, as they say, is history—some of it Shakespearean in its scope.

Capitol Punishment is an insider's view of what Abramoff paints as the culture of corruption that envelops Washington, D.C. To make a long story short, as Abramoff grew wealthier and more powerful, he also grew sloppier and more overextended. Although he pled guilty in two federal cases—honest services fraud, tax fraud, and mail fraud in D.C. and conspiracy to commit wire fraud and mail fraud as well as a separate count of wire fraud in Florida—Abramoff, in this book, does not unequivocally accept full responsibility for his actions. (But perhaps he doesn't have to—he has already served his prison sentence.) He correctly notes that many federal crimes lack the element of intent and admits that he pled guilty largely on the advice of counsel, who had carefully reviewed the odds of his prevailing at trial.

Most significantly, Abramoff claims that "everybody does it." For instance, he describes the "hypocrisy" on the

part of the senators who were investigating his alleged misconduct:

The worst part for me was the hypocrisy of the whole thing. Most of these senators had taken boatloads of cash and prizes from my team and our clients. I stared stonefaced at [Sen. Ben Nighthorse] Campbell as he hurled invectives at me. I wondered how he'd react if I reminded him about the twenty-five thousand dollars in campaign checks I delivered to him during our breakfast meeting at posh Capitol Hill eatery La Colline the morning of April 23, 2002. I'll never forget that breakfast. After I handed him the envelope full of campaign contributions, he let me know that my clients would be treated well by his Indian Affairs Committee. ... Each member of that panel had the same skeletons in their closet I did, or worse. But no one was grilling them.

On some level, *Capitol Punishment* is about settling scores. For example, Abramoff's descriptions of Newt Gingrich and John McCain are scathing. However, Abramoff is generous in his praise of others, including Tom DeLay, the former House minority leader; Kevin Spacey, who portrayed Abramoff in "Casino Jack," the film version of his life; his attorneys, Abbe Lowell, Pam Marple, and Neal Sonnett; and even members of the U.S. attorney's staff who prosecuted him. In other words, there's not a lot of middle ground with Jack Abramoff, which is one of the reasons why he is such a complex and fascinating character.

The description of his sentencing and eventual incarceration at Cumberland Correctional Institution in western Maryland is revealing and heartbreaking. (Attorneys who have clients facing sentences in federal prison may want to copy this section of the book and share it with them.) In prison, the once-powerful lobbyist now finds himself to be like any other

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inmate facing the pain of separation from his family as well as what seems the inexplicable prison bureaucracy. Whatever you might think of Jack Abramoff, as he portrays himself in this book, his love of family and his faith are deep and abiding.

The last chapter separates *Capitol Punishment* from other autobiographies. In it Abramoff lists a host of proposals for “clean[ing] up the swamp we call our nation’s capital.” Among these proposals are term limits for legislators and a lifetime ban on congressional employees working for any entity that lobbies the government.

Capitol Punishment is a good read—at once gossipy and educational. And, as a criminal defense lawyer, I’m all about second chances. **TFL**

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Citizen Rauh: An American Liberal’s Life in Law and Politics

By Michael E. Parrish

University of Michigan Press, Ann Arbor, MI, 2011. 352 pages, \$29.95.

REVIEWED BY ELIZABETH KELLEY

Citizen Rauh, by Michael E. Parrish, a professor of history at the University of California, San Diego, is brain food that goes down easily. This book could as readily have been titled “Twentieth-Century Legal History,” with Joseph Rauh as its fulcrum.

Joseph Rauh (1911–1992) was a Washington, D.C., lawyer who remained an unabashed liberal

throughout his life and was both revered and reviled. He graduated from Harvard Law School, clerked for Justices Cardozo and Frankfurter (in those days, “clerks” were called “secretaries”), and was a founding member of the liberal political group, Americans for Democratic Action. Rauh’s clients included playwrights Lillian Hellman and Arthur Miller as well as a host of unnamed individuals for whom Rauh worked pro bono.

Even though it is a biography of Rauh, *Citizen Rauh* takes us through the important events of the 20th century, including the New Deal, the Red Scare, the war in Vietnam, the Civil Rights movement, and the Reagan revolution. As an attorney and activist, Rauh rubbed shoulders with—and got under the skin of—Presidents, senators, Supreme Court justices, cabinet members, and union leaders.

Citizen Rauh is never dry. The author provides behind-the-scenes glimpses of people who inhabited Rauh’s world. We read of Albert Einstein’s visit to the dying Justice Cardozo; the suicide of Rauh’s great friend, Phil Graham, publisher of *The Washington Post*; and the comedy of Rauh and his teenage son as they trip over each other to wait on Marilyn Monroe when she and her husband, Arthur Miller, stayed at the Rauhs’ home in order to avoid the press.

Citizen Rauh is also filled with the high drama, including a description of the 1969 murder of United Mine Workers’ official Jock Yablonski by fellow union leaders, the drafting of party platforms at various Democratic Party conventions, and the increasingly contentious battles surrounding Supreme Court nominees.

The book’s title is important. Citizen Rauh loved his country and the Constitution. Like Citizen Kane, Citizen Rauh was a larger-than-life character who shaped the world around him. However, instead of being deserted by his friends and colleagues at the end, and muttering “rosebud” on his deathbed, Rauh stayed active and relevant until the very end, sustaining the University of the District of Columbia’s law

school in its mission to train lawyers for the indigent and helping to gain reparations for Japanese-Americans interned during World War II. In 1993, President Clinton posthumously awarded Rauh the Medal of Freedom, the nation’s highest civilian honor.

You may not agree with the political philosophy of this “lion of legal liberalism,” but you cannot help but admire his intellect and courage—or Parrish’s biography of him. **TFL**

Elizabeth Kelley is a criminal defense attorney in Ohio. She has a special commitment to representing individuals suffering from mental illness and mental retardation. She frequently provides legal commentary for TruTV, CNN, and MSNBC, and she is host of Celebrity Court Radio on BlogTalkRadio. She also serves on the board of the National Association of Criminal Defense Lawyers and is chair of its Mental Health Committee and former chair of its Corrections Committee. She can be contacted at ZealousAdvocacy@aol.com.