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Crooked Talk: Five Hundred Years of the Language of Crime

By Jonathon Green

Random House Group, London, UK, 2011.
394 pages, \$24.95.

REVIEWED BY JON M. SANDS

In 1592, a pamphlet by Robert Greene, who had died earlier that year, was published. In the pamphlet, which was called “Greene’s Groats-worth of Witte Bought with a Million of Repentance,” Greene disparages William Shakespeare as an “upstart Crow.” Greene’s attack on his contemporary was of a piece with the notoriously raffish life Greene led, and it leads us to *Crooked Talk: Five Hundred Years of the Language of Crime*. For, a year earlier, in 1591, Greene, who was no stranger to the taverns, hideouts, and underworld of London, had published two other pamphlets: “A Notable Discovery of Cozenage” and “A Second Part of Cony-catching.” These pamphlets listed the primary occupations of Elizabethan criminals as “high law” (robbing on the highway), “sacking law” (prostitution), “cheating law” (gambling), and “crossbiting law” (to be explained). Greene sought in sensationalist hack writing the success that had eluded him but, to his bitterness, inured to his supposed social inferiors, such as Shakespeare. In *Crooked Talk*, Jonathon Green takes Robert Greene’s work as a starting point for an engaging and entertaining survey of the language, lingo, and lexicon of criminals in the English-speaking world over five centuries.

Back to “crossbiting law,” which is a confidence game. It comes from standard English’s “cross,” as in “double-cross,” and “bite,” which means to take advantage of someone’s gullibility. “Law” is ironic in that crossbiting connotes a criminal undertaking. Here, the “crossbiter” would pose as a prostitute and lead a john (a term not used at that time, as it derived from America starting in the early 1900s) back to the room, at which time a confederate would break in, posing as a brother or husband of the crossbiter, and demand payment. The use of “crossbiter” was

prevalent until the 19th century, and the actual confidence ploy the term describes continues even today. See what one can learn from just the start of this study?

For almost 500 years, the entertainment industry has been making money on the danger and excitement that is inherent in the criminal trade. *Crooked Talk*—a combination of dictionary, thesaurus, and guidebook—looks at the changing language of crime. Although criminal motives may stay the same, the criminal and crime itself constantly change. The naming of one’s misdeed and the tagging of victims, police, and courts all contribute to the rich descriptive but ever-changing lexicon of criminal undertakings. Taking into account crime in England and the United States, with the British Commonwealth (Canada, Australia, Jamaica, et al.) added in, this book is illustrative and cannot hope to be either comprehensive or definitive. Still, it is informative and fun.

Let’s take an example. *The New York Times* recently ran a front-page story on “lush workers”—that is, pickpockets who prey on revelers who nod off, only to wake with their pockets sliced open and their wallets gone or purses cut away. The index to *Crooked Talk* doesn’t list “lush workers,” but it has an entire section on pickpockets and “cutpurses.” “Pickpocketing” began with cutting purses (whatever is old is new again) before moving inside the clothing. In the beginning, purses were suspended as small sacks outside one’s attire, just calling for a slice-and-run (later becoming “snatch-and-grab” or, in the Caribbean, “grab-and-flee”). Indeed, as Green explains, the word “pocket” was a 14th-century synonym for a sack or bag. It wasn’t until the 16th century that pockets were sewn inside the clothing. Still, the oddities of language continue to give us “cutpurses” and not “cutpockets,” a point mentioned by Samuel Johnson in his 1755 dictionary. Green then explains other terms, such as “clipper,” meaning knife, and “knight of the knife” meaning an expert with one. (Do we hear “Mack the Knife” as the soundtrack?) Shakespeare makes an appearance with the word “bung,” which comes from the

Frisian “pung” (meaning purse), in *Henry IV, Part II* (“Away, you cut-purse rascal! you filthy bung, away!”). “Cool” comes into play, most likely, comments Green, from the French “cul,” meaning buttocks, near where a purse was hung. We also return to Robert Greene, who offers a lengthy admiring description of the deftness involved in pickpocketing, or “the foist,” as used in one of his pamphlets that expose the criminal life. As for literary pickpocketing, Shakespeare later turned Greene’s prose story “Pandosto” into the play “The Winter’s Tale.” Continuing in the section on pickpocketing, we also have references to Geoffrey Chaucer’s *The Canterbury Tales*, William Hogarth’s “The Rake’s Progress,” Charles Dickens’ *Oliver Twist* (of course), and even Chester Himes’ *Cotton Comes to Harlem*. We also see the rapidity of changing lingo matching the acceleration of modern life, distinctions in regions or even boroughs, as well as ethnically derived terms, such as the Yiddish “gonnof” (from the Hebrew “gannabh,” meaning a thief) being abbreviated “gun,” which, Green speculates, possibly leads to the current term “cannon,” which refers to the jostling of the victim. Included is even a pickpocket chronology stretching from the 16th century to the present, with almost 50 representative entries. The book also has sections on the punishments of pickpockets, and what the cops called them. Pretty comprehensive. Be sure to check your wallet or purse the next time you take the subway or Metro.

Crooked Talk is arranged thematically. It has sections on violent crime, prostitution, and swindles; on crooks, judges, and lawyers; and on verdicts, sentences, and punishment (as in “The Big House”). The book even has a section on freedom after being released from prison. I expected that the variations on cooperating witnesses (or snitches) would include some of the more colorful and inventive entries, and I was not disappointed. Green points out how cooperating gives rise to derisive slang relating to animals (“to rat”), their noises (“to squeal”), profiting (“to sell out”), and a host of inventive although obscene combinations

(I will avoid the editor's deletions by omitting examples). Turning back to zoological references, the aforementioned "rat" first appeared in print in 1818 and was snarled by James Cagney as "You dirty rat!" in the movie "Blonde Crazy" in 1931 (although the exact quotation, as Green points out, was "Mmmm, that dirty, double-crossin' rat"). The animal kingdom has also given us "mouse" (19th century), "ferret" (1940s), "rabbit" (1950s), "ringtail" (1930s), "weasel" (mid-17th century and revived in the 1920s), "stag" (18th century to the present), and "impimpi" (a South African variation of the Zulu name for a species of cobra). Australian criminals seemingly have an affinity for canines in referring to informers, with "hound," "turn dog," "Baskerville," and "tuckerbox" (from an Australian 1920s poem with a canine reference), and, of course, "bark." Birds and singers provide a glossary of their own, with "budgie" (1970s to present), "chirper" (1930s), "dicky-bird" (20th-century American English), "nightingale," (1930s to present), "pigeon" (mid-19th-century American English to the present), "psalm-singer" (1910-1940s American English), "singer" (1930s to 1950s American English), "songbird" (1970s American English), "squawker" (1920s to 1940s), "whistler" (1940s American English). "Stool-pigeon" gets extended treatment, with Green explaining that the term comes from "a bird that was tied to a stool in order to lure other birds towards the waiting hunter." The term was first used not in discussions of police interrogations but by gamblers to designate a hustler; it was later used to mean an informer. Jazz even plays a role, with informers called by the American English synonyms "big-mouth" or "satchel-mouthed," the latter being the origin of Louis Armstrong's nickname, "Satchmo."

Crooked Talk rewards browsing and dipping in and out of various topics. It also serves as a linguistic record of crimes committed during various historical times. Pickpockets of watches, for example, are not the scourge they once were. In this reviewer's locale, "Arizona Perfume" as a descriptive reference to the gas chamber has been superseded by references to lethal injection ("big jab" or "the needle").

Although immensely informative, *Crooked Talk* is Anglo-centered, and, to my ear and experience, not truly cutting-edge. By the time crime lingo reaches the page or website, it has moved beyond its insider code. One such shifting nomenclature pertains to drugs. The chapter on the subject is extensive, but to get the most recent names of illegal substances, wander into a drug trial and listen to the testimony. Here is another example, this one from fashion: "the concept of *saggin'*: wearing one's trousers very low and exhibiting a large band of one's underwear." Green comments that such attire "may have become the style of choice of the world's young men—rich and poor alike—but it began life as a symbol of gangster life. It comes from one's arrival in jail: the belt is removed because of the supposed risk of suicide and so one's trousers slip from one's waist. *Saggin'* mimics this, and suggests that those whose trousers droop thus have suffered the rigours of the jailhouse." Green's conjecture is plausible, but he offers no citations for it (or for any other entries). In any event, fashion moves on. *Saggin'* is so yesterday.

Crooked Talk is addictive reading, but it probably won't see much use in everyday law practice. It is unlikely that a criminal defense lawyer would ever leaf through the index to find a client's reference. Just ask your client, as I did with my first client, who referred to a "chop shop," which is where stolen cars are disassembled. (I was more innocent then, though my clients were not.) Historians, however, and especially writers of historical crime fiction, will find this book a useful reference tool. Anyone who plans to write a hard-boiled detective novel or a film noir screenplay set in any era will find this book well worth consulting so as to avoid using the wrong slang term for the period. And, if the writer's work becomes popular or strikes a cultural chord, he or she may find the name of a character or other feature of the work being adopted for use in today's criminal trade, or might revive a term that had become archaic. **TFL**

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The Tragedy of William Jennings Bryan: Constitutional Law and the Politics of Backlash

By Gerald N. Magliocca

Yale University Press, New Haven, CT, 2011.
238 pages, \$40.00.

REVIEWED BY CHRISTOPHER C. FAILLE

In *The Tragedy of William Jennings Bryan: Constitutional Law and the Politics of Backlash*, Gerard N. Magliocca, a professor at the Indiana University School of Law, claims that most reform movements win. The rebels in U.S. history have always "overwhelmed the old guard and implemented their [own] program," generally after a climactic election or series of elections. But, Magliocca also says, there is one extraordinary exception in U.S. history: a reform movement that not only failed to carry its immediate goals but also inspired a backlash that, in turn, dominated U.S. constitutional law for the next two generations.

That exception was the populist or "silverite" movement in the late 19th century associated with William Jennings Bryan. The movement in question is called "populist" when historians focus on its broad agenda, but "silverite" when they focus on what became its signature issue: the expansion of the money supply through the minting of silver. The broader agenda included the introduction of a progressive income tax, the phasing out of subsidies to corporations, and government control of such key industries as the telegraph and the railroads. Populist views on race relations were at best ambivalent, but Magliocca takes a sunny view of their intentions, crediting them with efforts to bring African-Americans into the political system as coalition partners for the small-plot white farmers who constituted the movement's base.

If your conception of the role of William Jennings Bryan in U.S. history is dominated by his portrayals in the play and movie "Inherit the Wind," where his fictionalized counterpart (Matthew Harrison Brady) is a Bible-thumping blowhard interfering in the Cates trial (a

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fictionalization of the 1925 Scopes trial) out of a compulsive desire to be the center of attention, then the leftward tilt of Bryan's agenda might surprise you. But, if that is the case, you should go to sources other than this book for a discussion of the basics of Bryan's earlier career. This book assumes a good deal of background knowledge.

One of the theses driving this book is that several specific Supreme Court decisions can best be understood as a manifestation of the successful conservative backlash against populism. Frankly, I don't find Magliocca's discussion of the decisions that he has in mind especially new or insightful, and I suspect that others who look into the book in the hope of receiving new illumination on those cases will be disappointed. The issue of race relations is an example. You have to buy a rather rose-colored view of populism to accept the notion that the movement was anti-segregationist, and you have to accept that notion if, in turn, you are going to see the separate-but-equal decision in *Plessy v. Ferguson* (1896) as part of an anti-populist reaction. But why should you do that? Racism was integral to the worldview of many populists, including Tom Watson, of whom I'll have a bit more to say below, and whose inflammatory anti-Semitic language in 1915 helped inspire the mob that lynched Leo Frank.

But Magliocca is more interesting when he asks *why* populism failed. Why was it the exception to the general rule described above? Why was the old guard able to win a victory so impressive that, according to Magliocca, it ended up increasing federal constitutional protection for freedom of contract and property rights, establishing Jim Crow laws in many of the states where populism had been strongest, securing Supreme Court approval of those laws under the rubric of "separate but equal," and curbing the civil liberties that the Populist Party (also known as the People's Party) and their potential labor allies needed to rally support? The question leads him to a fresh take on the politics of the period.

Part of the answer that Magliocca provides is that populism failed because it tore itself apart over tactics—in

particular over the question of whether to take over the Democratic Party (the "fusionist" position as well as Bryan's) or to win as a third party. Separatism was somewhat oddly called the "middle of the road" position, where the "road" presumably included a Republican side and a Democratic side.

1892–1896

One of the figures who looms almost as large as does the titular orator in this narrative is James Weaver, the man who ran in 1892 as the first presidential candidate of the People's Party. Weaver did not become President, of course; 1892 was the year that the Democratic Party defeated the Republican incumbent, Benjamin Harrison, making Grover Cleveland the only person ever to serve nonconsecutive terms as the U.S. chief executive.

Magliocca says that Weaver "carried five states" in 1892, but that is simplifying a bit. Weaver received the full slate of electoral votes from only four states (Colorado, Idaho, Kansas, and Nevada), though he received a plurality of the votes from a fifth state, North Dakota. For reasons that would carry us far afield, Weaver received only one electoral vote out of North Dakota's three, and he also received one electoral vote out of Oregon's four.

In the following years, leading up to the Democratic Party's nominating convention of July 1896, many populists saw Weaver's performance as a disappointment and as proof that they ought to focus on taking over the Democratic Party. There were other populists, though, who saw Weaver's results as encouraging and as proof that they should continue following their own separate path.

In the months leading up to the Democratic National Convention in Chicago in July 1896, the fusionists won this debate, to the extent at least that the separatists—that is, the People's Party—agreed to postpone their own convention until after that of the Democratic Party so that they could find out whether the latter would nominate a candidate with whom the populists could then fuse.

The Democrats nominated Bryan, after and in large part because of his

stirring speech emphasizing the monetary aspect of the populist platform. He said that the "hard money" faction—the people contending that only gold and notes backed by gold could be considered genuine money—claim that the "great cities" are on their side. But, he continued, "I tell you that the great cities rest upon these broad and fertile prairies. Burn down your cities and leave our farms, and your cities will spring up again as if by magic. But destroy our farms and the grass will grow in the streets of every city in the country." This speech ended with the famous metaphor of a "cross of gold," on which wicked bankers (chiefly those with offices in London, England) wished to crucify mankind.

Bryan's nomination came, then, only over the strident opposition of the city-favoring, hard-money advocates themselves, under the leadership of President Cleveland. After Bryan's nomination, the "Gold" Democrats walked out and held a rally of their own, selecting a ticket that quickly disappeared from view in the fall campaigning.

Compromise and Defeat

One of the compromises that Bryan had had to make to win the Democratic nomination involved the selection of a vice presidential candidate. Bryan accepted Arthur Sewell as his running mate. Sewell supported the minting of silver but on most other issues he was a Cleveland-friendly nominee.

Sewell was simply unacceptable to many populists, and his presence on the ticket complicated the cause of the "fusion" of the Democratic Party with the People's Party. When the People's Party met, it nominated Bryan as the party's presidential candidate but nominated Georgia lawyer and former Congressman Thomas Watson as its vice presidential candidate. This had the odd consequence that Bryan-Watson was among the slates opposed to Bryan-Sewell in the 1896 election.

Thus, the inability of the populists to agree on a common strategy for victory played into Republican and Gold Democratic hands and helped bring about Bryan's defeat. Bryan's enemies, after all, did manage to achieve their own version of fusion. The Gold Democrats

merely gestured at a separate party organization. Indeed, during the campaign, when a reporter asked the nominal party's national chairman, William D. Bynum, for a list of its state party committees, he refused to provide the list, saying that "there would appear so many blanks upon the list as to make a bad showing." Most of the Democrats sympathetic to Cleveland in intraparty disputes probably ended up voting for McKinley.

There is a good deal more than this to Magliocca's discussion of the 1896 campaign as well as related issues such as the rise of Theodore Roosevelt's national standing and Bryan's other presidential campaigns. When it comes to Magliocca's sometimes intriguing discussions of such points, I can recommend this book.

Rothbard

While I am on the subject, though, for insight into U.S. politics in the late 19th-century I would also like to recommend the writings of the late Murray Rothbard, one of the central intellectual influences behind modern libertarianism. Rothbard admired President Grover Cleveland and saw him as the last genuine advocate of small government in U.S. history. Under Cleveland, the Democratic Party continued to represent its founding Jeffersonian-Jacksonian ideals, and hard money was among those ideals. It was only the Republican Party that stood for an expanding role of government—including although not exclusively the federal government—in people's lives.

But, with Bryan's victory over Cleveland's forces in 1896, this changed. Both major parties became supporters of big government. Indeed, the government's ability to expand the money supply by fiat for stimulative purposes is itself an example of the expansion of government's role. Once the minting of silver was accepted as appropriate for such purposes, the next lamentable step—the abolition of any monetary role for precious metals—was but a matter of time.

So Magliocca and Rothbard agree that tragedy struck U.S. politics in the year 1896. The difference is that Magliocca sees this tragedy in Bryan's defeat in November. Rothbard sees it in

Bryan's victory at the Democratic National Convention in July. **TFL**

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Five Chiefs: A Supreme Court Memoir

By John Paul Stevens

Little, Brown and Company, New York, NY.
292 pages, \$24.99.

REVIEWED BY JOHN C. HOLMES

John Paul Stevens was the third longest serving Supreme Court justice in history, behind William O. Douglas, whom Stevens replaced on the Court, and Lincoln appointee Stephen Johnson Field. The five chiefs to which the title of Justice Stevens' new book refers are the five chief justices he has known: Fred Vinson, Earl Warren, Warren Burger, William Rehnquist, and John Roberts. The chiefs justices, however, are a backdrop for Stevens' succinct, frank, and principled discussion of the Court—its decisions, history, customs, and procedures—and of other chief justices and associate justices. Stevens emphasizes his own role and viewpoints in numerous decisions in which he participated.

Stevens credits Nathaniel Nathanson, his constitutional law professor at Northwestern University School of Law, with having profoundly influenced his understanding of the law. Nathanson "thought it more important to teach us how to find answers for ourselves than to indoctrinate us with his own views." Coincidentally, Nathanson had previously clerked for Justice Louis Brandeis, who, upon retirement, was succeeded by Stevens' predecessor, Douglas.

Stevens briefly summarizes the Court's history prior to his appointment. He views John Marshall as probably the most important chief justice. In Marshall's time, the Court was housed in the Capitol and was by far the weakest of the three branches of government.

In *Marbury v. Madison*, Chief Justice Marshall established the doctrine of judicial supremacy, but he did so in a craftily worded manner that would defuse the wrath of incoming President James Madison, who might otherwise have challenged the doctrine. Although Stevens agrees with the outcome and most of Marshall's reasoning, Stevens has "never understood ... the conclusion that the statute that Congress had enacted was unconstitutional"—an acknowledgment that should bring some joy to many former law students who have felt the same way.

In addition to Marshall, other chief justices whom Stevens praises include John Jay, the first chief justice, William Howard Taft, and Charles Evans Hughes. Stevens praises Taft for having "persuaded Congress to adopt the Judiciary Act of 1925, which reduced the categories of cases in which the Supreme Court must hear every appeal, and he argued successfully for the construction of the beautiful building located just east of the Capitol, where the Court is now located." And Stevens praises Hughes for fending off President Franklin D. Roosevelt's Court-packing scheme as well as for Hughes' well-reasoned opinions. Stevens does not discuss the long-serving Chief Justice Roger Taney, beyond mentioning that he wrote the *Dred Scott* decision.

Stevens praises Associate Justice Thurgood Marshall, writing, "I think first about my memories of his contributions to our conferences and his personal friendship, and second about the changes in the Court's jurisprudence that are attributable to his successor, Clarence Thomas." Stevens believes that the importance of the latter "cannot be overstated. ... Justice Thomas' repeated emphasis on historical analysis seems to assume that we should view the Union as perfect at the beginning and subject to improvement only by following the cumbersome process of amending the Constitution." Stevens, of course, disagrees, noting that the preamble to the Constitution states that it was established "to form a more perfect Union," not a perfect one.

Stevens comments on some Supreme Court decisions but avoids labeling either

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the decisions or the justices who wrote them as “liberal” or “conservative.” He finds the decision in *District of Columbia v. Heller*, in which he dissented, to be “unfortunate.” That ruling overturned a long-settled understanding of the Second Amendment and permitted individuals who had no connection to service in a militia to bear arms. In *Five Chiefs*, Stevens criticizes Justice Douglas for having based the right of privacy in *Griswold v. Connecticut* on “penumbras” of the specific guarantees in the Bill of Rights instead of straightforwardly relying on substantive due process, as Justices Harlan and White advocated. Stevens writes that Douglas presumably avoided relying on substantive due process, because he was concerned that doing so would rejuvenate *Lochner*. Stevens argues, however, that there is a critical difference between the freedom from economic regulation that *Lochner* upheld and “the rights of a fundamental individual and personal character” at stake in *Griswold*. Perhaps Stevens also sees finding “penumbras” as an unwise invitation to justices to read their personal preferences into the Constitution.

Stevens believes that Chief Justice Earl Warren was too desirous of obtaining a unanimous decision in *Brown v. Board of Education*, because doing so resulted in the Court’s ordering a second argument for the parties to debate the proper remedy instead of merely remanding the case to the district court to fashion appropriate relief, and then, in the second case, ordering public schools to be desegregated merely “with all deliberate speed.” Stevens concludes that “[t]hat belated and somewhat tentative command may have done more to encourage resistance ... than would have a possible dissenting opinion. ...” Moreover, Stevens writes, “Even when a dissenting opinion makes convincing arguments on the losing party’s behalf, responses by the majority may not only clarify and strengthen the Court’s reasoning, but also demonstrate to the public that the dissenter’s views were carefully considered before they were rejected.”

With respect to the many cases involving the First Amendment’s guarantee of freedom of speech that Stevens discusses, he cites Justice Brennan’s oft-quoted opinion in the *Texas v. Johnson*

flag-burning case: “If there is a bedrock principle underlying the First Amendment, it is that government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable.” However, for reasons it took Stevens 90 pages to explain in his dissent in *Citizens United v. Federal Election Commission*, he believes that the First Amendment does not extend unconditionally to campaign financing by corporations and unions.

Stevens defends his decision in *Clinton v. Jones* refusing to grant a stay of the trial brought by Paula Jones against President Clinton for sexual harassment. Clinton had argued that the Constitution and respect for the office of the President required a federal district court to delay proceedings against a President until after he left office. Despite strong criticism of the decision by numerous commentators, Stevens cites the lack of a deluge of suits against the succeeding Presidents as evidence that the criticism is misplaced. After the decision, Jones agreed to a settlement of \$850,000, with no apology or admission of guilt from the President.

Although he avoids directly rating the chiefs, Stevens appears to view Fred Vinson as the least effective of the five, and John Roberts as likely to emerge as the most highly regarded. Stevens writes that Roberts’ “careers in both the executive branch of the federal government and in private practice,” which included 39 oral arguments before the Court, “eminently qualified him to be a Supreme Court justice.” Earl Warren, by contrast, was the only modern chief justice who did not have prior federal court experience. Stevens praises Warren as “entitled to high marks for his opinions interpreting the Constitution,” and singles out *Brown v. Board of Education*, *Reynolds v. Sims* (applying the “one person, one vote” rule to the election of state legislatures), and *Miranda v. Arizona*. Stevens praises Warren Burger for promoting historical knowledge of the Court, for demonstrating his interest in judicial administration, and for working toward congeniality among the justices. Stevens notes that Burger pointed to his work as chairman of the Commission on the Bicentennial of the Constitution as a reason for his retirement from the high court.

Although Stevens praises William Rehnquist’s discipline and leadership in assigning opinions and managing the Court, Stevens finds aspects of Rehnquist’s jurisprudence lacking. He also disapproved of Rehnquist’s innovation of wearing gold stripes on the sleeves of his judicial robes, and he praises Roberts for abandoning the stripes and thereby emphasizing that the chief justice is merely “first among equals.”

Throughout *Five Chiefs*, Stevens writes informally, referring to nearly everyone by his or her first name. An exception is Chief Justice Burger, presumably because using his first name, “Warren,” might confuse the reader with Earl Warren, his predecessor as chief justice. It may also be that describing Burger more formally and perhaps remotely is agreeable to Stevens.

Stevens also serves as a tour guide, taking the reader through the Supreme Court building and explaining the Court’s customs. He approves of the changing of the bench behind which the justices sit to allow the three on each side to have a clear view of each other as well as the three justices, including the chief, in the middle. He also approves of the long-standing tradition of each justice shaking hands with all the other justices before entering the Court for oral argument.

Stevens expresses his enthusiasm for tennis but doesn’t mention that he is also an avid golfer and a life master at bridge (nor that he obtained the highest grade point average in the history of Northwestern University School of Law). Photographs in the book illustrate Stevens’ penchant for bow ties. Some have commented that this sartorial independence parallels the independence of his jurisprudence.

Five Chiefs contains no new revelations and shuns sensationalism. Stevens’ memoir is straightforward and is so clearly written that, despite discussing complex issues, it can be read nearly in one sitting. Firm in presenting his own views, Stevens is respectful of those of his fellow justices. Both lawyers and laypersons should find *Five Chiefs* valuable and revealing. **TFL**

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tiring in 2004 as chief administrative law judge at the U.S. Department of the Interior. He currently works part time as a legal and judicial consultant and can be reached at trulnterry@aol.com.

The Inventor's Fortune Up for Grabs: The Legacy of the Expansion Bracelet

By Suzanne G. Beyer and John S. Pfarr
Book Publishers Network, Bothell, WA, 2010.
148 pages, \$16.95.

REVIEWED BY HENRY S. COHN

The Inventor's Fortune Up for Grabs, by Suzanne G. Beyer and John S. Pfarr, is a well-written and entertaining story of a precedent-setting inheritance case that took place in the Rhode Island state courts between 2003 and 2008. Beyer was an heir to the estate of inventor Art Hadley, and Pfarr is the attorney who represented Beyer and eight of the other heirs in the contest. Each of the book's chapters contains a section written by Beyer that presents the client's perspective and a section by Pfarr that presents the attorney's. Beyer sets forth the heirs' relationship to the case and to one another. She gives information on several of the heirs' family situations, employment, health, and goals. Pfarr relates how he was chosen to be the attorney for the heirs, his educational background and legal specialization, the ethical dilemmas posed by the case, and the legal strategy that enabled him to win a settlement.

The Inventor's Fortune Up for Grabs begins with Art Hadley, who, in 1913, invented a device that was the predecessor to the expandable watchband, which he called the expandable bracelet. Art became wealthy through this invention, as well as through owning an optical company in London, England, and a Providence, Rhode Island jewelry business, subsequently sold to Elgin Watch. Art and his wife Frances wrote living and testamentary trusts that made their son and daughter, Thomas and Sarah, their beneficiaries. Sarah never married or had children; whereas, in 1962, Thomas, then middle-aged, married a woman who had two daughters. In 1976, after both his

parents had died, Thomas adopted his wife's daughters, then in their 30s. After Thomas died in 1993 and Sarah died in 2002, the inheritance case arose. Were the adopted adult children the sole surviving beneficiaries of the trusts (valued at \$6 million in 2002), or were collateral relatives of Art and Frances, including Beyer, also eligible to inherit?

A guardian ad litem appointed by the Rhode Island Superior Court initially reported to the court and to the beneficiaries that the two daughters alone should inherit the Hadley fortune and that no other parties had standing to challenge this determination. John Pfarr was approached by a set of heirs led by Suzanne Beyer, his co-author, to see if there was a way to reverse the guardian's report, and Pfarr successfully convinced the guardian to modify her report to recognize that the remaining heirs might at least argue for a share of the estate.

The legal issue concerned Thomas' adoption of his wife's adult children. A Rhode Island statute provided that, if a trust or other legal instrument provided for inheritance by an adopted "child" and the settlor of the trust had died before the adoption occurred, then a person adopted as an adult could not inherit under the instrument. In *Tinney v. Tinney*, 799 A.2d 235 (R.I. 2002), however, the Supreme Court of Rhode Island held that such an adult person could inherit under intestacy, because the legislature had intended "child" in the intestacy statute to refer to a son or daughter regardless of his or her age when adopted. A provision in one of the trusts executed by Art Hadley had let the corpus of the trust lapse into intestacy after the death of his children. Thomas' adopted daughters, therefore, argued that they could inherit under *Tinney*, and Pfarr, representing Beyer and other claimants, had to distinguish their case from *Tinney*. One of highlights of the book is Pfarr's description of the way that he developed his litigation strategy.

Pfarr eventually found two weapons. The first was a series of cases from states other than Rhode Island that ruled against adult adoptees who sought to inherit indirectly, as Thomas' two adopted daughters did. They sought to

inherit "indirectly" in that they were adopted after the trust was established, and they were not direct descendants of the settlor whom the settlor could have anticipated being heirs of the trust. In *Tinney v. Tinney*, an elderly woman had adopted a handyman as her son, and he was allowed to recover in intestacy. Pfarr pointed out, however, that the handyman was a direct inheritor, whereas Thomas' two daughters were indirect inheritors. Public policy, Pfarr argued, should distinguish direct from indirect inheritance, because indirect inheritance might frustrate the settlor's intent by allowing a person who was not his or her direct descendant to inherit the estate. Pfarr had found a hook on which to distinguish *Tinney* and did not have to ask the Rhode Island courts to overturn *Tinney*.

Pfarr's second weapon was the facts of *Tinney*. An elderly and vulnerable woman, Ruth Tinney, was the owner of a mansion in Newport, R.I., known as Belcourt Castle. Although the Supreme Court of Rhode Island had allowed Ruth Tinney's handyman, whom she had adopted when he was an adult, to inherit under the intestacy statute, the court had previously denied his demand for a partition of Belcourt Castle, on the ground that he had exercised undue influence over Ruth Tinney in persuading her to adopt him. *Tinney v. Tinney*, 770 A.2d 420 (R.I. 2001). The author of the trial court's decision that the Rhode Island Supreme Court affirmed was Judge Frank J. Williams, who later became chief justice of the Rhode Island Supreme Court and recused himself from any further *Tinney* cases.

In his trial court decision, Judge Williams wrote extensively about the history and traditions of Belcourt Castle and discussed his research on an A&E television program in August 2005. On the program, Williams referred to the adopted son as an adventurer and compared him to one of the most repulsive characters in literature: Uriah Heep of Charles Dickens' *David Copperfield*. After watching the program, Pfarr, in what he called a "Eureka! moment," realized that Williams was no longer a trial judge but had become the chief justice of the Rhode Island Supreme Court. Pfarr

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reasoned that Williams, with his understanding of the *Tinney* holdings, might be sympathetic to his indirect inheritance argument. At least this speculation provided a basis to attempt a settlement with the adult adoptees.

In fact, a settlement did emerge. Pfarr's clients lost in the trial court, but on appeal the Rhode Island Supreme Court placed the case in its Appellate Mediation Program, which recommended that the collateral heirs receive approximately one-third of the total estate. Although Pfarr's clients accepted this sum, two other heirs decided that they would continue with an appeal as self-represented parties. These two heirs were unsuccessful, with Chief Justice Williams issuing an opinion, *Fleet National Bank v. Hunt*, 944 A.2d 846 (R.I. 2008), affirming the trial court and fully relying on the *Tinney* adult adoption ruling. Williams did not discuss Pfarr's argument that *Tinney* should not apply in cases of indirect inheritance by adult adoptees. According to Pfarr, the two heirs, non-lawyers, had not sufficiently raised this contention in their argument before the court.

The settlement and the Rhode Island Supreme Court's opinion ended the litigation, and the funds in the trusts were distributed. Beyer ends her portion of the story by relating how each heir who received a distribution enjoyably spent his or her share.

The Inventor's Fortune Up for Grabs has an antecedent in the 1955 book, *The Greer Case*, by David W. Peck, who was then a New York state court judge. *The Greer Case* concerned the estate of a society matron fighting the allegation of a man that he was her illegitimate son and that, therefore, he—rather than Harvard University, her named beneficiary—was entitled to her inheritance. Peck stated in his preface that the book offered “drama, mystery and conflict” more interesting than fiction. He also claimed that his book provided “an excellent example of trial lawyers’ work, of their problems in meeting a baffling case, of their resourcefulness, skill and untiring effort in discovering evidence, uncovering the truth and presenting a case in court.” Colleges have over the years used *The Greer Case* in pre-law programs. *The Inventor's Fortune Up for*

Grabs is a 21st-century version of *The Greer Case* and it could have a similar place in such programs. **TFL**

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Through the History of the Cold War: The Correspondence of George F. Kennan and John Lukacs

Edited by John Lukacs

University of Pennsylvania Press, Philadelphia, PA, 2010. 276 pages, \$39.95.

REVIEWED BY JEFFREY G. BUCHELLA

John Lukacs and the late diplomat and scholar George F. Kennan share many traits. (I use the present tense even though Kennan died in 2005.) They are both well-recognized historians with a deep interest in 20th-century Europe, especially its diplomatic history; they are both traditionalists and conservatives, but in the older sense of those terms and not necessarily in today's narrow political sense; they profess their faith while living in a secular era; they both possess an inner-directed confidence that has not yielded to the interests of acclaim; and both men were, in a sense, exiles: Lukacs left his native Hungary and came to the United States in 1946; Kennan, though born and raised in the American Midwest, spent most of his intellectually formative years in various European cities. Both men have an often detached and philosophical orientation to life, and, for all these reasons, it is fitting that they should have formed an enduring intellectual bond.

Through the History of the Cold War, a selection of their correspondence, illuminates a relationship that spanned more than 50 years, distinguished by thoughtful, often moving, and sometimes enigmatic, exchanges. In 1952, Lukacs, a 28-year-old history teacher, having arrived in the United States six years before, sent a letter to Kennan, then U.S. ambassador to the Soviet Union, together with an article that Lukacs had drafted addressing the so-called containment doctrine. Lukacs

was going to the source for guidance, because the doctrine arose out of Kennan's two seminal documents: his “Long Telegram” and “The Sources of Soviet Conduct,” the latter published in *Foreign Affairs* under the pseudonym “X.” The “Long Telegram,” which Kennan wrote in 1946 at the age of 42, while posted to the U.S. embassy in Moscow, was a lengthy response to a query from Washington about Soviet attitudes and intentions in the new postwar era. A year later, Kennan wrote his “X” article, using the pseudonym to hide his identity so as to dispel any notion that he was speaking for the U.S. Department of State. Together, these two documents constituted a framework for U.S. relations with the Soviet Union in the three decades that followed. The “X” article saw the Soviet Union as bearing “within it the seeds of its own decay,” and the disintegration of the Soviet Union more than four decades later confirmed Kennan's reputation for prescience.

By 1952, when Lukacs wrote his letter to Kennan, Kennan, 20 years Lukacs' senior, was already a highly influential and respected diplomat, who had a deep understanding of European affairs and had written extensively about foreign policy issues. Kennan's ideas would eventually pervade the thinking of the American foreign policy establishment. He played a major—perhaps *the* major—role in establishing a theoretical foundation for postwar American relations with the Soviet Union, although famously, he would sharply criticize the manner in which his ideas were implemented. A reviewer of a recent biography of Kennan remarked that “no other Foreign Service officer ever shaped American foreign policy so decisively or did so much to define the broader public debate over America's world role.”

Kennan replied to Lukacs' letter six weeks after he received it. At the time, Kennan was in Bad Godesberg, West Germany, cooling his heels after his abrupt expulsion from his post as ambassador, after he had made an offhand remark to the press that offended the Kremlin and resulted in its labeling him *persona non grata*. Kennan returned to the United States, where, after a brief period of continued service in the

Eisenhower administration, he departed for the Institute for Advanced Study, in Princeton, N.J., where he remained until his death in 2005 at the age of 101. He spent nearly all the rest of his life as a professor and public intellectual, largely removed from any direct participation in policy-making.

Kennan belonged to a generation that had directly experienced the world in the immediate aftermath of the Bolshevik Revolution and the Treaty of Versailles. But he was well aware of powerful historical forces, such as Russia's czarist government's authoritarian nature and long-term tensions with Germany, that predated, and were in no way nullified by, those two events—important though they were. Consequently, Kennan was not inclined, as many were, to see relations between the Soviet Union and the West solely in terms of communist versus capitalist ideology. Kennan had been a graduate student in Weimar-era Berlin from 1929 to 1931, and, during the 1930s, he had spent time in Moscow and other East European outposts before returning in 1939 to serve at the U.S. Embassy in Berlin, where he remained until the United States entered World War II. He understood well the historical context out of which the United States emerged as the dominant world power.

The correspondence collected in this volume commenced in 1952, roughly seven years after the uneasy end of hostilities and during the period in American history when fears of communism as a global ideology were rekindled, the Soviet Union no longer being needed as an ally in the fight against Hitler. Ironically, histrionic fears of bolshevism had provided a convenient rationale and political rallying cry for Hitler throughout his career: during his rise to power in the 1920s, after he assumed the dictatorship in 1933, and again during World War II. Later, such fears would figure prominently in German gambits to achieve a settlement of the war that did not require an unconditional surrender. After the war, obsession with the perceived communist threat markedly shaped American foreign policy and, perhaps even more dramatically, served as a riding crop that politicians used to whip the hind-quarters of the American electorate for

the next 45 years.

This book, however, is not a collection of letters about the development of the Cold War. Those interested in a more succinct statement of Kennan's views on that subject, particularly the rapid development of American policy immediately after Germany's defeat, should read the 1997 book, *George F. Kennan and the Origins of Containment, 1944–1946: The Kennan–Lukacs Correspondence*, which contains a briefer and distinct set of letters addressed to the short period of time referenced in the title. The volume under review here, which includes letters from 1952 through 2004, paints across a much broader canvas. In his introduction, Lukacs tells us that he believes that these letters have more than routine interest. They reflect the thinking of the principals about the Cold War over a long period of time and better set forth the perspectives of Kennan and Lukacs, who were both deeply concerned about, in Lukacs' words, "the enormous popular rise of an ideology of anticommunism having become a substitute for a decent American patriotism—regrettably obscuring (and eventually protracting) the very nature of the cold war, which involved the relations of states rather than of ideologies; of America and Russia, rather than of capitalism and communism, or of 'totalitarianism' and 'freedom.'"

Kennan was a longtime critic of American foreign policy. In a letter published in the *New York Review of Books* of Dec. 3, 1998, he wrote that the actions of the victors in the immediate aftermath of World War II were much flawed, even "frivolous." In a letter published in the present book, Kennan called the Cold War "an addiction" of American society that "[w]e could not live without" and that offered "no place for anyone who is interested in looking at the Soviets leaders *as they are*." Lukacs agreed and eventually concluded that Dwight D. Eisenhower and John Foster Dulles had been deeply responsible for lost opportunities in reframing American relations with the Soviet Union in the 1950s and thereby had greatly contributed to the prolonging of tensions between the two great powers. Lukacs includes in this volume a letter in which he reports how,

in the 1950s, Vice President Richard Nixon demonstrated a significant lack of understanding of Kennan's analysis of Soviet policy in Eastern Europe and the best strategies to implement in response to it. These failures, which continued well after the 1950s, were often the product of ignorance.

In these letters, Kennan and Lukacs express their concerns that go beyond Cold War policy, leading the reader to think that both men must have shared a deeper, but largely unspoken, understanding that the Cold War phenomenon was not just situated in a discrete time and place in history but was also the enactment of a broader drama, perhaps even illustrating a timeless condition:

- how human beings seem inevitably to fall prey to terrors conjured in the night;
- how fear, greed, and hatred arise endlessly;
- how in service of their passions people form into tribes and go to war against one another;
- how the will to power is well served by resorting to deception and self-serving manipulation; and
- how rational discourse is often, if not inevitably, drowned out.

Although both Kennan and Lukacs are conservative, they are heterodox thinkers and the conservative values they share were self-styled. When Kennan wrote to Lukacs about Lukacs' 1990 book, *Confessions of an Original Sinner*, he praised Lukacs' "respect for a 19th-century patrician way of life" and its values of "continuity, tradition, family cohesion, privacy, self-respect, quiet comfort and restrained elegance." In his review of Kennan's *Memoirs: 1925–1950* (a book published in 1967 and followed in 1972 by *Memoirs: 1950–1963*), Lukacs wrote that Kennan's political philosophy was "profoundly conservative ... in its original and traditional sense. History, tradition, the existence of national character, the constraints of human nature, and the uniqueness of European civilization are pillars of Kennan's personal

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beliefs.” These pillars could be traced back to Kennan’s ancestors, who had come from Scotland in the 18th century and had fought in both the Revolutionary War and the Civil War. Kennan saw the United States as “very much *their* country, in the sense that it was they, and people like them, who so extensively gave it its original character.” Yet Kennan believed that his ancestors “no doubt bore within themselves many of the seeds of the deterioration that is now overtaking American society—bore them in the form of bourgeois pretentiousness, the materialism, the philosophic shallowness, the belief in man’s perfectibility, the lack of any proper sense of tragedy in the individual human predicament. ...”

In 1984, late during a long Nordic summer night, Kennan looked out the window of his family’s seaside cottage in Norway onto the gathering North Sea darkness and elaborated on this theme:

I see the principal elements of man’s tragedy as rooted, ineradicably, in his own individual nature and in the predicament in which he finds himself on this earth. ... The tragedy lies in the unavoidable conflict between man’s animalistic, instinctive, primitively emotional and partially subconscious nature, on the one hand, and his capacity, on the other, for higher, more generous, less self-serving motives and impulses: for true love and friendship and charity—for a real nobility of spirit, in short. In this—in man’s endlessly torn, self-conflicting nature, which the monastic orders have tried ... to overcome, lies the first, and probably the greatest source of the tragedy. But another lies in the abundant injustice and frustration with which man is confronted at the hands of his natural environment, of the laws of chance, and of his own physical vulnerability, helplessness, and mortality ... not only the sadness and sometimes the agony of dying, but also the recognition that life, however successful, has never been more

than partially fulfilled. And finally, if one has seen much of human affairs and particularly if one has been a historian, there is the recognition of the fleetingness, the impermanence, of all human undertakings and achievements ... [which] can be endured and sublimated only by faith. ...

In the latter part of 1953, Kennan left Washington for a post at the Institute for Advanced Study. He was stoic about this change in his life and the end, for the time being, of any involvement in the business of governing. He wrote to Lukacs: “we have so little ... control over the course of events, ... the stuff of human reactions is so obstreperous and so little understood that our efforts to affect it have only a sort of coincidental result.” He would eventually see that the best use of his talents might be as someone who studied and wrote about international affairs, but he watched, pensively, the unfolding political events of the day. He witnessed both political parties trafficking in old clichés, pursuing whatever might be popular and whatever would advance individual careers and ego concerns. In the end, however, he largely accepted what he thought was the role “in which chance or providence has cast me.” Nearing the end of his life, more than 50 years later, Kennan’s philosophy had not changed. He cautioned Lukacs not to try to “out-guess Providence” but instead to “[d]o your duty, for the moment, as you find it. If Providence wants you to do a further service of real value, I am sure it will lead you to it. ...”

Kennan was independent and eclectic in his thinking. Although he helped bring Alexander Solzhenitsyn to the United States in 1975, he opposed the war in Vietnam, campaigning for Eugene McCarthy in 1968. In 1972, he cautioned against Nixon’s rapprochement with the People’s Republic of China. Kennan’s ideas, often keenly insightful, bore the imprint of his worldliness—especially his deep understanding of Eastern European culture and history—and, as a result, he rejected facile responses to complex historical phenomena. He would not, as was common in the aftermath of World War II, wholly

blame the German people for the disasters wrought by Adolf Hitler, but he could still recognize the underlying spiritual deficiencies that had contributed to the tragedy. He saw the Nazi horror as having been caused in part by “the absolutely merciless consistency ingrained in the Germans ... the failure to recognize the limits of all things.”

Some of Kennan’s views were more classically conservative or even reactionary. He shared Tocqueville’s doubts about what he called the “grey, egalitarian uniformity going under the name of moderate socialism—the product of ... jealousy of excellence no less than jealousy of a higher standard of living.” He feared, as did Tocqueville, that people would “come to value more greatly poverty and dependence in equality than freedom in a more varied or hierarchically arranged society.” But his views contained nuances and complexities, making it hard simply to accept or repudiate any of them. At the age of 76, he wrote that he experienced an increasing distrust of the “intellectual idols of our time—democratization, urbanization, and the passion to insert the machine in place of the human hand in the productive processes of our life. ...” He grew uneasy at the pace of change, which he viewed as too rapid for society to make the necessary adjustments and which was fueling and being fueled by destructive overpopulation, pollution, mechanization, and the increasingly technological nature of the modern world. These attitudes survived to the end of his life, when he feared that modern Western societies had produced a new generation of people for whom materialism had supplanted all interest in spiritual questions. For both Kennan and Lukacs, faith was indispensable to life, and the two men discussed the subject in many of their letters to each other. Kennan, attempting to explain how he came to his own beliefs, waved aside all “questionings and reasonings of nine decades of conscious adulthood” and attributed his faith to his experience as a small boy who had “knelt down every evening beside my iron bed” and said the Lord’s Prayer.

Kennan expressed his skepticism that democracy alone could solve “the

fundamental dilemmas of political theory,” such as “order vs. justice; authority vs. license; hierarchical structure vs. egalitarian mediocrity.” In 1990, after Lukacs’ book, *The Duel*, was published, Kennan wrote that he drew from its pages confirmation of a valuable lesson about the fragility of mass opinion, how it played a dramatic role in Hitler’s rise, and how Churchill’s need to coax the British people into opposition to Naziism had underscored the flaw in relying on popular opinion alone in making policy. Lukacs agreed, writing in 1996 that “democracy had overestimated the character and the intelligence of people.” Kennan was, however, always, in the end, firmly in his nation’s camp, and he knew that a government based on majority sentiment, although not perfect, was probably best.

Kennan’s thinking is not easily categorized. He abhorred dogma and reliance on received wisdom, and he rejected romanticized conceptions of the merits of the American order. In 1985, he wrote to Lukacs that he found “no very distinct moral component in the rationale of the original revolutionary war,” and that the United States “should not be idealized. I am not even sure that its world influence has been, on balance, a beneficial one.” His country’s flawed relations with the world, he thought, derived in part from an unwillingness to depart from a “comfortable assumption: that America represents what is good in the world, and that everything that goes wrong has an *outside* evil power responsible for it.” In another context, Kennan commented that there was “something fatally juvenile about a certain American attitude to the world.” He saw American populist nationalism as having a dark side, with many Americans suspicious of fellow citizens who did not share their ideology and treating those others as inauthentic.

The earlier letters published in this volume foreshadow the main currents of thought later expounded on by both men, each of whom would come to produce an astonishing output of books, articles, lectures, and speeches—all of which bear the stamp of considerable erudition. Both men were deeply interested in the nature of history and the role of the historian. Kennan rejected the no-

tion that there was any historical truth independent of the eye and the position of the beholder, and Lukacs agreed, adding that human beings are not just the creations of time, but also its creators. On a more practical plane, both men believed that history might well be better written by amateurs. As Kennan remarked, “Good history flows only from love of subject, rarely, if ever, from the principle of publish or perish.”

A theme running throughout these letters is the role each man played in reviewing the other’s work and in offering advice and encouragement. Lukacs thought that Kennan’s writing was, in many instances, more insightful than that of any other writer of the period, and Lukacs wrote to Kennan that he found Kennan’s memoirs “finer than anything ... Henry Adams had done.” In return and as Kennan became more and more familiar with Lukacs’ work, Kennan returned the high praise, concluding in one letter written in 1970 that Lukacs “will be remembered as one of the greatest, if not the greatest, of American historical philosophers.” As each new Lukacs volume was published, Kennan read each one, and, even as he praised Lukacs’ work, he offered what must have been a sobering caveat: that it was likely that Lukacs would never receive broad attention nor recognition during his lifetime, and that reviewers would generally fail to understand, much less thoughtfully evaluate, his books. Kennan encouraged Lukacs, accordingly, to write for posterity.

Some have found in Kennan a tortured personality, introspective in the extreme, remote, and riddled with contradictions. For his part, Kennan seemed largely unmoved by this critique. He recognized the loneliness inherent in the life of an intellectual, especially one whose ideas were original and went against the grain of the orthodox culture, and he also recognized that such loneliness and isolation may be enhanced in the “sadness of an exile’s life,” a reference Kennan made to one of Lukacs’ friends, the Hungarian priest Béla Varga, but a feature he also recognized as applying to himself, as his mother had died three days after he was born, he had married a Norwegian woman, and he had spent his early adulthood, from 1925 to 1953, speaking

and reading Russian and German as he lived in a dozen different foreign cities, far removed from the farm country of his native Wisconsin. The word “exile” also certainly applied to his comrade in letters, who had been robbed of his birthplace in 1946 and whose mother had died in Vienna four years later; yet he retained a hint of his Hungarian accent during the many decades after he arrived in Philadelphia.

After a lifetime of study and thought, Kennan reflected with detachment on the country he had served:

One’s relations to one’s country, like the relations among intimates, are always complicated; but I conceive myself to have loved my own ... [but] I am now inclined to see my country much the way that I see Russia (in the historical sense): namely, as a politically unsuccessful and tragic country, but one capable of producing out of its midst, from time to time, a remarkable literary, artistic, and musical intelligence, politically helpless and always vulnerable to abuse and harassment at the hands of the dominant forces of the moment.

One refrain in the letters included in *Through the History of the Cold War*, beginning at least as early as the 1990s, is Lukacs’ stated desire to edit a comprehensive volume of Kennan’s diaries and letters. In 1998, Yale University Press was interested in such a project, but it was not to be, for reasons not apparent from the letters in this book. Kennan’s papers were catalogued at their home at the Mudd Manuscript Library at Princeton University and opened to scholars in 2009. In July 2011, Princeton announced the selection of a diplomatic historian, Frank Costigliola, of the University of Connecticut to edit the diaries into a single volume, which is expected to be completed in December 2014. **TFL**

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