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BRANDEIS-A FREE MAN'S LIFE, by Alpheus Thomas Mason. New York: The Viking Press, 1946.

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ness and fair dealings, and the daily application thereof in the practice of law, are the theme songs of this book.

The value to the neophyte lawyer (and the book is highly recommended to him), lies not in the chapters setting out, in short and sketchy fashion, the substantive law, all of which has been thoroughly covered in courses offered by modern, progressive law colleges of today. Rather will he find the value of the book in the material describing the human aspect of attorney and client relationships; the work habits necessary for success in the legal field, and all the many valuable comments relative to where, how, and why to actually engage in the "Practice of Law".

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BRANDEIS—A FREE MAN'S LIFE, by Alpheus Thomas Mason. New York: The Viking Press, 1946. Pp. xiii, 713.

As our lives progress, most of us become reconciled to the inadequacies of our own capabilities; ironically, one of the most frustrating of these inadequacies is the inability to allow for such human frailty in others; and to further illustrate the irony involved, why is it that these imperfections in others seem to strike discordant notes particularly at such times when we are so close to discovering human perfection in an individual that our minds rebel against the oft-repeated and oft-proven maxim, "To err is to be human."? This reviewer has undergone such emotions during the course of reading a most skillfully written biography of one such individual. And yet, undoubtedly, the greatest praise which could be heaped upon him, is the fact that such slight imperfection is most obvious in his case. (For, isn't it self evident that it is only upon meeting with such near-perfection in an individual, that imperfection become so glaringly apparent, and that the necessity for admitting the universal truth of the above quoted maxim becomes most oppressive to the human mind?)

Brandeis—A Free Man's Life, is the title of this book, and a very limited title is! But how would it be possible for any title to fully encompass the scope of this book? For it is not only the story of a man's life. It is a panorama of the life of a nation, not only during Brandeis' life, but as it was, before his time, and as it could develop in the future. It is the development of a philosophy which is best illustrated by a quotation from Matthew Arnold, "Life is not a having and a getting; but a being and a becoming." It is an exposé of those who scoff at such philosophy; and a biography of one man who lived by that ideal, and fought relentlessly against those who were cynical, and more particularly against those who used such cynicism as a tool for economic and political oppression. It is a *Way of Life*.

The author traces the pattern of freedom in Louis D. Brandeis' heritage from the days of his family's exodus from Prague during the social revolutions of 1848 up to his birth. He was born of a family with an extremely cultured and intellectual background, and he absorbed much of his philosophy from his mother who was obviously a remarkable woman. From his mother he was imbued with the belief that only by improving men's character, could the world be improved. (And how right they both were!) He entered Harvard Law School without any college background, but with an extremely liberal education, and is still considered the most brilliant student that institution ever has had. Then came law practice in Boston, marriage, and success.

But our hero was not content with "the prospect of a long life limited to conventional law practice". He could not be an island unto himself in the swift and turbulent economic and political current of that era, which was slowly destroying all the traditions which he had always associated with true democracy and freedom. Of what avail were his economic and social prestige and respect in Boston, if he could feel none for himself in his own heart and soul. He deliberately entered upon a course of action which he knew would lose for him most of his friends amongst that set which ruled Boston's financial and social structure in those days. But, as history shows, he lost nothing. Was not the friendship, devotion, and respect of the millions for whom he devoted his life a much more gratifying compensation?

His first attack on the evils of the economic system as it existed in those days was directed against the monopolies and trusts which had become so powerful that they threatened what he considered the truly American way of life. His greatest fight for reform at this stage in his career involved the New Haven Railway. He hurled a scientific, fact-supported, and greatly needed "monkey-wrench" into this corporation which had attained so much economically dictatorial power in New England, and which was slowly being directed into bankruptcy and ruin by the financial tactics of its directors.

Another field of our economic system which he attempted to reform was that of Employer-Employee relations. It was during this reform that his old associates completely denounced him; and why should they not denounce him? For did not their beliefs conform with those of the soon-to-be President of the United States, William Howard Taft? The latter's intellectual and well reasoned solution to labor problems is best illustrated by the following incident: When he heard that 30 of the Pullman strikers had been killed by federal troops, he remarked hopefully: "Though it is a bloody business, everybody hopes that it is true." The next day, however, he was discouraged: "The Chicago situation is not much improved. They have only killed six of the mob as yet. This is hardly enough to make an impression." To Brandeis, this sort of philosophy smacked of the rankest inhumanity and injustice. There could be no compromise between himself, and the supporters of this type of slaughter which was justified by them—all for the interests of "Laissez-faire". It was during these days that he introduced the "Slid-

ing Scale Rate and Wage Principle", one of the most intelligent solutions for this problem which has ever been devised.

The Taft-Brandeis feud was further kindled during the former's term in office as President, when Brandeis as "The People's Attorney", and without remuneration (at no time when he was fighting for the interests of the public as counsel, would he ever accept a fee for his services), conducted a very effective investigation of the Conservation policies of Taft's administration during the Ballinger-Pinchot Conservation Feud, and thereby uncovered the dishonest tactics of governmentally-fostered businesses and their "undercover" deals. It was this attack which later caused Taft to oppose him vehemently when the question of his appointment as Attorney General arose; at that time, too, all the other men whom he had investigated, and whose dishonest, though not illegal, tactics, he had made public, during his attack on trusts and big business, arose as if one, to heap abuse and criticism on their enemy and to attempt to thwart the desire of President Wilson to have him appointed. These same men later attempted to oppose his appointment as an Associate Justice of the Supreme Court, but with less success. In many respects, Brandeis regretted his appointment as a Justice, because it would mean the cessation of his vigorous attacks on the evils of the society about him. He felt that there was still so much more to be done, which could be achieved only by one in the role of an aggressive reformer. However, the honor was a great one, and at last he was convinced that he could do as much good, in the passive, but important role of an Associate Justice in the nation's highest tribunal.

The highlights of his career as a Justice were his precedent-shattering decisions concerning civil liberties, the rights of labor in the economic scene, and his dissents with Holmes against the majority of the Court, many of which have since become law.

He did not completely approve of the New Deal, because of his staunch belief in states' rights and his adherence to the ideals of Plato as to the perfect type of government, both of which made him rebel against too strong a federal government. However, he did approve of the major economic and social reforms which were promulgated during Roosevelt's administration, and the theories underlying them.

It is impossible to outline fully all of the reforms which Brandeis undertook, and the basic respect of human rights which he based his work on. It took him eighty-five years to complete his work, and it would take much more than this report, or even an entire thesis on his life, to completely cover it.

There is one disappointment which arises periodically throughout the book, and it is difficult to tell whether it is actually due to Brandeis' true beliefs, or the rationalizations which the author submits at certain stereotyped intervals, when he feels the need of apology for what might seem to the closed mind of some readers to be Brandeis' "radicalism." What I am referring to is the author's statements that Brandeis believed in and worked for these reforms, solely because he felt that if one did not improve the lot of the underdog, he would someday rise,

and demand a socialistic society of some sort. The author also states that Brandeis was instigating these reforms for the benefit of business, because if these masses did arise, then business would be in a worse position than if it made a few small concessions to them voluntarily. It strikes this reader, after having read this, and many other biographies of Brandeis, that he had too great a mind to espouse a theory, which in effect is an interesting switch on Marie Antionette's beliefs; to wit, give them a few crumbs of bread before they do demand cake. Perhaps, I am wrong, and this belief is caused by the reluctance which is engendered by that afore-discussed inability and unwillingness to admit to the imperfections in one who could so easily be made an idol. However, since this review is written for the purpose of fostering an interest in you to read the original work, I am going to discuss this point no further; it is up to you, as individuals, to analyze for yourselves, this, and many other issues which searching minds will discover upon reading this great man's life story.

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