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## Book Review of From the Diaries of Felix Frankfurter, by Joseph P. Lash

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tional techniques, but by his example: his position as town musician (teacher, band leader, camp-meeting music director, theater-orchestra conductor) was a great embarrassment to his affluent and influential family. In his obituary his life's work in music was scarcely mentioned, while occasional jobs outside music were distorted. This undoubtedly influenced Ives's decision to avoid becoming a professional musician.

The portrait of Ives drawn by the facts is one of an extremely conservative man in every area except music. He attended Yale and worked hard to succeed in business. He married the sister of a classmate and kept social contact with other Yale men. He feared Bohemianism, and avoided contact with other creative artists largely because of differences of life style and social standing. He was embarrassed even at the mention of sex, and once wrote that no great works of art were ever painted of a nude figure. He was revolted when his dear friend and the foremost champion of his music, Henry Cowell, was arrested as a homosexual, and Ives refused to see him again. In spite of all that, this man was able to conceive of music so avant-garde that some of it did not receive an audience for fifty years, and predated comparable work by decades.

It is difficult to imagine the incredible energy, dedication, and conviction it took for Ives to have worked in complete musical and artistic isolation for twenty years without a single public performance or professional encouragement. Yet he produced great quantities of extraordinarily innovative and technically advanced music.

Rossiter has written this biography not from the point of view of an historian. The book makes no attempt to examine the music of Ives. The careful and sympathetic examination of his life leaves the reader with a rich appreciation of this great man.

JOHN ADAMS.

*From the Diaries of Felix Frankfurter.* With a Biographical Essay and Notes by Joseph P. Lash, assisted by Jonathan Lash. (New York: W. W. Norton & Company. 1975. Pp. 366. \$12.50).

Reading Felix Frankfurter's diaries provokes a deep sense of regret, regret that the Justice was only a sporadic diarist, regret that he himself apparently destroyed some parts, and regret that other

sections were stolen from the Library of Congress. What remains covers less than four years of one of the most remarkable careers in American history. There are three brief sections relating to Frankfurter's life before he went onto the Supreme Court, the most interesting of which covers just one month during 1911 when he was an assistant to Secretary of War Henry L. Stimson. A fourth section spans the first half of 1943, offering an interesting glimpse of wartime Washington, and the final three sections provide a fairly complete chronicle of the period from the middle of 1945 through early 1948.

The entries for 1911 highlight the picture of Frankfurter as a young Roosevelt progressive caught in the dull administration of President Taft, who "totally lacks capacity for effective leadership in a modern democracy" (p. 112). The young lawyer was optimistic about the future, critical of growing corporate power, and confident in the possibilities of the active, regulatory state. He was more concerned with administrative leadership than he was with his later passion, the Supreme Court. Though he disdained the politics of the stoutly conservative Attorney General George W. Wickersham, Frankfurter did not view his possible appointment to the Court with alarm. "If we must have him in the service," he wrote, "I'd rather see him on the bench than in the cabinet" (p. 108). Evocative of the moral tone and assumptions of the period, Frankfurter aspired to a "useful" career, feeling no need to question the complexities that the term "useful" masked.

The sections on the 1940's, which make up almost ninety percent of the diaries, are quite different in tone and substance. The young lawyer has become Mr. Justice Frankfurter—famous, controversial, and influential. The focus is on the Court, and Frankfurter is now a careful and purposeful chronicler of its inner tensions. The major theme is the familiar story of his conflicts with Justices Black and Douglas. Together with Justice Murphy, they constituted what Frankfurter called "the axis," characterized by "their strange subservience to Black" and by their practice of "hunting in packs" (pp. 197, 176). The diaries are filled with harsh words for all three, though Black, Frankfurter's classic opposite, ultimately receives the lightest condemnation. It was Murphy's vacillating and "non-judicial" temperament, and Douglas' corrupting ambitions that most stirred Frankfurter's ire. There are briefer glimpses of the other members, some sharp and some sym-

pathetic, and numerous indications of the political maneuvering among the nine. Such materials create obvious problems for the historian, discounting Frankfurter's personal bias as well as placing such internal politics in comparative perspective. Was the Roosevelt Court really that distinct, or were its inner conflicts simply publicized more widely? And more importantly, were the decisions of the Roosevelt Court really based on personal considerations more frequently than were those of earlier Courts? Frankfurter's opinion was clear. "Never before in the history of the Court," he wrote to Murphy in 1946, "were so many of its members influenced in decisions by considerations extraneous to the legal issues that supposedly controlled decisions" (p. 264).

In spite of the frank criticisms, the diaries are quite controlled prose pieces, revealing little new or unexpected about the Justice. When summarizing the Saturday conferences, he occasionally manifests the schoolmasterish tone which he adopted and which annoyed some of his colleagues. There is additional evidence pointing to the crucial significance of the flag-salute cases in determining the history of the Roosevelt Court and in steeling Frankfurter in his general philosophy of restraint. Though there is little in the way of explicit statement, the tone of many of the passages suggests Frankfurter's growing anger and confusion at his inability to lead the Court as he and many others had expected he would. And there is, throughout, Frankfurter's passionate concern for his own integrity, a concern that suggests some of the personal and psychological roots of his judicial philosophy.

The diaries illuminate Frankfurter's political role during the war, such as his opposition to Bernard Baruch as a possible head of the War Production Board and his hostility to General De Gaulle's efforts to assume control of the Free French. His discussions with Jean Monnet and Dean Acheson provide glimpses of their changing ideas about world politics and the post-war world. Finally, there are the inevitable tidbits: that as early as 1946 Acheson warned James F. Byrnes against falling into "the pattern of having us support reactionary regimes wherever the position arises" (p. 278); that in the best circles of Washington serious political conversation occurred only "when the men were alone" (pp. 192, 218, 292); and that as late as 1943 high Navy officers viewed Frankfurter (as well as ex-Brandeis law clerks) as "too leftist" to be trusted (p. 169).

In his extensive introduction Joseph P. Lash has contributed a useful biography of the Justice which greatly enhances the value of the book. The necessary explanatory footnotes are more than adequate. To have the Frankfurter diaries available in this form will be a great help to a wide variety of scholars.

EDWARD A. PURCELL, JR.

*Power and the Pulpit in Puritan New England.* By Emory Elliott. (Princeton: Princeton University Press. 1975. Pp. xi, 240. \$10.00.)

At least 125 monographs relating to American Puritanism have been published since Perry Miller commenced "crawling through the dry stubble" of that field in the 1930's. And over half of them have appeared in the last decade. Why then—given that we know more about Puritanism, as Edmund S. Morgan facetiously put it in 1968, than "sane men should want to know"—has Emory Elliott contributed another to the onslaught? His provocative thesis and eclectic methodology provide the answer.

Elliott argued that New England's first generation fathers—the "patriarchy"—engaged in a "general repression of the younger generation that influenced every aspect of New England thought and culture for the rest of the century." Fathers bought up western lands so that their sons would wait for their inheritance rather than venture into the wilderness on their own. The patriarchs also neglected the education of the young for the same self-serving reason. Stuck at home, the second generation married late, and the patriarchy used sex as a "powerful incentive for their sons to remain dutiful and obedient," for a particularly hard-working son might be permitted to marry before he turned twenty-five. The church too undermined the autonomy of the second generation. Founders of the New England Way, adopting rigorous membership tests during the 1630's, evolved a "system of exclusiveness and isolationism" and thereby deprived most of the second generation of "any spiritual comfort or identification with the local community." The Half-Way Covenant, which allowed the children of baptized church members to receive baptism even if their parents were not full members, virtually ensured the "continuance of the churches without violating the political privilege of the first-generation patriarchy."