

Eulogy of Judges. By Piero Calamandrei.† Trans. by John Clarke Adams and C. Abbott Phillips, Jr. Princeton: Princeton University Press, 1942. Pp. 121. \$2.00.

A few weeks before his death, Dean Wigmore requested that I write a review of this book. I felt then as I feel now, that I really am not equipped to deal critically with its content. Dean Wigmore's request, under the circumstances, however, I considered a command. I have no background for commenting on the traditional practices of the legal profession in Italy, but I have some hunches about what the traditions of the legal profession should be almost anywhere, and I have at least the best will in the world to say something about the things that Dean Wigmore loved and fought for in this field during his long life. Perhaps on the last score at least I may say a few words.

As for the book, it deals in simple and idyllic manner with the way of life of the lawyer so far as he works with and for the judge, and they together work out the achievement of justice. The first pages deal primarily with trial courts, and the various personal and psychological features that affect both lawyer and judge. Much idealistic and some shrewd comment is made upon the apparent contradictions of a judge's duties as well as those of the lawyer. For instance, how far may a lawyer show more enthusiasm for his case than he feels, and how far may a lawyer go in defending a client whom he personally thinks is guilty? The answers of the author to these and other questions are not superficial and platitudinous—they are deeply sympathetic and philosophical.

The book itself might well be said to be in honor of Dean Wigmore in that it is in praise of the fundamental honesty and selfless devotion to duty that are a part of the morals of the legal profession, and especially of the obscure, often berated, long-suffering, and hard-working trial judge. Not only by his teaching, but through his daily contacts and in the honest vigor of his private thought, the high traditions, the devotion of spirit, and the singleness of purpose of the trial judge were part of Dean Wigmore's life. He believed and he acted on the belief that the legal profession was a special calling devoted to the fine art of securing justice between man and his brother man. He felt that lawyers and judges were set apart in a special way for the discharge of this art which involved both learning and skill and took all life for its province. The author of this little book feels the same way. He has a guileless and utterly charming humility as he approaches the good judge and considers his high service.

But if I may add a crude and crass note at the end, high as this unselfish devotion to the special calling of the administration of justice may be, must we not be always watchful that we do not follow it to the cruel error which at times tempts the very best of professional men, namely, that they think too steadily even of their high calling and hence tend to lose themselves in methodology, failing to see clearly their flesh-and-blood litigant for whose sake all of us in the law exist and work?

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