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MABEL WALKER WILLEBRANDT: A STUDY OF POWER, LOYALTY AND LAW. By *Dorothy M. Brown*. Knoxville: University of Tennessee Press. 1984. Pp. xvii, 328. \$29.95.

At one time, Mabel Walker Willebrandt was the most famous woman in America. She was Assistant Attorney General during the Harding and Coolidge administrations, where her work in enforcing the new income tax law and Prohibition set important precedents in interpreting the sixteenth and eighteenth amendments. She made a substantial contribution to prison reform, and her controversial Prohibition work and her campaigning had a major impact on the 1928 presidential election. After leaving office, she pioneered in the emerging fields of aviation and radio law. Eventually, she became counsel for a number of screen notables and played a role in the Hollywood red scare.

Despite the deluge of publicity that accompanied her during her years in office, Willebrandt has been virtually ignored by modern historians (p. xiii). As is true of other professional women of her generation, Mabel Walker Willebrandt's life has gone lamentably undocumented. Dorothy M. Brown, associate professor of history at Georgetown University, has attempted to fill this void with her biography of Willebrandt. Brown has meticulously traced Willebrandt's life from her birth on the Kansas plain in 1889 to her death of lung cancer in California in 1963. Unfortunately, Brown's failure to analyze the many paradoxes of Willebrandt's character or to portray Willebrandt objectively limits the value of this much needed biography.

Brown paints a picture of Willebrandt which shows a life remarkable in both background and achievement. Willebrandt spent a nomadic childhood, wandering through the Midwest, as her parents tried their hands at farming, schoolteaching, journalism and banking (pp. 5-16). As a youth, she was expelled from Park Academy, a Christian college, after challenging the academy's president on the concept of the Virgin Birth (pp. 14-15). She married Arthur Willebrandt at the age of twenty and eventually moved with her husband to California where she put the two of them through the University of Southern California Law School by continuing her previous work as a school teacher (p. 30). She separated permanently from her husband in 1916; they divorced in 1924 (pp. 32-33).

Mabel Walker Willebrandt graduated from law school in 1916 (p. 38). After graduation, she continued the work in the police court defender's office, primarily defending prostitutes, which she had begun during law school (pp. 36-38), and opened her own practice, which grew steadily. During this time, her clients included defendants charged under the sedition laws promulgated during World War I (p.

40). She also began her lifelong activism in associations of women professionals and in aid of fledgling women attorneys (pp. 41-42).

In 1921, at the behest of California Senator Hiram Johnson and with the recommendation of much of the Southern California Bar, Willebrandt was appointed Assistant Attorney General by President Harding (pp. 46-47). She was appointed just five years after graduation from law school and was only the second woman to hold such a position (p. 45).

Willebrandt's responsibilities at the Justice Department included the enforcement of Prohibition, federal income and estate tax law, minor acts regulating commerce and war risk insurance, and the administration of the federal prisons (p. 50). Her achievements in office included the creation of the first federal prison for women (p. 83) and a federal reformatory for young, first-time male offenders (pp. 90-91). Between her tax and prohibition enforcement and her subsequent private practice, Willebrandt argued more cases before the Supreme Court than all but three of her contemporaries (p. xi). Prohibition was the most demanding of her responsibilities and ultimately brought her the most publicity (p. 50). Willebrandt was not a prohibitionist before the eighteenth amendment passed in 1920, but she vigorously enforced the law (p. 50) despite problems of organization, incompetence and corruption within state and federal enforcement agencies (pp. 49-80).

Initially, while the bulk of public opinion favored Prohibition, Willebrandt's efforts drew praise. However, as the tide shifted against Prohibition in the mid-twenties, her enforcement activities were increasingly criticized. The prosecutions and nightclub raids she directed in 1928 were condemned as efforts to use her office to affect the 1928 Presidential election between Herbert Hoover and Al Smith (pp. 157-58). Her campaign speeches for Hoover to "dry" religious groups drew the most fire. Prohibition was the child of rural, old-stock, Protestant Americans and reflected their fears about the increasing numbers of Roman Catholic immigrants who peopled the cities (p. 53). Willebrandt made speeches to Protestant church groups, in which she indicted Smith for his role in the New York state government that had willfully failed to enforce Prohibition. She urged the Protestants to rally their churches to swing the election to Hoover. Although Willebrandt claimed that these speeches contained no element of religious intolerance, the Democrats and much of the press characterized the speeches as part of a campaign of religious innuendo against Roman Catholic Al Smith (p. 161). As a consequence, the Republican Party distanced itself from Willebrandt, calling her campaign efforts "freelance" (p. 164). The press then uncovered and publicized the story of her 1924 divorce (pp. 167-68). After these incidents, public opinion about Willebrandt continued to be mixed; some called her "Joan of Arc," while others labelled her "Miss Firebrand" or asked for her to

be muzzled (p. 166). Wounded by these attacks and Hoover's reluctance to support her publicly, Willebrandt resigned several months after the election (pp. 175-77).

Upon leaving office and reentering private practice, Willebrandt quickly became a leader in aviation law, and a pioneer in the field of radio law. Interestingly enough, during these early years of her private practice, one of her major clients was a group of California grape growers who sought to market a grape concentrate that fermented into wine when added to water and yeast (p. 181). The concentrate was even labelled as Port, Muscatel, Sherry, Burgundy or Sauterne (p. 181). This product did not technically violate the law, because it was not alcohol at the time of sale, but nevertheless friends and contemporaries questioned this vigorous proponent of Prohibition's representation of this "wine-to-be" (p. 188).

During the forties and fifties, Willebrandt gradually moved her practice and her life back to California. She represented Hollywood clients, such as Louis B. Mayer, Jean Harlow, Clark Gable, Jeanette MacDonald and the Screen Director's Guild (pp. 231-33). As attorney for the Guild, Willebrandt embroiled herself in the Hollywood red scare, drafting a loyalty oath that the Guild proposed to administer to all members; this proposal almost rent the Guild in two (pp. 241-42). Willebrandt, herself, was virulently opposed to Communism and supported the efforts of the House Un-American Activities Committee (HUAC) and Senator McCarthy to rout the Communist threat (p. 243). She even fought a child custody case on the ground that the mother was an unfit parent because she associated with persons of doubtful loyalty to the United States (p. 244).

In the spring of 1963, Mable Walker Willebrandt died of lung cancer. In her final years she had continued to practice law, was an active friend and grandmother, and, ironically, converted to Roman Catholicism.

Willebrandt's achievements place her in the ranks of the women professionals and progressives of the 1920's. Brown's introduction hints that she will analyze Willebrandt in this context, calling her life a "case study for women's history" (p. xiii). The book does describe Willebrandt's work for reform and her encouragement of women lawyers, but fails to discuss this generation of women who broke into the professions after suffrage was achieved. This historical context might have rendered Willebrandt and her often contradictory actions more comprehensible.

Brown's documentation of Willebrandt's life does present numerous paradoxes: Willebrandt's vigorous enforcement of Prohibition and her subsequent representation of the California grape growers; her representation of the World War I sedition defendants and her espousal of McCarthyism; and her rallying of the Protestants behind

Hoover for the good of the country and her subsequent adoption of Catholicism. But Brown fails to explain or analyze these contradictions adequately. How strongly did Willebrandt support Prohibition? Did her representation of "Vine-glo" arise from "zealous" advocacy, simple hypocrisy or an attempt to help save California agriculture from economic devastation? The author's one sentence explanation that Willebrandt's motivation "seems to have finally been based on her loyalty to Hoover, to California and, paradoxically, to the dry cause" (p. 188) is unsatisfactory. Although Brown may have lacked the evidence to draw a conclusion in this particular instance, the book gives so little sense of Willebrandt's character that the reader cannot even hazard a guess about Willebrandt's motivations.

Throughout the book, Brown portrays Willebrandt as a uniformly admirable figure. Of Willebrandt's inflammatory use of a mother's opposition to HUAC against her in a child custody case, Brown notes only that "Willebrandt's concern about communism merged with her strong commitment to family and care for children" (p. 244). Brown unquestioningly lauds Willebrandt's Prohibition work, even in cases where Willebrandt successfully argued that cars should be stopped without a warrant and that documents not described in a search warrant should be subject to seizure (p. 77). And Brown portrays Willebrandt as innocent of any anti-Catholic sentiment in the 1928 presidential campaign. But given the bases of support for Prohibition, surely Willebrandt was not unaware that her rallying cry to the Protestant churches could only be inflammatory and a manipulation of Protestant, rural America against Catholic, urban America. Brown's descriptions of Willebrandt are so lavish in their praise that Willebrandt does not emerge as a believable individual. In describing Willebrandt's work, for instance, the author writes:

Willebrandt's work in estate tax and inheritance cases was always marked not only by an extraordinary mastery of the complex legal technicalities but by her full sensitivity to the human dimension of each case. When she drew up a will, it was a model of precision graced by language richly conveying the care and affection of her client for the surviving family or friends. [P. 214.]

Given Willebrandt's vigor, intelligence and dedication, one can understand Professor Brown's admiration. Her intensely partisan portrayal of Willebrandt, however, effectively sabotages the purpose of her book: to reclaim for history the life of Mabel Walker Willebrandt. This failure is particularly disappointing because Mabel Walker Willebrandt, whose life and achievements as a progressive female reformer are worthy of the attention of history, deserves at least a three-dimensional biography.