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LAWYERS IN POLITICS: A Study in Professional Convergence.

By HEINZ EULAU AND JOHN D. SPRAGUE. Indianapolis: The Bobbs Merrill Company. 1965. Pp. 164. \$5.50.

The profession I chose was politics; the profession I entered was the law. I entered one because I thought it would lead to the other.

—WOODROW WILSON

I was asked to review this book because after twenty years in law practice, I became engaged in the political arena, unsuccessfully, but like the knight of old who said, "Though wounded I may fall and bleed awhile, but then I arise again to fight once more."

The authors have collaborated in the interrogation of legislators, both lawyers and nonlawyers, in the states of New Jersey, Ohio, Tennessee, and California about everything except their private love lives and have set out the results of their inquiry in this 164-page tome, which sells at \$5.50.

They point out as a result of their investigation that they find the modern lawyer is not so much an "advocate or pleader" as a negotiator, moderator, or arbitrator; and since politicians in pluralistic societies perform similar functions, skill in compromising and bargaining is the hallmark of a successful politician as well as of a successful lawyer.

The authors' surveys have shown that the lawyer's focus of attention when polarized is less parochial and more cosmopolitan than that of the nonlawyer. They have found that lawyers are usually chairmen of committees and work effectively and logically toward a solution.

"In America there are no nobles or men of letters, and the people are apt to mistrust the wealthy; lawyers consequently form the highest political class and the most cultivated circle of society," Alexis de Tocqueville wrote in the 1830's. In 1964, Eulau and Sprague observe that "No occupational group stands in more regular and intimate relation to American politics than the legal profession"—that nearly half of the signers of the Declaration of Independence were lawyers, and that twenty-three of the thirty-six American presidents have been lawyers. In addition, the greater percentage of governors, mayors and legislators have been or are lawyers.

Scarcely any question arises in the United States that does not become sooner or later a subject of judicial debate. The prominence

of the legal profession in politics is traditionally attributed to the American reverence for law, to the tendency to substitute legal for political decisions in the formulation of public policies, and to judge political results by legal standards. Lawyers do play an important role in politics as legal technicians, and this is an explanation that lawyer-politicians may themselves give for their presence in politics.

The authors conducted an amazing number of interviews with the majority of legislators in the four states selected, and as a result of the answers secured they have prepared thirty-five charts which appear in the book. These range from "Time of Earliest Interest in Politics" to "Political Aspirations Beyond the Legislature," and a comparison of the answers of both lawyers and nonlawyers. In addition, they have bolstered their book with many quotes from authors who have previously written on the same subject.

It was surprising to find that lawyers as a group have had less legislative experience than nonlawyers in that their median length of service is 2.8 years as against 6.8 years of the nonlawyer. The authors reach the rather amazing conclusion that "lawyers' private professions do not seem to affect a great deal of their political behavior." From my own experience, I would be inclined to debate this.

If I may take the liberty to express my own thinking as a lawyer-politician, I would say that one who has been successful in the practice of law, and discovers in himself a desire to expand his horizons, can find nothing more testing to his mettle than the field of politics. He brings to this forum a logical business approach, a knowledge of people and of the law, the ability to look at both sides of a question, and the desire for knowledge to find a just and equitable solution for the common good. In addition, his experience, especially as a trial lawyer, gives him the courage and vigor to lead where leadership is so badly needed.

I was excited with the title of this book and saw so much that could be done with it. I was disappointed with the lack of imagination of the authors, who, it is interesting to note, are neither lawyers nor politicians.

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