This course is a political history of American legal institutions in the first two thirds of the twentieth century. After a brief survey of the nineteenth-century state of courts and parties, it explains how American law and lawyers were transformed by the emergence of an administrative state. The bulk of the course is devoted to the emergence and consolidation of two political regimes—the Progressive (1898-1933) and the New Deal (1933-1964). Topics include the rise of the corporate bar, judicial reform, theories of administration and the rule of law, race and gender in the legal profession, “New Deal” and “Washington” lawyers, state and federal administrative agencies, and McCarthyism and the bar. The course is intended to provide students with a perspective on the statutory and regulatory courses of the upper-class curriculum and a historical understanding of the profession they are preparing to join.


Class Meetings. We will meet on Mondays and Wednesdays from 1:55 to 3:20 in Hotung 2000. Mostly, I’ll lecture, although I’ll also devote part of most classes to discussion of the readings.

Course Materials. With the exception of six articles available via the Canvas site, all of the required readings are in a set of materials, “American Legal History.” They are available from the Law Center’s on-line distribution center.

Evaluation. Grades will be based on a three-hour, open-book final examination, scheduled for the morning of May 4. The Canvas site has the most complete back file of exams, feedback, and model answers for the course.

Contacts. My office in McDonough, Room 584, where my phone number is 662-9475. My email address is ernst@georgetown.edu. Office hours are Mondays, 3:30-5:30, and by appointment.
<table>
<thead>
<tr>
<th>Date</th>
<th>Pages</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan. 18</td>
<td>1</td>
<td>A City upon a Hill</td>
</tr>
<tr>
<td>Jan. 23</td>
<td>2</td>
<td>State and Party</td>
</tr>
<tr>
<td>Jan. 25</td>
<td>3</td>
<td>Officers of the Courts</td>
</tr>
<tr>
<td>Jan. 30</td>
<td>4</td>
<td>The Corporate Bars</td>
</tr>
<tr>
<td>Feb. 1</td>
<td>5</td>
<td>Socialized Courts</td>
</tr>
<tr>
<td>Feb. 6</td>
<td>6</td>
<td>An American Rechtsstaat?</td>
</tr>
<tr>
<td>Feb. 8</td>
<td>7</td>
<td>Immigration: Bureau and Department</td>
</tr>
<tr>
<td>Feb. 13</td>
<td>8</td>
<td>Immigration: The Rule of Law I</td>
</tr>
<tr>
<td>Feb. 15</td>
<td>9</td>
<td>Immigration: The Rule of Law II</td>
</tr>
<tr>
<td>Feb. 23</td>
<td>10</td>
<td>Hughes at Elmira</td>
</tr>
<tr>
<td>Feb. 27</td>
<td>11</td>
<td>Lawyers, Guns, and Money</td>
</tr>
<tr>
<td>Mar. 1</td>
<td>12</td>
<td>Administration Contained</td>
</tr>
<tr>
<td>Mar. 6</td>
<td>13</td>
<td>Ethnicity</td>
</tr>
<tr>
<td>Mar. 8</td>
<td>14</td>
<td>Gender</td>
</tr>
<tr>
<td>Mar. 20</td>
<td>15</td>
<td>Race</td>
</tr>
<tr>
<td>Mar. 22</td>
<td>16</td>
<td>For the Survival of Democracy</td>
</tr>
<tr>
<td>Mar. 27</td>
<td>17</td>
<td>New Deal Lawyers</td>
</tr>
<tr>
<td>Mar. 29</td>
<td>18</td>
<td>The Authority of Lawyers I</td>
</tr>
<tr>
<td>Apr. 3</td>
<td>19</td>
<td>The Authority of Lawyers II</td>
</tr>
<tr>
<td>Apr. 5</td>
<td>20</td>
<td>“The G– D---- Labor Board”</td>
</tr>
<tr>
<td>Apr. 10</td>
<td>21</td>
<td>Reaction and Stalemate</td>
</tr>
<tr>
<td>Apr. 12</td>
<td>22</td>
<td>Total War</td>
</tr>
<tr>
<td>Apr. 17</td>
<td>23</td>
<td>The Postwar Settlement</td>
</tr>
<tr>
<td>Apr. 19</td>
<td>24</td>
<td>Washington Lawyers</td>
</tr>
<tr>
<td>Apr. 24</td>
<td>25</td>
<td>The Discovery that Business Corrupts Administration</td>
</tr>
<tr>
<td>Apr. 26</td>
<td>26</td>
<td>Review</td>
</tr>
</tbody>
</table>
# Table of Contents

1. **A City upon a Hill**
   
   
   

## Prelude: The State of Courts and Parties (and Lawyers)

2. **State and Party**
   
   11. Note: Political Regimes and the Law
   
   

3. **Officers of the Courts**
   
   36. Note: Theories of the Professions
   
   
   
   66. Some Statistics on the Growth of the U.S. Legal Profession
THE PROGRESSIVE REGIME, 1898-1932

4. The Corporate Bars

“The Graveyard of Reputations: New York is Said to be the Place Where Village Notoriety Finds a Tomb,” Law Student’s Helper 8 (January 1900): 115-16

Note: The Coming of the Law Factories


Note: James B. Dill


Note: Stone versus Swaine


5. Socialized Courts

Note: Ideas in the Progressive Regime

Note: Lon L. Fuller (1902-1978) and the Adjudicative Ideal

Note: Some Hypotheticals on Lon Fuller’s “Form and Limits of Adjudication”

Note: The Juvenile under Fullerian Courts


People ex rel. O’Connell v. Turner, 55 Ill. 280 (1870)

Note: The Juvenile under Fullerian Courts (continued)
6. **An American Rechtsstaat?**

   137 Note: The Excrescence of Administration

   138 Woodrow Wilson, “The Study of Administration,” *Political Science Quarterly* 2 (July 1887): 197-222


   152 Joseph H. Beale, Jr. to William Rainey Harper, April 2, 1902, ibid


   157 Ernst Freund’s Proposed Curriculum for the University of Chicago Law School (M.S. thesis, Brigham Young University, 1962), 118

   158 University of Chicago School of Law, Annual Announcements, Autumn Quarter 1902 to Spring Quarter 1903, pp. 2-3, https://www.lib.uchicago.edu/e/webexhibits/lawtimecapsules/

   160 Note: Ernst Freund and an American *Rechtsstaat*

7-8. **Immigration: Bureau and Department**

   162 Note: Varieties of Administration

   165 Note: Max Weber on Bureaucracy


   169 Note: Bureaucratic Autonomy
Ernst, American Legal History

174  

Note: Some Immigration Statistics

175  


192  

Note: Charles Nagel, Henry Wolf and the Hebrew Sheltering and Immigrant Aid Society

8-9. **Immigration: The Rule of Law**

196  


201  


203  

Note: Lawyers and the Immigration Bureaucracy

203  


10. **Hughes at Elmira**

221  


227  

Note: The Road to Elmira

230  


235  

Note: After Elmira

236  

Revised Record of the Constitutional Convention of the State of New York, April Sixth to September Tenth, 1915 (Albany: J.B. Lyon, 1916), 3: 3010-02

237  

Daniel R. Ernst, *Tocqueville’s Nightmare: Americans Confront the Administrative State* (Oxford University Press, forthcoming), ch. 2 (excerpt)
11. **Lawyers, Guns, and Money**

243 Note: Progressive Reform, Wartime Necessity


12. **Administration Contained**

266 Note: The Consolidation of the Progressive Regime

266 George Sutherland, “Private Rights and Government Control,” *American Bar Association Reports* 42 (1917): 204-07

269 Federal Trade Commission v. Gratz, 253 U.S. 421 (1920)


**INTERLUDE: AN OPEN PROFESSION?**

13. **Ethnicity**

284 Note: Them and Us


293 Jerold S. Auerbach, “From Rags to Robes: The Legal Profession, Social Mobility and the American Jewish Experience,” *American Jewish Historical Quarterly* 65 (1976): 249-274
14. Gender


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321 Myra Bradwell, “The XIVth Amendment and Our Case,” *Chicago Legal News*, May 10, 1873

322 Note: Lelia Robinson


15. Race


THE NEW DEAL REGIME, 1933-1964

16. For the Survival of Democracy


392 Note: State and Party in America’s New Deal

17. **New Deal Lawyers**

399 Note: A Lawyer’s Deal

399 Note: Government Lawyers before the New Deal


425 Julien N. Friant to Jerome N. Frank, October 30, 1934, Jerome N. Frank Papers, Yale University Library

427 Frank to Friant, November 6, 1934, ibid.

18-19. **The Authority of Lawyers**

430 Note: Halliday on the Authority of Lawyers


435 Irons, *New Deal Lawyers*, 128-36, 156-80

467 Note: Leonard D. White on Jerome Frank at Triple A

468 Note: State Capacity, Party Alignment, and the Purge

20. **“The G– D---- Labor Board”**


21. **Reaction and Stalemate**

Note: The Strange Career of Roscoe Pound


Shepherd, “Fierce Compromise,” 1598-1625

FDR, Walter-Logan Veto Message, *Cong. Rec.*, 76th Cong., 3d sess., December 18, 1941

22. **Total War**

“‘No’ Attitude is Said to Hurt Our War Effort: Government Attorneys Who Quibble over Niceties of Law Likened to Saboteurs,” *American Law and Lawyers*, August 22, 1942, 8

Note: The Office of Price Administration


Note: Sig Robinson Has Enough: S.A. Robinson to John E. Scott, November 12, 1942 (private collection)

23. **The Postwar Settlement**

Note: Winner’s History

Shepherd, “Fierce Compromise,” 1594-98


Note: *Universal Camera’s Path to the Supreme Court*
24. **Washington Lawyers**


25. **The Discovery that Business Corrupts Administration**


26. **Review**

No assignment