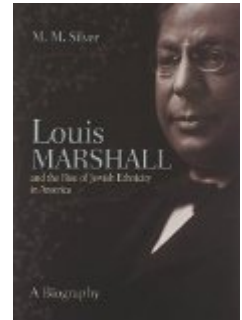


M. M. Silver. *Louis Marshall and the Rise of Jewish Ethnicity in America: A Biography.* Modern Jewish History Series. Syracuse: Syracuse University Press, 2012. 644 pp. \$49.95, cloth, ISBN 978-0-8156-1000-7.



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Commissioned by Jason Kalman (Hebrew Union College - Jewish Institute of Religion)

Few individuals had as much impact on American Jewish life during the first decades of the twentieth century than Louis Marshall. In this exhaustive biography, M. M. Silver presents Marshall as charting the path for the construction and “rise of a discernable form of American Jewish ethnicity” (p. xiii). This is a bold argument and overall a bold book. By showing how this prominent Jewish lawyer placed himself at the center of American Jewish organizational and political life, in the end Silver’s argument is convincing.

Silver structures his biography around a set of four chronological phases, organized into four parts. In part 1, he examines the first phase, Marshall as a patrician reformer, from 1856 to 1904, while in part 2, he moves to the second phase, which focuses on Marshall as an organizer from 1904 to 1914. Part 3 examines the third phase, Marshall in the war years, 1914-1920. Finally, part 4 analyzes the last phase, what Silver terms “Marshall Law,” covering the 1920s.

This concept of phases enables Silver to focus his analysis of Marshall under a set of themes. For example, in looking at several years after 1906 as the “organizational phase,” Silver effectively demonstrates that Marshall worked tirelessly to promote cooperation between different Jewish groups. His most profound impact was on the American Jewish Committee (AJC). By providing enormous detail on the founding of the AJC, Silver illuminates the significant role that Marshall played. Marshall emerges as the individual who provided a vision for the organization and who worked to bring disparate Jewish groups and individuals together for a common purpose. In the end, Silver’s claim that the AJC “was a Louis Marshall production” is not overstated (p. 116).

At times, however, structuring Marshall’s life around four distinct periods feels contrived. Marshall had no sense of any distinct stages in his life. Furthermore, the characteristics that Silver maintains were unique to particular phases spilled over to other phases. For example, Marshall may have acted as a patrician early in his adult life, as

Silver notes, but his actions throughout his life could in many ways also be labeled patrician.

Silver does shed new light on Marshall and his activities. While Marshall's role in the AJC is well known, some of his specific activities have been less publicized. Silver highlights, for example, Marshall's role in the abrogation of the 1832 treaty between the United States and Russia. From Marshall's perspective, Article 1 of the treaty, which promised "equal treatment" to American citizens residing in Russia, was being violated by its discriminatory policies toward Jews. In an effort to advocate on behalf of Jews in Russia, Marshall referred to this article and used a variety of methods to convince the U.S. government to abrogate its long-standing treaty with Russia. By mobilizing the American Jewish community behind this initiative, in the end Marshall achieved his goal. This chapter in Marshall's life demonstrates the way in which he was able to create interethnic consensus for the sake of a specific goal.

Silver also provides an important understanding of Marshall's interest in the environment. In addition to using his legal skills to advocate for Jewish interests and rights, he was involved in environmental conservation. Marshall submitted an important brief in *Missouri v. Holland* (1920), a "landmark" Supreme Court case that helped bolster protection for migratory birds. However, the links that Silver makes between Marshall's environmentalism and his interest in Jewish issues tend to be a bit far-fetched. Silver draws an analogy, for instance, between Marshall's interest in migratory birds and his interest in Jewish minority rights in Europe: "When it came to Jews and birds, Marshall tended to think in preservationist terms, trying to protect the idyllic way of life from predations of modernity" (p. 403). Silver also maintains that Marshall's environmental work "colored his work on Jewish affairs" (p. 407). On both claims, Silver's argument is speculative and unsubstantiated.

Silver's writing is at its best when he addresses his insightful analysis of Marshall to the reader. For example, at the end of a section describing Marshall's involvement with the restructuring of the Jewish Theological Seminary, Silver concludes by assessing Marshall's influence, arguing that his "energy, lawyerly skills, and power of expression contributed indelibly to the crucial phase of the institution's rebirth" (p. 58).

Silver should be applauded for contextualizing Marshall's life. However, his contextualization is effective in some places, but not in others. Silver, for example, focuses an entire chapter on Marshall's response to Henry Ford's anti-Semitism in the 1920s. Silver provides background on the *Protocols of the Elders of Zion*, Ford's *Dearborn Independent*, and initial responses to Ford's anti-Semitism by other Jews. This larger context helps the reader understand why Marshall at times "wavered" in his response to Ford's anti-Semitism, acting carefully and cautiously with an awareness of a diverse array of Jewish responses. In the end, though, we learn that Marshall developed what Silver presents as a "threepronged action": sponsoring a "journalistic exposé" against the *Protocols*, cooperating with the non-Jewish activist John Spargo in his criticism of Ford, and publishing an "apologetic manifesto" signed by a broad array of representatives from American Jewish organizations (pp. 391, 394). This strategy, Silver demonstrates, proved effective in gaining sympathy for American Jews. At other times, however, Silver provides too much context, spending pages and pages on details that take the reader away from the subject of the biography. To contextualize Marshall's efforts to battle immigration restrictionists, for example, Silver provides enormous detail on the history of this anti-immigration movement, discussing the variety of individuals involved in this effort, from labor groups to government officials, to congressmen. Readers can get lost in such detail. Perhaps if Silver had of-

ferred explanations for how such details are relevant, they would not be so distracting.

Silver provides rich detail about Marshall's public activities. Sometimes this information is riveting, as when throughout the book Silver details Marshall's application of his legal mind to Jewish causes. Other times, however, it reads like a "blow-by-blow" account that is tiring to plow through. When discussing Marshall's involvement in the debate about creating an American Jewish Congress during World War I, a fascinating episode in American Jewish history, Silver gets so bogged down in the details of the back-and-forth discussions that the larger story and significance of the debate gets lost.

My criticisms notwithstanding, Silver's exhaustive research and thorough contextualization make his biography of Marshall an essential read for scholars interested in American Jewish history during the late nineteenth and early twentieth centuries.

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