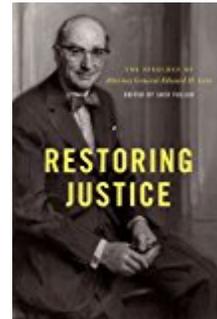




Jack Fuller, ed. *Restoring Justice: The Speeches of Attorney General Edward H. Levi*. Chicago: University of Chicago Press, 2013. xxxiv + 213 pp. \$45.00 (cloth), ISBN 978-0-226-04131-5.



Reviewed by David Stebenne (Ohio State University)

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Timely Insights from the Previous Generation

This slim volume of selected speeches from Edward H. Levi's tenure as U.S. attorney general from 1975 to 1977 comes at an appropriate time. In the wake of Watergate, Levi worked hard to restore the Justice Department's good name, and to rein in the excesses of the national security state. Levi, a former law professor and then president at the University of Chicago, was a sophisticated thinker and a man of high integrity. While making the reforms already mentioned, he carefully explained what he was doing and why in a series of speeches.

Jack Fuller, a Pulitzer-prize-winning former editor and publisher of the *Chicago Tribune* who served as special assistant to Levi in the Justice Department, has done a fine job of selecting speeches that convey the essence of Levi's tenure as attorney general. *Restoring Justice* is divided into three chapters. The first, entitled "A Crisis of Legitimacy," deals with the difficulties facing the Justice Department after former U.S. Attorney General John Mitchell went to prison for his misdeeds during Watergate. The second, "The Constitution and the Idea of Law," explores how the nation's basic law is intended to operate

in the modern world. The third, entitled "Governing by Discussion," explores the tradeoffs between freedom of expression and other competing values, such as national security, in modern American society.

Among Levi's chief concerns as attorney general was figuring out what kinds of electronic surveillance by federal government agencies were appropriate and which were not. Several of his speeches deal with that difficult subject lucidly and thoughtfully. By firmly insisting that the starting point for such decisions was a clear sense of the current national security context, Levi offered a very useful approach to this question not just in his time but in our own as well.

Though Levi's analysis is at times somewhat demanding of his audience, that is only because he packed so much thought into concisely written sentences and paragraphs. When I read books in this area, I usually find myself repeatedly thinking "yes, but" because the author has left out important competing considerations. Not so here, because Levi was an exceptionally deep thinker and clear writer. It is unusual to have had an attorney general so well grounded not just in constitutional law but also

in the closely related field of American legal history.

This book would be worth reading simply for its analysis of where American constitutional thought stood in the mid-1970s, but *Restoring Justice* offers much more.

Specialists in the fields of constitutional law and American legal history, and especially those who work in privacy law, will find Levi's book an important contribution to a much misunderstood subject.

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