

Free Speech in Its Forgotten Years. By David M. Rabban. (Cambridge, U.K.: Cambridge University Press, 1997. Pp. xi, 404. Notes, illustrations, index. \$34.95.)

Too often free speech is treated primarily as a twentieth-century constitutional problem. Most textbooks, for instance, ignore the issue after the repeal of the Sedition Act of 1798 until the Supreme Court decision in *Schenck v. United States* (1919). This circumstance troubled David Rabban, who recognized in the nineteenth-century landscape a host of controversial challenges to accepted notions of permissible speech.

Free speech, Rabban discovered, had not entered a legal abyss during the nineteenth century. Rather, there was substantial debate and scores of legal opinions on free-speech issues, especially concerning the activities of labor organizers, socialists and anarchists, and sex radicals. No one doubted the value of free speech to a democratic society, but the extent of this right and its application in public life were matters of fierce dispute. Equally urgent—and equally contentious—were claims that free speech was a fundamental right of personal autonomy and individual liberty.

What obscured this history was a shift in attitude, especially among Progressives, that resulted from the experience with governmental repression of civil liberties during and after World War I. Early Progressives frequently saw constitutional rights as barriers to social reform. They vilified the late-nineteenth-century Supreme Court in particular for upholding the primacy of economic and property rights over child labor and fair trade laws, among other reforms. Also, many Progressives viewed rights as excessively individualistic and reacted against dissent that was not directed toward positive social reconstruction.

World War I forced a reconsideration of these views. The war's failure to make the world "safe for democracy," combined with its widespread repression of speech, undermined faith in a benevolent state. What happened in the postwar era—and this is the force of Rabban's argument—was a major transformation of American liberalism, as Progressives, who previously had viewed rights as barriers to reform, began to see them as the stimulus and vehicle for change.

Strongly influenced by the writings (for Rabban, the misconstructions) of Harvard law professor Zechariah Chafee, postwar civil libertarians (nee Progressives) based their emerging interest in free speech on its contributions to democracy, rather than on its status as a natural right. True to their prewar beliefs, they stressed the social benefits derived from free expression and ignored the many other free-speech issues raised by libertarian radicals and others during the nineteenth century. This stance allowed the Supreme Court, led by Justices Holmes and Brandeis, to fashion "new" con-

stitutional doctrine, rejecting the bad-tendency tests it had relied upon earlier in favor of the clear-and-present-danger standard so familiar to modern jurists.

This book marks a valuable contribution both to constitutional history and to the history of ideas. Rabban helps us understand the transition from judicial hostility to free speech, a late-nineteenth-century phenomenon, to the judicial activism of our time. He also helps us see how social thought influenced positions on free speech. Our contemporary cultural commitment to personal autonomy translates into a strong defense of free speech as an individual right beyond state control. But earlier in this century the politics of reform required a different calculus, one that linked speech and democracy. The story of how this transition occurred is a complex one, especially for the uninitiated, but Rabban makes the effort worthwhile. For anyone interested in current controversies over speech or in the meaning of rights talk in modern American society, this book is essential.

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Coolidge: An American Enigma. By Robert Sobel. (Washington, D.C.: Regnery Publishing, 1998. Pp. 462. Illustrations, notes, selected bibliography, index. \$34.95.)

“The following pages,” the historian Robert Sobel writes, “represent an attempt to introduce or reintroduce Coolidge to those to whom he is a cartoon caricature and a figure of derision” (p. 14). Sobel has written a modest study of a modest president. It is “not based on original research” nor does it “present a complete picture of the Coolidge presidency” (p. 15). The author promises “some fresh interpretations” but “no major revelations” (p. 14). Nevertheless, as the first scholarly biography of Calvin Coolidge in more than thirty years, *Coolidge: An American Enigma* merits attention from students of the American presidency.

Two themes, the president’s simplicity and his complexity, run through *Coolidge*. These contradictions make Coolidge an enigma, something more than the silent, do-nothing, tool-of-big business caricature of liberal historiography and something less than the kind of jovial, backslapping, activist president those scholars usually label “great” or “near great.” Sobel’s revisionism is not fresh. Donald R. McCoy expressed similar ideas in greater detail and with more literary flair in *Calvin Coolidge: The Quiet President* (1967, reprinted 1988). But Sobel defends Coolidge much more vigorously.

Coolidge was a curious figure. The thirtieth president’s youth was uncluttered by the trappings of modern life. His Plymouth Notch, Vermont, home lacked indoor plumbing, electricity, and a telephone. Coolidge did not visit Boston until his college days. He was thirty