

# Moral Courage: A Review of a Biography of Ed Prichard Jr.

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I recently read Tracy Campbell's *Short of the Glory: The Fall and Redemption of Edward F. Prichard Jr.* and found it worth sharing with the members of the LBA. You may recall Jeffrey Toobin of *The New Yorker* recommended the book at the KBA convention when he spoke about the U.S. Supreme Court and his book *The Nine*.

*Short of the Glory* tracks the life of "Ed" Prichard and tells a compelling story of how one of Kentucky's most promising lawyers falls from grace, loses his license to practice law and ultimately achieves redemption and success through hard work and commitment.

As Campbell writes, Prichard was born in Paris, Bourbon County, Kentucky in 1915, graduated from Princeton University *summa cum laude* in 1935 and then *magna cum laude*

a Presidential possibility. Arthur Schlesinger Jr., a close friend of Prichard, called him "a hero of our time."

All this came to an end, however, when Prichard was convicted in 1949 for stuffing 254 ballots into a Bourbon County precinct box during the November election of 1948; an election which included the race between John Sherman Cooper and Virgil Chapman for the U.S. Senate, and Truman and Thomas Dewey for President. You may recall this was the race immortalized by the photograph of Truman holding the premature newspaper headline declaring Dewey the winner.

Prichard served five months in a federal correctional facility for his crime, until his sentence was commuted by Truman. He later received Truman's full pardon on the eve of Eisenhower's inauguration in January 1953. After taking his license following his conviction, the Kentucky Bar Association reinstated him in 1954.

The story of Prichard's life and successes and ultimate fall from grace is worth reading; but the story of his redemption is inspirational. After his conviction, Prichard struggled tirelessly to regain his place in Kentucky politics. He assisted Bert Combs in his successful bid for Governor and successfully represented state employees fired by the Louie Nunn administration in 1968 when Nunn ignored the merit system law. Most notably, however, is the story of Prichard's commitment to education reform in Kentucky and the lengths to which he went to advocate for a suitable education for children in Kentucky.

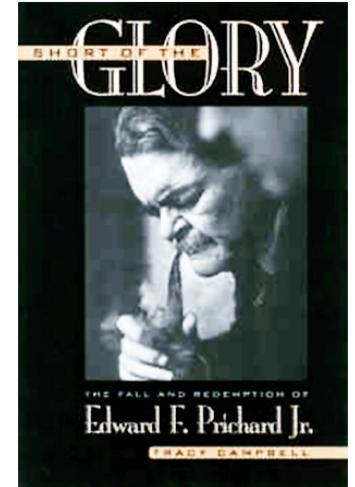
Campbell recounts well from thorough research and personal interviews a fascinating life of a man who had the world at his fingertips and gambled it all away over 254 ballots. For those more interested in anecdotes, Campbell offers great personal stories about Prichard like the time he took a draft opinion by Frankfurter outside the Supreme Court building to show a fellow "New Dealer" in hopes of convinc-

ing Frankfurter to change his mind and avoid what Prichard saw as a colossal mistake in legal reasoning. Law students will enjoy the story of when Prichard failed to "Shepherdize" a case, causing an opinion to be rendered citing an overturned case. The case was subsequently reheard causing the Justice embarrassment.

I found Campbell's story of Prichard's life particularly poignant for lawyers in the wake of Enron and Phen Fen where ethical catastrophes could easily have been avoided if participants had exercised moral courage. The LBA's Leadership Academy recently heard from Loyola University professor of Business Ethics Dr. Al Gini, who is one of the founders of the Society of Business Ethic, making him a founding father of the topic. Professor Gini said that "moral courage is having the fortitude to actually live out what we value." If only Prichard could have attended the Leadership Academy, things might have been different.

For those who are interested in the drama of a promising life practically lost and the subsequent story of redemption, you will enjoy this book. Readers interested in politics and Kentucky history will also enjoy this book for it illustrates a time when Kentuckians were at the center stage of national politics and when the modern political landscape of our Commonwealth was taking shape.

Lawyers are an aspiring lot, and Prichard was no different. We are in a unique position to do extraordinary things and Prichard's life and example, as told by Tracy Campbell, are both a lesson and an inspiration.



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from Harvard Law School in 1938. He subsequently clerked for Justice Felix Frankfurter and went on to serve in the Roosevelt and Truman administrations, working in Washington D.C. with such notable Kentucky natives as Fred Vinson (a Louisa, Kentucky native who later went on to serve as Chief Justice of the U.S. Supreme Court).

After D.C., he returned to Kentucky where he practiced law until his death in 1984. Later in his life, he was credited with zealous advocacy for education reform in Kentucky and the Prichard Committee for Academic Excellence bears his name today.

Prichard was a political child prodigy who credited much of his success to his photographic mind. His academic successes propelled him to the nation's best academic institutions and his unwavering commitment and zeal for the principles of the New Deal put him in the center of the national political debate over social reform, World War II and war related economic and labor turmoil. Prichard seemed so adept as a lawyer and a politician that some insiders saw him as a future Kentucky Governor and even

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