

Osgoode Hall Law School of York University **Osgoode Digital Commons**

Articles & Book Chapters

Faculty Scholarship

2-2023

Book Review: Lisa Kloppenberg, The Best Beloved Thing is Justice: The Life of Dorothy Wright Nelson

Patricia McMahon Osgoode Hall Law School of York University, pmcmahon@osgoode.yorku.ca

Source Publication:

Law and History Review, vol. 41, no. 1, Feb. 2023, pp. 227-229, doi:10.1017/ S0738248023000214.

Follow this and additional works at: https://digitalcommons.osgoode.yorku.ca/scholarly_works



Part of the Judges Commons, Law and Gender Commons, and the Legal Biography Commons

Repository Citation

McMahon, Patricia, "Book Review: Lisa Kloppenberg, The Best Beloved Thing is Justice: The Life of Dorothy Wright Nelson" (2023). Articles & Book Chapters. 3050. https://digitalcommons.osgoode.yorku.ca/scholarly_works/3050

This Book Review is brought to you for free and open access by the Faculty Scholarship at Osgoode Digital Commons. It has been accepted for inclusion in Articles & Book Chapters by an authorized administrator of Osgoode Digital Commons.

Lisa Kloppenberg, The Best Beloved Thing is Justice: The Life of Dorothy Wright Nelson, New York: Oxford University Press, 2022. Pp. 216. \$39.95 hardcover (ISBN 9780197608579); ebook (ISBN 9780197608609)

Lisa Kloppenberg's official biography of Judge Dorothy Wright Nelson, the first woman to join the law faculty at the University of Southern California and the first to become its dean, is – as the author acknowledges – a labor of love. Completed with the cooperation of Judge Nelson, her family and colleagues, the result is a wonderful portrait of a unique life generously lived. We are all the richer for this partnership of sorts between author and subject.

Unlike many biographers, the author embraces her relationship with her subject, whom she describes as "an inspiration, a role model, and a source of strength" (ix) to many within the academe and the U.S. federal judiciary, someone who went out of her way to encourage women to join law faculties and become law deans. That close relationship provides unique insights.

At just 164 pages of text (plus notes and index), the book nonetheless captures the essence of Nelson, described as a "typical" white middle-class Protestant girl from Southern California in the 1930s and 1940s who was also a trailblazer. Attending the University of California at Los Angeles (UCLA) as an undergraduate in the late 1940s she also served as student council Vice President. When she graduated in 1950, she wanted to be a social worker. Deciding she could do more by becoming a lawyer, she became only one of two women to enrol in UCLA's law school that year.

Kloppenberg's thematic approach respects chronology and narrative. Two influences are striking. Nelson's studies with Roscoe Pound at UCLA shaped her career. He encouraged her to work with court reform researchers at the University of Southern California (USC) Law Center. As with many early women law graduates, law firm work was difficult to find. Undeterred, she studied the large Los Angeles court system as part of graduate work to earn an LL.M. at USC where she fell in love with teaching. Becoming the first full-time female law professor at USC, she focused her teaching and research on judicial administration and alternative dispute resolution – a novelty at the time. When Nelson became interim dean in 1967, there were only two other women at the helm of ABA-approved law schools. By the time she became the permanent dean in 1969, she was the only woman in that role, and would be for the next five years. In 1979, after more than a decade as dean, Nelson became one of 23 women nominated to the federal bench by the Carter administration, joining the U.S. Court of Appeal for the Ninth Circuit, a position she still holds. Those women transformed the federal judiciary in the United States.

The other key influence is faith. Nelson and her husband, Jim, converted to Bahai while they were in law school. Their devotion to Bahai teachings and service was extraordinary. Together, Nelson and her husband hosted weekly Bahai gatherings, and attended monthly meetings in Illinois, no small feat given air travel decades ago. It was this devotion to Bahai, and its dedication to peace and conciliation, that was central to Nelson's scholarly interest in ADR and a conciliatory approach to the law that was ahead of its time.

Kloppenberg does not shy away from discussing Nelson's supposed shortcomings, especially the misperception that she was "too nice" to run a law school or to be taken seriously as a judge. Where Nelson believed people might be able to discuss challenging issues more easily over cookies and coffee or a brown bag luncheon, critics thought the approach was somehow "soft," "weak," or

"unprofessional." Readers will easily recognize stereotypically gendered notions of leadership in such characterizations.

Brevity is the book's one possible shortcoming. As a reader, I wanted more – more about legal education in the 1950s, more about legal practice and the profession in California, and more about the federal judiciary and the way judging has changed, especially with the arrival of more women on the bench. Additional context would have also had the benefit of making this book more accessible for non-specialists who are nonetheless interested in the lives and careers of American women in law.

We talk a lot the importance of diversity in the legal profession, academy, and the judiciary. Nelson herself was an early supporter of diversification in law schools, whether among students or the faculty. Yet rarely do we talk about the qualities we want to uphold as we seek to inspire the next generation of law students, lawyers, faculty, and judges. Kloppenberg's biography makes abundantly clear why Dorothy Wright Nelson is such a beloved mentor to many, one who serves as a shining example of the many ways in which mentorship matters in a profession, whether in practice or the academy, built on relationships and generosity.

Patricia McMahon, Osgoode Hall Law School, pmcmahon@osgoode.yorku.ca