him speaking out in protest against injustice, standing firm against
infractions of the Bill of Rights, pleading against the intolerance of
centered people who did not want to be bothered by the social un-
rest that was seething around them. Max Radin spoke out against
restrictive covenants. He objected to the exclusion of Negroes from
jury panels. He was among the first to protest against the shameful
practice of dubbing a man a subversive influence and un-American
because he had radical ideas and a program of reform. He insisted
that the civil rights of every man, regardless of his faith or color or
race, be respected.

Max Radin would have brought a living liberalism to the Bench.
California was deprived of that opportunity when he failed of appoint-
ment to its high tribunal. He followed the example of the great Erskine
and espoused the cause of the unpopular. For that espousal of liberty
he paid a heavy price. But when his period is evaluated, it will be
Radin, I think, who stands out as the one who during tumultuous and
critical days brought the brightest honor to the ideals of democracy.
He follows the tradition of Thomas Paine and Thomas Jefferson in his
daily living. He is part of the tradition of Holmes and Cardozo in his
influence on the law.

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