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New Book Sheds Light on American Revolutionary

2/2/06 - A great number of heroes emerged out of the American Revolution - men who bravely fought and died in the name of independence. Yet often overlooked in our historical treatment of the war are the handful of great Americans who sacrificed their lives away from the battlefield, using only their thoughts and words as their weapons. One such patriot is Josiah Quincy Junior, a prolific writer idolized during his lifetime but often neglected in modern accounts of the era. His brief but influential career as a scholar, lawyer, and diplomat may soon enjoy newfound recognition, thanks to the release of *Portrait of a Patriot: The Major Political and Legal Papers of Josiah Quincy Junior* (University of Virginia Press, 2006), a comprehensive four-volume collection of his essays, edited by legal scholar Daniel R. Coquillette of BC Law School and historian Neil Longley York.

"During his short life, Josiah Quincy Jr. shone like a brilliant shooting star across the landscape of pre-revolutionary America," the editors write in their introduction. "Had Quincy lived, he could have been a leader of the New Republic and a household word."

Too frail and poor-sighted to do battle alongside his fellow revolutionaries, Quincy instead set out to alter the path of war diplomatically. The groundbreaking writings featured in *Portrait of a Patriot* offer a one-of-a-kind glimpse into the mind of an American patriot immediately before the revolution and display the compassion and maturity that earned Quincy the admiration of his contemporaries, including John Adams, Benjamin Franklin, and James Otis. Quincy kept detailed commonplace books and travel journals throughout his life, many of which are available in print for the first time in *Portrait of a Patriot*. Volume one of *Portrait of a Patriot*, available in bookstores now, includes a major biography of Quincy written by Neil Longley York, as well as Quincy’s *London Journal*, a recanting of his courageous – given his poor health – and ultimately unsuccessful journey to London in the name of staving off war with England through last-minute negotiations. The *Journal* provides a fascinating account of one leader’s heartbreaking sacrifice and deep courage, and provides new evidence of an inclination toward political moderation and compromise among the majority of our founding fathers. "Not enough has been written about the colonial moderates and their hopes for a politically independent America without war," Coquillette and York argue in the book’s foreword. *The London Journal* outlines the movement toward "preserving an English-speaking alliance, where common respect for the rights of Englishmen and a Whig ideology would triumph over bigotry on both sides."

One of the great mysteries of American law is why more than 110 years would pass without any attempts at law reporting. Quincy’s *The Law Reports*, spread out over volumes three and four, represent the first attempt by an American lawyer to provide objective reporting on tort cases. These reports shed new light on the nascent American legal system, and the issues it contended with: rights of women, bawdy houses, early commercial law, and the conduct of public officials.

Quincy’s unique outlook on law and foreign policy has not only withstood the test of time, it has also become increasingly relevant as America continues its military occupation in the Middle East. Terrorism and war have recently "threatened individual rights and poisoned political cooperation through increasingly shrill partisanship," the editors explain. "Well in
advance of his time, Quincy understood the true costs of racial and gender bigotry, and of unreasoning divisiveness to a free people."

Daniel R. Coquillette is the J. Donald Monan, S.J., University Professor at Boston College Law School and the Lester Kissel Visiting Professor at Harvard Law School. Neil Longley York is the Karl G. Maeser Professor of General Education and Chair of the History Department at Brigham Young University.

The author of *Lawyers and Fundamental Moral Responsibility, The Anglo-American Legal Heritage, Francis Bacon, and The Civilian Jurists of Doctor's Commons* and editor of *Law in Colonial Massachusetts* and *Moore's Federal Practice*, Coquillette teaches and writes in the areas of legal history and professional responsibility.