RIP

Former New Hampshire Senator Warren Rudman, who served from 1981 to 1993, has died at the age of 82. Lawyers and law professors throughout the country should mourn, although they probably will not.

Hundreds if not thousands of men (and women) have served in the United States Congress since the creation of the Republic, and the vast majority have now gone on to (probably well-deserved) obscurity. Rudman should not be one of them, because he was an enormously effective champion of free legal services for the poor — not the sort of thing one expects from a New Hampshire conservative.

But he was. Rudman came into office with Ronald Reagan, and the Gipper immediately attempted to destroy the Legal Services Corporation. As Alan Houseman explains, Reagan's appointees to the LSC Board were not confirmed to the Senate, and so Reagan gave them recess appointments, where they immediately began destroying legal services programs across the country, using abusive audits, changing rules to prevent class actions, and even lobbying Congress to reduce LSC appropriations. Through it all, Rudman was there to block the efforts, and threaten the President with bad consequences on Capitol Hill if the White House continued to attack legal services for poor people. Finally, Reagan backed off. By the end of his term, Rudman was doing the same work. When Phil Gramm attempted to zero out LSC in fiscal year 1991-92, Rudman led the countercharge and restored the funding.

Rudman's retirement meant that he was no longer around when in 1995 the Gingrich Congress implemented many of the changes that Reagan originally wanted. As a professor of mine explained, "for Movement Conservatives, legal services are the same as fluoridated water in the public water supply: a fertile source of crazy conspiracy theories." And Gingrich specialized in crazy conspiracy theories.

But for those 12 years, Rudman fought the good fight and often won. It is a shame that the Republican Party no longer believes in equal justice, and one can always hope that it will return itself to the tradition of being the Party of Lincoln. If Republicans ever try to, they can always look to Rudman as an example of a conservative who believed the country's founding principles.

He will be missed.