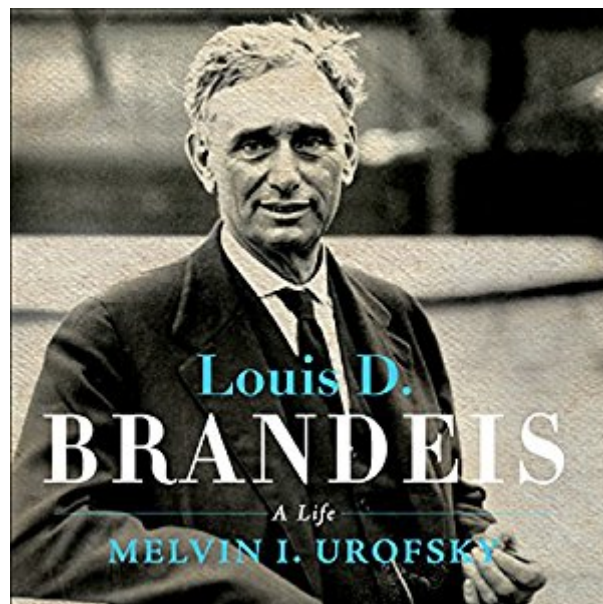


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# Louis D. Brandeis: A Life



## Synopsis

As a lawyer in the late nineteenth and early twentieth century<sup>s</sup>, he pioneered how modern law is practiced. The author of the right to privacy he led the way in creating the role of the lawyer as counselor and pioneered the idea of pro bono public work by attorneys. Named to the Supreme Court, Brandeis, ranked as one of the nation<sup>s</sup> leading progressive reformers. He invented savings bank life insurance in Massachusetts and was a driving force in the development of the Federal Reserve Act, the Clayton Antitrust Act, and the law establishing the Federal Trade Commission. The first full-scale biography in twenty-five years of one of the most important and distinguished justices to sit on the Supreme Court: a reformer, lawyer, and jurist. --This text refers to the Audio CD edition.

## Book Information

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## Customer Reviews

This new biography of Justice Louis D. Brandeis (1856-1941) is the most extensive study we have of the Justice. It runs over 900 pages including extensive notes. Who better to undertake such a task than Professor Urofsky, who has edited 7 volumes of Brandeis letters, written several prior book-length studies of the Justice, and authored numerous articles discussing his activities. While there are a number of earlier biographies of the Justice, including the classic by Alpheus Mason ("Brandeis: A Free Man's Life" [1946]), this is by far the most extensive and thorough look we are likely to have of Brandeis and his life. The author does a nice job of balancing LDB's professional activities with his private life. Urofsky came to know the Justice's two daughters (now deceased)

while working on the letters volumes with David Levy, and they shared family photographs and recollections of their father and mother with him. He also has had extensive contact with the surviving Brandeis grandchildren, as least one of whom like Urofsky is involved in the work of the Supreme Court Historical Society here in Washington. Urofsky focuses on several topics not extensively covered in the earlier biographies. First, the Justice's wife, Alice, much as Holmes' wife and Frankfurter's spouse, suffered from period of mental exhaustion which required treatment including hospitalization on occasion, although her condition improved substantially over time. Their relationship is essential to understanding the world in which LDB lived, and Urofsky's discussion puts this situation into proper context. The second area where Urofsky departs from previous biographies is his exhaustive discussion of LDB's Zionist activities. He is well qualified to address this aspect of LDB's life since he has written a history of American Zionism. Urofsky is nothing if not thorough, but I sometimes wondered if quite so much of this very long biography (I would estimate 15%-20%) needed to be devoted to LDB's Zionist activities. Other biographers have discussed his Zionist leadership, but in far less space; on the other hand, they did not have Urofsky's intimate knowledge of the history of American Zionism and Brandeis' role. There is no question that Zionism became a major, or the major, interest of LDB beginning in 1912 and continuing for the remainder of his life. So the attention Urofsky devotes to this aspect of the Justice's life is certainly merited. He has convinced me that you can't fully understand LDB without an awareness of this aspect of his life. While Urofsky is respectful of Brandeis, he recognizes some of the LDB's shortcomings as well. Was LDB perhaps "cold, haughty, disdainful"? He certainly had no sense of humor and was somewhat distant. Urofsky also questions Brandeis' own view that he had an internal ethical sense which would foreclose him from ever acting inappropriately, hence he could advise Presidents, subsidize Frankfurter's political activities, and act as "counsel to the situation" in a dispute on behalf of all parties. In short, this is quite a well "balanced" biography not hagiography. One of the most valuable aspects of the book is found in the 142 pages of endnotes--a treasure chest of research for those interested in probing further into the life of this fascinating Justice. The photographic research is also outstanding and adds to the impact of the text. The book is comprehensive--covering LDB from his early years in Kentucky through building his law practice, his period as the "People's Attorney," working with Woodrow Wilson, his tough confirmation battle, his 23 years on the Supreme Court, his leadership of American Zionism, and his warm family relationships. A most complete study of this most complex of individuals.

Mr. Urofsky has written an excellent and exhaustive (at nearly a thousand pages) biography of the

lawyer who was appointed to the Supreme Court by President Woodrow Wilson in 1916. A progressive judge who believed in judicial restraint, Louis Brandeis' legal dissents later became the basis of law and his support of a Jewish homeland later became Israel. He was born before the Civil War and died just before Pearl Harbor. The author has written a readable and understandable life of law, and of the political tides of Justice Brandeis' long life (he died at 85).

In "Louis D. Brandeis: A Life," author Melvin Urofsky has achieved, above all, three things--a history of the life and times of an American who put an indelible mark on his country at a time of monumental political, intellectual, and social change, encompassed by the progressive era; of a liberal Jew who helped in integrating the Jewish religion and culture into the American mainstream, while at the same time playing an important role in the development of Zionism; and who as a justice on the United States Supreme court helped reshape the legal foundations of the American republic to the benefit of a broader population base.

It is evident that Urofsky is an outstanding history professor at UCV because the chapters of this book are pedagogically arranged like a syllabus for a graduate-level seminar course. This book is lengthy and comprehensive, but easily digested and well organized. I am a big fan of David McCullough's presidential biographies (Truman, John Adams) because McCullough takes that same professorial approach to the organization and content of his writing. Urofsky is in the same league as McCullough. Before reading this book, I knew Brandeis only for his infamous Brandeis Brief in *Muller v. Oregon* and his tenure on the U.S. Supreme Court. This book shows that those events were mere chapters in the extraordinary life of Brandeis. That is why I also recommend this book to anyone who may not necessarily be interested in Brandeis or the Supreme Court, but who simply enjoys the study of U.S. history. Brandeis is the product of the Progressive Era, and this book provides a deep and scholarly understanding of that era, including some in-depth coverage of other notable Progressive Era figures, such as Robert LaFollette and Woodrow Wilson. Urofsky does not even discuss Brandeis's tenure on the Supreme Court until more than half way through the book. The first half mostly covers Brandeis's various reform movements, including his efforts to change industrial insurance into savings bank insurance, his infamous law review article on the right to privacy that later became the springboard for a new area of tort law, his fight against railroad monopolies, his role as mediator in the early days of the unionized labor movement, his shakedown of the Taft Administration in the Pinchot-Bollinger affair (an interesting foreshadow of the tensions to come when Brandeis and Taft would later serve together on the U.S. Supreme Court), and his wise

counsel to Woodrow Wilson during the 1912 Presidential campaign. Urofsky's professorial approach enables the average reader to clearly understand the complex historical, political, social and moral background for each of these reform movements. For example, Urofsky provides a simplified "Business 101 style" explanation of the insurance industry, which gives Brandeis's reform efforts in that area a perspective that any other historian might overlook. As another example, Urofsky provides a clear context of American Zionism (Jewish-American awareness of the need for a Jewish homeland in Palestine) against the backdrop of Teddy Roosevelt's suspicion of hyphenated Americans (Roosevelt believed you had to be either Jewish or American but not Jewish-American). For those readers who are interested in the U.S. Supreme Court, this book includes a wealth of history, with detailed chapters on Brandeis's confirmation process (he was almost Borked decades before Borking became a verb in the English vocabulary), the inner workings of the Supreme Court in the early 20th Century in surprisingly sharp contrast to the modern Court (for example, the Justices worked out of their homes because they didn't have private chambers and they paid their law clerks out of their own pockets), and Brandeis's jurisprudence (particularly his contribution to the birth of administrative law). For those who are interested Brandeis as an historical figure, the book is an exhaustive biography summed up best by the first sentence of Chapter 2: "Throughout his life, Louis Brandeis had the good fortune to be in the right place at the right time, and the courage and perspicacity to grasp the opportunities before him." The book is loaded with stories of such places, times and opportunities, most notably Brandeis's time as a student at Harvard Law School at the point in history when Langdell changed the course of legal education, but also his humble Louisville roots and his brief stop in St. Louis. In sum, this biography shows (as promised in the author's introduction) that Brandeis was idealistic (a true figure of turn-of-the-20th-century progressivism comparable to LaFollette), pragmatic (formulated the most expedient means to achieve his idealist ends), and prescient (warned against "the curse of bigness" more than one hundred years before the U.S. government bailed out businesses that were "too big to fail"). Hope these are enough reasons to buy this book.

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