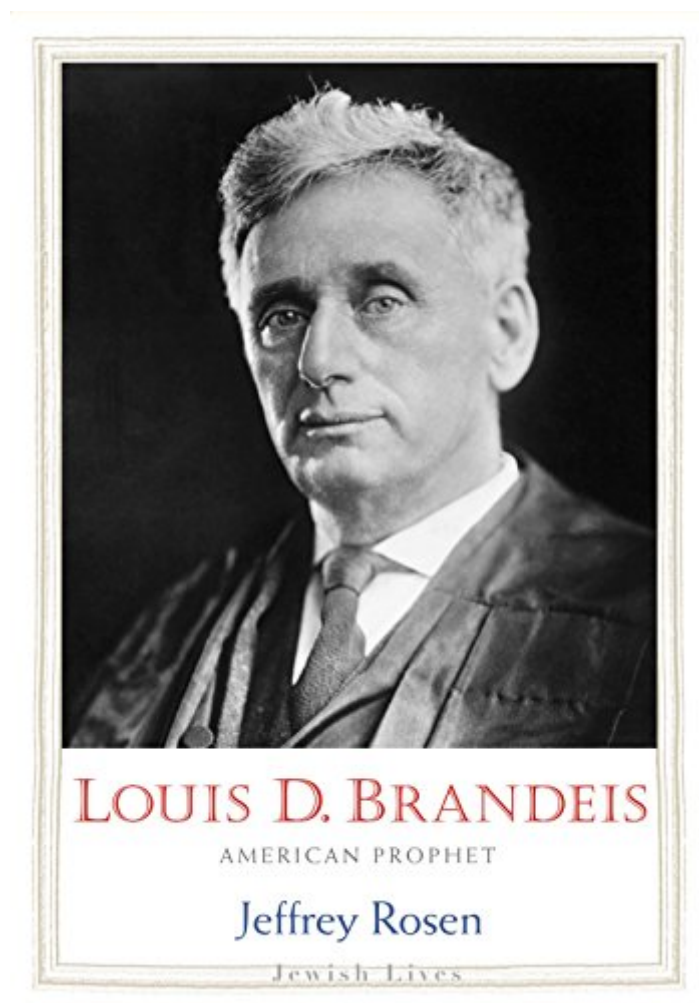


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Louis D. Brandeis: American Prophet (Jewish Lives)



Synopsis

According to Jeffrey Rosen, Louis D. Brandeis was "the Jewish Jefferson," the greatest critic of what he called "the curse of bigness," in business and government, since the author of the Declaration of Independence. Published to commemorate the hundredth anniversary of his Supreme Court confirmation on June 1, 1916, *Louis D. Brandeis: American Prophet* argues that Brandeis was the most farseeing constitutional philosopher of the twentieth century. In addition to writing the most famous article on the right to privacy, he also wrote the most important Supreme Court opinions about free speech, freedom from government surveillance, and freedom of thought and opinion. And as the leader of the American Zionist movement, he convinced Woodrow Wilson and the British government to recognize a Jewish homeland in Palestine. Combining narrative biography with a passionate argument for why Brandeis matters today, Rosen explores what Brandeis, the Jeffersonian prophet, can teach us about historic and contemporary questions involving the Constitution, monopoly, corporate and federal power, technology, privacy, free speech, and Zionism.

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Customer Reviews

It is often the case that good things can come in smaller packages. This is certainly true of this perceptive study of Louis D. Brandeis (1856-1941), one of the Court's greatest Justices, among other accomplishments. While this book is part of Yale's acclaimed "Jewish Lives," series, the author cautions us that it is not meant to be a full biography but rather a 240 page condensed study of Brandeis's thought and character. The reader is referred to the major biographical studies of LDB, particularly Melvin Urofsky's nearly 1,000 page definitive analysis, if more biographical background is sought. However, Brandeis's thought and values emerge with clarity and precision in this compact study. The book's major themes are previewed in the Introduction, "Isaiah and Jefferson." One of the great values of the book is that it focuses in on key books that Brandeis read that helped to shape his outlook. In particular, the author discusses A.J. Nock's 1926 biography of Jefferson and a book particularly important to Brandeis, Zimmern's "The Greek Commonwealth." The author relies upon Brandeis's own writings to expound upon his ideas; his frequent recurrence to LDB's family letters is particularly helpful in gaining insights into his thinking and reactions to various developments. As the intro's title indicates, the author sees major points of comparison between LDB and Jefferson, and this is one of the more fascinating aspects of the book. All of the key aspects of Brandeis values and ideas are covered, concisely but effectively. His fondness for small scale farms and businesses versus industrial giants is thoroughly discussed, as is his conception of the states as "laboratories of democracy" well suited to try out new ideas.

In 2013 I read Melvin I. Urofsky's "Louis D. Brandeis: A Life." When I saw Rosen's book on Brandeis, that was published in June 2016, I almost passed it up, but then bought it. Brandeis is one of my historical heroes and I just wanted to see what Rosen had to say. I am very glad I did as the book is not really a biography of LDB but a review of his philosophies and legal decisions and how they relate to today's problems. LDB was appointed to the Supreme Court by President Wilson one hundred years ago this year. Rosen built a case showing how Brandeis's decisions and philosophy are important and relevant to today's issues. Rosen has crafted a careful study of Brandeis's key points and compares them to today's problems. Rosen has done meticulous research and the book is well written. Brandeis was a critic of bigness as was Thomas Jefferson and Rosen compares the two men's viewpoints. LDB denounced big banks, big government and big business; he was a critic of concentration of financial power and a big opponent of J. P. Morgan. Rosen shows how the stock-market crash of 1929 vindicated LDB's viewpoint. LDB was an advocate of free speech and privacy. Rosen reveals how he almost foretold the technological age

and its issues of privacy and free speech. Rosen discusses Brandeis's book published in 1913 entitled *Other People's Money* and how its premise of protection of liberty and opposition to monopoly went hand in hand. Louis D. Brandeis was devoted to free speech, privacy and pro-immigration diversity, and a mistrust of big business and big government. Rosen discusses LDB's viewpoints and solutions to these issues and how these compare to the current political presidential candidates' viewpoints, as well as how current judicial philosophy compares to LDB's.

In a world rife with political cynicism, reading a biography of Louis D. Brandeis is a refreshing experience. Here is proof that one man committed to the best in humanity can make a difference. The author, Jeffrey Rosen, is a wonderfully clear and focused writer who examines Brandeis's exceptional life in a mere 206 pages. The book concentrates on three aspects of Brandeis's public career: as a crusader against the curse of bigness in business and government, as a Supreme Court Justice committed to individual rights, and (beginning at the age of 57) as leader of the Zionist movement. Like many exceptional people, Brandeis had exceptional parents. While Jewish, his parents insisted on rigorous moral standards but not on organized religion. His mother, Frederika, in her *Reminiscences*, explained why she chose to raise her four children this way: "Love, virtue, and truth are the foundation upon which the education of the child must be based. They endure forever. . . . And this is my justification for bringing up children without any definite religious belief: I wanted to give them something that neither could be argued away nor would have to be given up as untenable, namely a pure spirit and the highest ideals as to morals and love." Brandeis was incredibly bright. At the age of 20, he graduated from Harvard Law "first in class, with the highest marks in the history of the school. Said a classmate: "The professors listened to his opinions with the greatest deference. And it is generally correct." As an attorney, Brandeis invented the *Brandeis Brief* "a comprehensive collection of empirical studies designed to persuade judges about the importance of facts on the ground.

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