

REVIEWS

Melvin I. Urofsky and David W. Levy, eds., *The Family Letters of Louis D. Brandeis* (Norman: University of Oklahoma Press, 2002). xxiii+583 pp.

In 1978, the State University of New York Press issued the fifth volume of the *Letters of Louis D. Brandeis*, ably edited by Melvin I. Urofsky and David W. Levy. "We have finished," the editors announced. Having transcribed and edited more than 3,000 of Brandeis's 14,000 known letters, covering every aspect of his long and eventful career, the editors considered their project completed.

The Brandeis collection lay no claim to comprehensiveness. The editors always described theirs as a "representative sampling" of the justice's immense correspondence; fuller collections soon became available on microfilm. In addition, letters in private collections, including many letters to Felix Frankfurter and large numbers of family letters, remained for many years confidential. Brandeis had coauthored a celebrated article in 1890 on "the right to privacy," and some of his correspondents practiced what he preached.

In 1991, Urofsky and Levy published a supplementary volume to the Brandeis papers entitled "*Half Brother, Half Son*" based on the newly opened correspondence of Brandeis to Felix Frankfurter. A response, in part, to Bruce Allen Murphy's controversial *The Brandeis/Frankfurter Connection: The Secret Political Activities of Two Supreme Court Justices* (1982), the volume sought to illuminate the spirit in which Brandeis and Frankfurter had conducted their extrajudicial activities, by making available to the public Brandeis's side of the correspondence (Frankfurter's letters to Brandeis were apparently destroyed). A footnote to that volume disclosed that "a large collection of letters from Brandeis to members of his immediate family" had been discovered by Brandeis's grandchildren, after the death of their mother, and promised that "a volume containing many of these letters will be published in the future."

Eleven years later, that promise has been fulfilled. *The Family Letters of Louis D. Brandeis* presents a side of Louis Brandeis not heretofore available to scholars. Where the public Brandeis often appeared cold, detached, and aloof, here, in the words of the editors, "we see a young man head-over-heels in love, who throughout his long life maintained an unwavering devotion to his wife, a daily interest in the lives and careers of his daughters, and a touching pride in the youthful achievements of his grandchildren" (p. xii). The letters provide old-fashioned advice concerning health, work, and money; occasionally biting comments

concerning people and events of the day (President Taft, for example, is once described as “the fat man”); and reports on the books Brandeis was reading and the innumerable men and women with whom he was meeting.

From a Jewish perspective, the family letters are especially interesting, particularly for what they reveal about the Brandeis family’s ties to Jewish life. We learn, for example, that the most important holidays on the Brandeis calendar were birthdays and anniversaries, followed by Christmas, which seems to have been regularly celebrated with gifts and, at least for a time, with a tree. In 1900, Brandeis reassured his young daughters, who were away visiting relatives in New York, that “the Christmas tree and Santa Claus are very anxious to see you.” Jewish holidays, by contrast, go unmentioned in the letters, save for a single occasion in 1927 when Brandeis sent his daughter Susan his “greeting for the New Year” on the eve of Rosh Hashanah. Susan’s husband, Jacob H. Gilbert, had by then become deeply involved in Jewish affairs, and Susan herself was active in Hadassah.

Brandeis’s other daughter, Elizabeth, intermarried and shared none of her father’s Jewish or Zionist interests. Her husband, Paul Rauschenbush, was the son of the well-known liberal Protestant theologian Walter Rauschenbush. Brandeis, we know, approved of the match, though we learn from these letters that he and his wife did not attend the couple’s wedding. When his niece, Amy, married a non-Jewish schoolteacher named McCreary, Brandeis expressed even warmer emotions, describing himself as “very happy.” “It seems to me,” he wrote in a letter to his brother, “[that] the two are unusually well mated.” Of course, Brandeis’s sister Fannie (who committed suicide in 1890) had intermarried many years earlier.

What was important to Brandeis, we learn from these letters, was not endogamy but, rather, a set of values that he associated with Jews of his own refined type—those whom he describes here as *unser eins*. *Unser eins* embraced an extended network of liberal Central European Jews, some of whose ancestors had followed the pseudomessiah Jacob Frank, and whose descendants—people with surnames like Wehle, Goldmark, Dembitz, and Brandeis—migrated from Europe to the United States following the failed revolutions of 1848 and then largely married among themselves. “Highest intelligence, a blameless mode of life, the most rigid sense of morals, justice and charity”—these “most desirable virtues” were attributed by one of the Wehles to the followers of the Frankist sect (Theodore Wehle, “Notes on the Wehle Family and Their Connection with the Frank Movement” [unpublished], quoted in Josephine Goldmark, *Pilgrims of ’48* [New Haven: Yale University Press, 1930], p. 194), and their descendants, Louis Brandeis in particular, cherished these same values, which are reflected in letter

after letter of this volume. Meanwhile, even small infractions drew criticism. "Unser eins ought not to buy and sell stocks," Brandeis lectured his brother in 1904. Three decades later, he repeated the same admonition to his daughter: "Do not invest in any stock, common or preferred." He also abhorred any form of conspicuous consumption. He described his brother's home just outside Louisville as "a beautiful place, only rather grand for 'unser eins.'" Earlier he had railed in a letter against "the unreasonable accumulation" of good clothes.

Those who did not share or practice the values of *unser eins* failed to win Brandeis's trust or sympathy. "The Easterners—like many Russian Jews in this country—don't know what honesty is & we simply won't entrust our money to them," he wrote to his brother, explaining his split with Chaim Weizmann: "Weizmann does know what honesty is—but weakly yields to his numerous Russian associates. Hence the split." On another occasion he described Hadassah as "all right" and Keren Hayesod as "all wrong" and then advised his brother to decline contributing to a joint campaign that promised funds to them both.

To be sure, many of *unser eins* saw no need for a Jewish state, and it remains something of a mystery why Brandeis became so committed to this particularistic cause, so far from the universalistic values cherished by some of his closest kin (like Felix Adler). It likewise comes as a surprise to see him describe his Zionist work, in a brief letter to his mother-in-law in 1917, as "on the whole, the most worthwhile of all I have attempted." Here and elsewhere, one wishes that the letters sent to Louis Brandeis were more readily accessible.

Some will find *The Family Letters of Louis D. Brandeis* disappointing. It sheds no new light on Brandeis's Zionism, nor does it proffer any new insights into Brandeis's controversial appointment to the Supreme Court or into any of the many cases and court decisions that established his enduring reputation. Certainly, it contains no scandalous revelations. In fact, any letters that "intruded unduly upon the private affairs of the Brandeis family" were withheld by the family.

Nevertheless, this volume, like the six that preceded it, represents a great gift. It forms one of the finest collections of American letters in print and vies with the Louis Marshall papers as the most significant of all twentieth-century collections of American Jewish letters. The editors may believe that this time they "have finished," but in truth the work of understanding Louis Brandeis and his world has only just begun. One suspects that it will continue for generations into the future.

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