



DAVID G. DALIN

Jewish Justices
of the
SUPREME COURT

FROM BRANDEIS
TO KAGAN

Brandeis University Press
Waltham, Massachusetts

Brandeis University Press
An imprint of University Press of New England
www.upne.com
© 2017 Brandeis University
All rights reserved
Manufactured in the United States of America
Designed by Eric M. Brooks
Typeset in Bulmer by Passumpsc Publishing

For permission to reproduce any of the material in this book,
contact Permissions, University Press of New England, One Court Street,
Suite 250, Lebanon NH 03766; or visit www.upne.com

Library of Congress Cataloging-in-Publication Data

NAMES: Dalin, David G., author.

TITLE: Jewish justices of the Supreme Court:
from Brandeis to Kagan / Dalin, David G.

DESCRIPTION: Waltham: Brandeis University Press, 2017. |
Series: Brandeis Series in American Jewish History, Culture, and Life |
Includes bibliographical references and index.

IDENTIFIERS: LCCN 2016049397 (print) | LCCN 2016049562 (ebook) |
ISBN 9781611682380 (cloth: alk. paper) |
ISBN 9781512600148 (epub, mobi & pdf)

SUBJECTS: LCSH: United States. Supreme Court—Biography. |
Jewish judges—United States—Biography.

CLASSIFICATION: LCC KF8744 .D35 2017 (print) | LCC KF8744 (ebook) |
DDC 347.73/26340923924—dc23

LC record available at <https://lcn.loc.gov/2016049397>

CONTENTS

Acknowledgments xi

1 – BEFORE BRANDEIS

Presidents, Presidential Appointments,
and America's Jews, 1813–1912 1

2 – LOUIS D. BRANDEIS

“People’s Attorney,” Presidential Adviser, and Zionist 22

3 – MR. JUSTICE BRANDEIS

The Court Years 45

4 – BENJAMIN N. CARDOZO

Redeeming the Family Name 77

5 – FELIX FRANKFURTER

City College to the New Deal 115

6 – MR. JUSTICE FRANKFURTER

The Court Years 146

7 – ARTHUR J. GOLDBERG

A Promising Tenure Cut Short 184

8 – ABE FORTAS

A Tale of Achievement and Scandal 209

9 – THREE JEWISH JUSTICES

Ginsburg, Breyer, and Kagan Join the Court 244

Notes 285

Selected Bibliography 333

Index 341

Illustrations follow page 114.