

Louis Brandeis

AT THE ATWOOD HOUSE

by spencer grey

Many nationally and internationally recognized individuals have been either summer or year-round residents of Chatham. One of the most notable was Louis Brandeis, who for most of his adult life maintained a summer home on Stage Neck.

Louis Brandeis's parents, Adolph and Fredericka Dembitz Brandeis, came to America in 1848 after the attempt through revolution to create an independent Bohemia failed. They were educated and believed strongly in democracy as a means of protecting the common man's right to self-improvement.

Born in Louisville, Ky. on Nov. 13, 1856, Louis graduated from the local public schools at the age of 15. After studying in Europe the following three years, he was admitted to Harvard Law School in 1875 at the age of 18 when the Harvard Corporation passed a special resolution allowing him to enter the law school without a college degree and three years short of the usual required age of 21. After achieving one of the most outstanding records in the history of the school, he earned his bachelor of law degree in 1877. After another year of study there, he opened a law partnership with Samuel D. Warren, one of his classmates. In 1890 The Harvard Law Review published their article, "The Right to Privacy," one of the most famous law articles of all time which argued that the authors of the United States Constitution decreed that Americans had the "right to be let alone...the right most valued by civilized men."

By this time in his career he was earning enough money to serve as a lawyer without pay to support various public causes. In one of those cases he helped to save the Boston subway system from attempts to disestablish it. In other cases he led the opposition to the New Haven Railroad's attempt to be the only provider of transportation in New England. He also opposed Massachusetts' liquor laws that gave an incentive to liquor dealers to bribe lawmakers to make them comply with the laws. In several other cases he worked to protect the average person from being unfairly treated by the law, among them an effort to provide legal protection to industrial workers. In 1908 he defended an Oregon law that established fair wages and hours for women laborers.

In 1913 President Woodrow Wilson offered Brandeis, who at the time was a counselor to the president, a position in his cabinet, but he declined so that he could continue his investigations into the growing concentration of wealth in large corporations. Three years later, he accepted Wilson's nomination to the Supreme Court. But that action resulted in a dirty political fight when six former presidents of the American Bar Association and former president William Howard Taft opposed the action because they claimed he was too "radical." It is likely, however, that this opposition arose because of anti-Semitism, as he was the first Jew ever nominated to the highest court. The fight ultimately was won in the Senate, and Brandeis joined the court on June 5, 1918, serving there with distinction until he retirement in 1939.

While on the Court, Brandeis often joined with his fellow justice Oliver Wendell Holmes in disagreeing with the Court's tendency to make judgments about economic and social policy that they believed were contrary to those of the states. Holmes and Brandeis also constantly defended civil liberties that were challenged by actions of the federal government, as well as opposing the ability of states to infringe upon a citizen's liberty. Examples of this effort are the Olmstead case involving wiretapping and a case in the courts which he opposed because it would have created a law in California prohibiting free speech.

Brandeis and his wife Alice had two daughters, both of whom also had summer homes on his property and whose children he very much enjoyed. In his spare time, he enjoyed rowing on the Oyster River that flowed by his home.

After his death in 1941, his support of justice, education and Judaism were recognized and honored in the founding of Brandeis University in Waltham, an institution that continues to flourish and to espouse his commitment to those values.

