

and kills many. He gets the nickname "The People's Attorney."

8. Brandeis is exposed to Zionism by some well-known Zionists: Jacob de Haas and Aaron Aaronsohn (and, to a lesser degree, Rabbi Stephen Wise). He reads Herzl's *The Jewish State*, attends Zionist functions (often as a guest of honor), and slowly begins taking an active role in the movement. His love of Zionism comes from his admiration for the pioneer spirit and his belief that Jews—like Americans—need a country where hard work and social values can rule.
9. In 1916, President Woodrow Wilson nominates Brandeis to the United States Supreme Court. Brandeis is the first Jew ever to be nominated for the position. Many conservatives are upset because they worry the outspokenly liberal Brandeis will mess up the conservative balance on the Court. Some senators level anti-Semitic allegations at Brandeis. In the end, Brandeis is confirmed, and he joins a Court where some justices dislike him so much (possibly because he was Jewish but more likely because he was liberal) that they don't speak to him.
10. Brandeis befriends Justice Oliver Wendall Holmes, Jr., and the two become known as the "Great Dissenters." Brandeis gains respect on the Court, and his opinions (the written record of the legal arguments behind his decisions) become known as some of the most well-written and clear-thinking ever.
11. Brandeis stays involved in Zionist causes while on the Court, but he removes himself as a public figure in the movement. He visits Palestine, counsels President Franklin Delano Roosevelt on Middle East affairs, and donates an immense amount of his time and money to Zionist organizations.
12. Brandeis retires from the Court in 1939, at age 83. He dies in 1941 in Washington. Soon after, Felix Frankfurter becomes the second Jew on the U.S. Supreme Court.

THE BALANCING ACT OF BEING A GOOD JEW AND A GOOD AMERICAN

This activity involves exploring how various people understood Brandeis' concept of what it means to be an American Jew. Read each one out loud in class and discuss them. Allow your students to answer a single set of questions for each one. (According to this source, what are some values that Brandeis saw as being American and Jewish? Which of these values do you share with Brandeis?) The "big idea" here is that Brandeis saw American values and Jewish

values as one-in-the same, so the act of being a good Jew is the same as being a good American. This is your chance to explore with your students what some of these values are. After exploring each source, it may be helpful to ask some thoughtful follow-up questions: If Brandeis was committed to social justice but was not a "practicing Jew," was he a good Jew? Can someone be a good American and a bad Jew? A good Jew and a bad American?

QUESTIONS

These are questions designed to let your students think critically about the material they've just encountered. While they may be used as an assignment ("Write down the answers to the questions and hand them in..."), they're probably best used as triggers for classroom discussion. These are thinking questions, so there are not necessarily "right" and "wrong" answers. Allow your students to explore all possible ideas they may have about each question. Following are some ideas you can use to guide a discussion.

1. Though he never was a religious Jew, Brandeis saw himself as part of a nation. Most modern scholars would call him a "secular humanist," someone who believes that a Jew is someone who identifies with the history, culture and future of the Jewish people but does not necessarily follow any specific religious tradition. What does it mean to be a Jew? Was Brandeis a Jew? There are really two ways of answering this question, and each produces a different answer.

[1] Though modern North American Jews seem to think of Judaism as being very synagogue-centered, there are many viable Jewish organizations and Jewish communities that could easily be described as "secular humanist." Some examples: "Jewish charities", B'nai B'rith, most of the population of the State of Israel. To say that one must have a Bar Mitzvah, attend religious school, or keep Kosher to be Jewish would be to say that most Israelis aren't Jews. Rather, Jews are an ethnic or national group (as Brandeis believed) irrevocably linked to a religious tradition.

[2] Of course Brandeis was Jewish, since his mother was a Jew, but he was a terribly misguided Jew because he believed that it was possible to have a Jewish identity without recognizing the authority of Torah as law. Just being a good person is a fine idea, but it isn't a Jewish idea if you're not being a good person for the right reasons. (This is like the poodle-dog analogy: "All poodles are dogs. Not all dogs are poodles." Similarly, "To be a

The Of The Jewish Life Teachers Guide

A Gutmann



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