

For Immediate Release

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William Howard Taft's Anti-Semitic Letter Opposing the Nomination of Louis Brandeis to the Supreme Court to be Auctioned

Taft's Letter was Written Just Two Days after Brandeis' 1916 Nomination

LOS ANGELES, April 14, 2016 –In 1916, President Woodrow Wilson nominated Louis Brandeis to the Supreme Court. Four months later, Brandeis was confirmed, making him the first Jewish Supreme Court justice. Just two days after Brandeis' nomination, former President William Howard Taft stated his fierce opposition to Brandeis' appointment in an anti-Semitic letter to Washington-based Jewish journalist Gus J. Karger. Nate D. Sanders will auction the letter on April 28. Interested bidders may participate in the auction online.

Brandeis' nomination took place nine months prior to a critical presidential election, drawing a distinct parallel to President Obama's recent nomination of Merrick Garland to the Supreme Court. President Wilson stunned America by nominating Brandeis on January 29, 1916, just 26 days after Justice Joseph R. Lamar's sudden death. Many political observers were shocked Wilson would make a controversial appointment in the midst of a tough reelection campaign. Brandeis was a top political advisor for Wilson and helped develop the administration's "New Freedom" economic programs. Anti-Semitic opposition prevented Wilson from appointing Brandeis as Attorney General in 1913, but he was determined to promote his friend to a prestigious public position in high office. Due to controversy surrounding Brandeis' progressive reform values, the Senate Judiciary Committee held public hearings on the nomination. This was the first time hearings had been held for a Supreme Court appointee.

Conservatives fiercely opposed Brandeis' nomination to the Supreme Court due to his track record of being a "people's attorney" and for his progressive reform values. The New York-based tabloid, "The Sun" described Brandeis in its editorial pages as, "the stronghold of sane conservatism, the safeguard of our institutions, the ultimate interpreter of our fundamental law." Even the New York Times voiced its displeasure with Brandeis' Supreme Court nomination.

Ex-President William Howard Taft was arguably the most prominent public figure to oppose the Brandeis nomination. Taft was hoping President Wilson would appoint him to the vacant Supreme Court seat and felt slighted after being passed over for Brandeis.

Taft voiced his frustrations about Brandeis to Karger, who was both a friend and long-time Washington correspondent for the Cincinnati Times Star. Karger served as Taft's press chief for his 1908 presidential campaign and ran the news bureau for the Republican party during the 1912 presidential elections.

Taft pulled no punches in his four-page letter. Early in the letter he wrote, "it is one of the deepest wounds that I have had as an American and a lover of the Constitution and a believer in progressive Conservatism, that such a man as Brandeis could be put in the Court, as I believe he is likely to be. He is a muckraker, an emotionalist for his own purposes, a socialist, prompted by jealousy, a hypocrite, a man who has certain high ideals in his imagination, but who is utterly unscrupulous in method of reaching them, a man of infinite cunning, of marked ability in that direction that hardly rises above the dignity of cunning, of great tenacity of purpose, and, in my judgement, of much power for evil.

Taft commented on the American Jewish communities, "The intelligent Jews of this country are as much opposed to Brandeis' nomination as I am, but there are politics in the Jewish community, which with their clannishness embarrass leading and liberal and clear-sighted Jews." He wrote about a conversation regarding Brandeis with his friend New Haven Jewish philanthropic Isaac Ullman. It reads in part, "he says there is a great feeling of antagonism toward Brandeis among the leading Jews, because his present superlative and extreme Judaism is a plant of very late growth. He says that he was no Jew until he was rejected by Wilson as Attorney-General, because the leading Jews of the country told Wilson that Brandeis was not a representative Jew. Since that time, Brandeis has adopted Zionism, favors the new Jerusalem, and has metaphorically been re-circumcised. He has gone all over the country making speeches, arousing the Jewish spirit, even wearing a hat in the Synagogue while making a speech in order to attract those bearded Rabbis whose invitation to the silver wedding in such numbers you promoted. If it were necessary, I am sure he would have grown a beard to convince them that he was a Jew of Jews.

The Senate confirmed Brandeis on June 1, 1916, by a 47-22 vote.

Bidding begins at \$15,000. Additional information on the letter can be found at http://natedsanderson.com/William_Taft_Historically_Important_Anti_Semitic-LOT42872.aspx

About Nate D. Sanders Auctions

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