

Melvin I. Urofsky

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Professional and Administrative Experience

- 2008- Adjunct professor of Government, American University
- 1996-2004 Center for Public Policy, Virginia Commonwealth University;
Director, Doctoral Program in Public Policy and Administration.
- 1974-2003 Associate professor, then professor (1976-2003) and chair (1974-1981), Department of History, Virginia Commonwealth University; emeritus since May 2003.
- 1990-1991 Joseph Pinckney Harrison Visiting Professor of History, College of William and Mary.
- 1989-2000 Adjunct professor of law, T.C. Williams Law School, University of Richmond
- 1967-1974 Assistant professor of history and education, State University of New York at Albany (1967-1970); head, Office of Innovative Education (1970-1972); teaching faculty (history) and assistant to the dean, James E. Allen Collegiate Center (1972-1974).
- 1964-1967 Instructor in history, the Ohio State University.

Education

A.B. Columbia College, 1961; major in history, minors in English and religion.

M.A., Columbia University, 1962; American history major.

Ph.D., Columbia University, 1968; American history major.

J.D., University of Virginia Law School, 1983.

Areas of Specialization

American constitutional and legal history; American Jewish history.

Professional Affiliations

American Society for Legal History; Organization of American Historians; Supreme Court Historical Society (editor, *Journal of Supreme Court History* since 1991); Society of American Historians; American Jewish Historical Society; Virginia Historical Society.

Awards and Fellowships

Columbia National Honors Scholarship, 1957-1961; New York State Regents Teaching Fellowship, 1961-1963; Mershon Foundation Doctoral Fellowship, 1965-1966; R.D.W. Connor Awards, best article in *North Carolina Historical Review*, 1968; National Endowment for the Humanities, grants for the collection and editing of the Letters of Louis D. Brandeis, initial grant in 1966, renewals in 1968, 1969, 1972, and 1974; Research Foundation of the State University of New York, grants-in-aid for various projects, 1968-1972; National Historical Publications Committee, grants for Brandeis Letters, 1972; CHOICE Magazine award to *Brandeis Letters*, volume one, as Outstanding Academic Book for 1972; Albany (New York) Jaycees Award, Outstanding Young Man of the Year, 1972; Louis D. Brandeis Lecturer, University of Louisville, 1972; Jewish Book Council, Kaplun Award for *American Zionism from Herzl to the Holocaust*, 1976; National Endowment for the Humanities, Senior Research Fellowship, 1976-1977, for study of relations between Israel and American Jewry; American Council of Learned Societies, grant for biography of Stephen S. Wise, 1978; Handmaker Memorial Lecture, University of Louisville Law School, 1978; Virginia Foundation for the Humanities and Public Policy, grants for "Images of the South" program, 1980, "Images of Depression America," 1982; for summer teachers institute on Bill of Rights, 1983, and for teacher in-service workshops, 1984-1985; Virginia Commonwealth University Faculty Grants for Brandeis-Frankfurter Letters, and study of Supreme Court, 1988; National Endowment for the Humanities, grant for collecting and editing two additional volumes of Brandeis Letters, 1984-1987; Consortium Professor, Central Virginia Faculty Consortium (funded by Ford Foundation), 1986-1988; College of Humanities and Sciences Lecturer, 1988; Winthrop College, Shankman Lecturer, 1988; Virginia Social Science Association Scholar Award, 1989 and 2000; National Endowment for the Humanities Summer Research Grant, 1989; American Historical Association, Littleton-Griswold

Research Grant, 1989; Rice University, Rorschach Lecturer, 1992; Brooklyn College, Konefsky Lecturer, 1992; Fellow, Rich Seminar, Oxford University, 1992; VCU Brown Lecturer, 1993; VCU College of Humanities and Sciences, Distinguished Scholar Award, 1993; Waddell Lecturer, Virginia Historical Society, 1994 and 1997; NEH Scholar in Residence, Honors Program, 1994-1995; Virginia Commonwealth University Award for Excellence, 1995; Visiting Scholar, University of Oklahoma Scholar-Leadership Enrichment Program, 1997; John L. Loeb, Jr., Foundation, grant for biography of Louis D. Brandeis, 2004; National Endowment for the Humanities Senior Fellow, 2005; Senior Fulbright Scholar, University of New South Wales Law School, Sydney, Australia, 2005; Hartman Holz Lecturer, University of Arkansas Law School, 2006; Rockefeller Foundation Resident Fellow at the Bellagio Center, Italy, Fall 2007; Amram Scholar-in Residence, Washington Hebrew Congregation, 2009; Brandeis Medal, University of Louisville, 2010; Everett Family Foundation Award as Book of the Year, Jewish Book Council (*Brandeis*), 2010; Ambassador Book Award for Biography, English Speaking Union of the United States, 2010 (*Brandeis*); Griswold Prize of the Supreme Court Historical Society (*Brandeis*), 2011.

Publications in Legal and Political History

Books

Big Steel and the Wilson Administration: A Study in Business-Government Relations. Columbus: The Ohio State University Press, 1969.

Ed. *Why Teachers Strike: Teachers Rights and Community Control.* Garden City: Anchor Press/Doubleday, 1970.

A Mind of One Piece: Brandeis and American Reform. New York: Charles Scribner's Sons, 1971.

Co-editor, with David W. Levy. *Letters of Louis D. Brandeis.* Albany: State University of New York Press.

- Vol. 1. *Urban Reformer, 1870-1907* (1971).
- Vol. 2. *People's Attorney, 1907-1912* (1972).
- Vol. 3. *Progressive and Zionist, 1913-1915* (1973).
- Vol. 4. *Mr. Justice Brandeis, 1916-1921* (1975).
- Vol. 5. *Elder Statesman, 1921-1941* (1978).

Ed. *Perspectives on Urban America.* Garden City: Anchor Press/Doubleday, 1973.

Louis D. Brandeis and the Progressive Tradition. Library of American Biography Series. Boston: Little Brown and Company, 1980.

Two Hundred Years of Mr. Jefferson's Idea: Religious Liberty in America. Richmond: Virginia State Education Department, 1986,

The Supreme Court, the Bill of Rights and the Law. Charlottesville: Virginia Foundation for the Humanities and Public Policy, 1986; rev. 1991 and 1998.

Ed., with Philip E. Urofsky. *The Douglas Papers: From the Private Files of Justice William O. Douglas*. Washington: Adler & Adler, 1987.

A March of Liberty: A Constitutional History of the United States. New York: Alfred A. Knopf, 1987; one-volume hardcover trade edition, two-volume college text edition.

From Confederation to Constitution: Documents on the Constitution and Ratification. Richmond: Virginia State Education Department, 1988.

Documents of American Constitutional and Legal History. New York: Alfred A. Knopf, 1989. Two vols. Hardcover edition by Temple University Press, 1989.

The Continuity of Change: The Supreme Court and Individual Liberties, 1963-1986. Belmont: Wadsworth Publishing Company, 1990.

A Conflict of Rights: The Supreme Court and Affirmative Action. New York: Charles Scribner's Sons, 1991.

Co-editor, with David W. Levy. "*Half-Son, Half-Brother*": *The Letters of Louis D. Brandeis to Felix Frankfurter*. Norman: University of Oklahoma Press, 1991.

Felix Frankfurter: Judicial Restraint and Individual Liberties. Boston: Twayne Publishers, 1991.

Coeditor, with A.E. Dick Howard. *Virginia and the Constitution*. Charlottesville: Virginia Commission on the Bicentennial of the Constitution, 1992.

Letting Go: Death, Dying and the Law. New York: Charles Scribner's Sons, 1993; paperback edition, University of Oklahoma Press, 1994.

Ed. *The Supreme Court Justices: A Biographical Dictionary*. New York: Garland Publishing, 1994.

Ed. *Basic Readings in U.S. Democracy*. Washington: United States Information Agency, 1994 (for overseas distribution).

Co-editor, with Philip E. Urofsky. *The Right to Die*. 2 vols. New York: Garland Publishing, 1996.

With Jill Norgren. *Teachers Guide to "Basic Readings in U.S. Democracy."* Washington: United States Information Agency, 1996 (for overseas distribution).

Co-editor, with Martha May. *The Christian Right*. New York: Garland Publishing, 1996.

Division and Discord: The Supreme Court under Stone and Vinson, 1941-1953. Columbia: University of South Carolina Press, 1997. (Paperback edition, 1999.)

Affirmative Action on Trial: Sex Discrimination in "Johnson v. Santa Clara." Lawrence: University Press of Kansas, 1997; revision of *A Conflict of Rights*.

Ed. *The American Presidents: Critical Essays*. New York: Garland, 2000.

Lethal Judgments: Assisted Suicide and American Law. Lawrence: University Press of Kansas, 2000.

The Warren Court: Justices, Rulings, and Legacy. Santa Barbara: ABC-CLIO, 2001.

With Paul Finkleman. *A March of Liberty: American Constitutional and Legal History*. 2 vols. Rev. ed. New York: Oxford University Press, 2001; 3rd ed., 2011.

With Paul Finkelman. *Documents of American Constitutional and Legal History*. 2 vols. Rev. ed. New York: Oxford University Press, 2005. 3rd ed., 2011.

Ed. *The Democracy Papers*. Washington: U.S. Department of State, 2001.

Religious Freedom: Rights and Liberties under the Law. Santa Barbara: ABC-CLIO, 2002.

With Paul Finkelman. *Landmark Supreme Court Cases*. Washington: Congressional Quarterly Press, 2003. 2nd ed., 2007.

The Rights of the People. Washington: U.S. Department of State, 2003.

Ed. *100 Americans Making Constitutional History: A Biographical History*. Washington: Congressional Quarterly Press, 2004.

Co-editor with Clare Cushman. *Black, White, and Brown: The Landmark School Desegregation Case in Retrospect*. Washington: CQ Press for the Supreme Court Historical Society, 2004.

Money and Free Speech: The Supreme Court and Campaign Finance Reform. Lawrence: University Press of Kansas, 2005.

Ed. *The Public Debate over Controversial Supreme Court Decisions*. Washington: Congressional Quarterly Press, 2006.

The Virginia Historical Society: The First 175 Years, 1831-2006. Richmond: The Virginia Historical Society, 2006. Also published as entire issue of *Virginia Magazine of History and Biography*, vol. 114, no. 1 (March 2006).

Ed. *Biographical Encyclopedia of the Supreme Court: The Lives and Legal Philosophies of the Justices*. Washington: Congressional Quarterly Press, 2006.

Louis D. Brandeis: A Life. New York: Pantheon, 2009. (*New York Times* 100 Best Books of 2009; Everett Family Foundation Award, Jewish Book Council Book of the Year, 2010; Ambassador Book Award for Biography, English-Speaking Union of the United States, 2010; Griswold Prize of the Supreme Court Historical Society, 2011.)

With Kermit L. Hall. *New York Times v. Sullivan: Civil Rights, Libel Law, and the Free Press*. Lawrence: University Press of Kansas, 2011.

Dissent and the Supreme Court: Its Role in the Court's History and the Nation's Constitutional Dialogue. New York: Pantheon, 2015.

The Affirmative Action Puzzle: A Living History from Reconstruction to Today. New York: Pantheon, 2020.

The Campaign Finance Cases: Buckley, McConnell, Citizens United, and McCutcheon. Lawrence: University Press of Kansas (October 2020).

B. Articles in Scholarly Journals and Chapters in Books

"Reforms and Response: The Yale Report of 1828," *History of Education Quarterly* 5 (1965): 53-67.

"A Note on the Expulsion of the Five Socialists," *New York History* 47 (1966): 41-50.

- “Wilson, Brandeis, and the Trust Issue, 1912-1914,” *Mid-America* 49 (1967): 3-28.
- “Blanche K. Bruce, United States Senator,” *The Journal of Mississippi History*, 29 (1967): 118-41.
- “Josephus Daniels and the Armor Trust,” *The North Carolina Historical Review* 45 (1968): 237-64.
- With Robert D. Cuff, “The Steel Industry and Price-Fixing During World War One,” *Business History Review* 44 (1970): 291-306; reprinted in Richard Lowitt, ed., *Interpreting 20th Century Americas* (New York: Crowell, 1973).
- “The Lawyer-Qua-Citizen: The Relevance of Brandeis Today,” *Filson Club Quarterly* 47 (1973): 5-13; originally given as the University of Louisville 1972 Brandeis Lecture.
- “The History and Uses of Oral History,” *Journal of the Richmond Oral History Association* 1 (1976): 1-9.
- “Louis D. Brandeis on Legal Education,” *American Journal of Legal History* 22 (1978): 189-201.
- “The Conservatism of Mr. Justice Brandeis,” *Modern Age* 23 (1979): 39-48; originally delivered as the University of Louisville Law School 1978 Handmaker Memorial Lecture.
- “The ‘Outrageous’ Brandeis Nomination,” *Yearbook of the Supreme Court Historical Society* (1979): 8-19.
- “Federal Incorporation Proposals in the Progressive Era,” *American Journal of Legal History* 26 (1982): 160-83.
- “Myth and Reality: The Supreme Court and Protective Legislation in the Progressive Era,” *Yearbook of the Supreme Court Historical Society* (1983): 53-72; reprinted in Kermit Hall, ed., *Equal Justice Under Law: The Supreme Court in American Life* (New York: Carlson Publishing, 1996).
- “To Secure the Blessings of Liberty: Judicial Review and an Activist Court,” *Institute of Government Newsletter* 61 (September 1984): 1-5.
- “Mr. Justice Powell and Education: The Balance of Competing Values,” *Journal of Law and Education* 13 (1984): 581-627.

- "A Right to Die: Termination of Appeals for Condemned Prisoners," *Journal of Criminal Law and Criminology* 75 (1984): 553-82.
- "State Courts and Protective Legislation in the Progressive Era: A Reevaluation," *Journal of American History* 72 (1985): 63-91; reprinted in Kermit Hall, ed., *Major Problems in American Constitutional History* (Lexington, MA: Heath, 1991).
- "The Brandeis-Frankfurter Conversations," *Supreme Court Review* (1985): 299-339.
- "Conflict Among the Brethren: Felix Frankfurter, William O. Douglas and the Clash of Personalities and Philosophies on the United States Supreme Court," *Duke Law Journal* (1988): 71-113.
- "Dear Teacher: Correspondence of William O. Douglas and Thomas Reed Powell," *Law and History Review* 7 (1989): 331-86.
- "The Brandeis Agenda," in Nelson Dawson, ed., *Brandeis and America* (Lexington: University Press of Kentucky, 1989), 113-52.
- "William O. Douglas and His Clerks," *Western Legal History* 3 (1990): 1-20.
- "Getting the Job Done: William O. Douglas on the Court," in Steven L. Wasby, ed., *"He Shall Not Pass This Way Again": The Legacy of Justice William O. Douglas* (Pittsburgh: University of Pittsburgh Press, 1991), 33-50.
- "Religious Freedom," in Kermit L. Hall, ed., *By and For the People: Constitutional Rights in American History* (New York: Harlan-Davidson, 1991), 26-38.
- "William O. Douglas as Common Law Judge," *Duke Law Journal* 41 (1991), 133-59; revised version in Mark Tushnet, ed., *The Warren Court in Historical and Political Perspective* (Charlottesville: University Press of Virginia, 1993), 64-85.
- "The Failure of Felix Frankfurter," *University of Richmond Law Review* 26 (1991): 175-212.
- "Prince Edward County, Massive Resistance, and Desegregation" and "Richmond v. J.A. Croson Company," in A.E. Dick Howard and Melvin I. Urofsky, eds., *Virginia and the Constitution* (Charlottesville: Commission on the Bicentennial of the Constitution, 1992), 107-31, 192-207.
- "Church and State: The Religion Clauses," in David J. Bodenhamer and James W. Ely, Jr., *After 200 Years: The Bill of Rights in Modern America* (Bloomington: Indiana University Press, 1993), 57-71.

- “Justice Louis Brandeis,” in Jennifer M. Lowe, ed., *The Jewish Justices of the Supreme Court Revisited: From Brandeis to Fortas* (Washington: Supreme Court Historical Society, 1994), 9-34.
- “To Guide by the Light of Reason’: Mr. Justice Brandeis—An Appreciation,” *American Jewish History* 81 (1994): 365-93.
- Review essay, “Defending Pornography: Free Speech, Sex, and the Fight for Women’s Rights,” *University of Richmond Law Review* 29 (1995): 401-20.
- “The Court at War, and the War in the Court,” *Journal of Supreme Court History* (1996): 1-18.
- “Courts, Legislatures, and History: Having Faith in Time,” *Cumberland Law Review* 27 (1997): 941-49.
- “Leaving the Door Ajar: The Supreme Court and Assisted Suicide,” *University of Richmond Law Review* 32 (1998):313-405.
- “Beyond the Bottom Line: The Value of Judicial Biography,” *Journal of Supreme Court History* 2 (1998): 143-56.
- “‘A Good Name is Rather to be Chosen than Great Riches’: The Louis D. Brandeis School of Law at the University of Louisville,” *Brandeis Law Journal* 37 (1998-99): 11-19.
- “Justifying Assisted Suicide: Comments on the Ongoing Debate,” *Notre Dame Journal of Law, Ethics, and Public Policy* 14 (2000): 893-943.
- “Inter Arma Silent Leges: Extrajudicial Activity, Patriotism, and the Rule of Law,” in Daniel Ernst and Victor Jew, eds., *Total War and the Law: The American Home Front in World War II* (Westport, Conn.: Praeger, 2002), 19-41.
- “The Roosevelt Court,” in William Chafe, ed., *The Achievement of American Liberalism: The New Deal and Its Legacies* (New York: Columbia University Press, 2003), 63-98.
- “Wilson, Brandeis, and the Supreme Court Nomination,” *Journal of Supreme Court History* 28 (2003): 145-56.
- “The Supreme Court and Civil Rights since 1940,” *Barry Law Review* 4 (2003): 39-70.

- “Among the most humane moments in all our history’: *Brown v. Board of Education* (1954) in Historical Perspective,” in Clare Cushman and Melvin I. Urofsky, eds., *Black, White, and Brown: The Landmark School Desegregation Case in Retrospect* (Washington: CQ Press for the Supreme Court Historical Society, 2004), 1-45.
- “Woodrow Wilson,” in Norman Gross, ed., *America’s Lawyer-Presidents: From Law Office to Oval Office* (Chicago: Northwestern University Press, 2004), 230-39.
- “Louis D. Brandeis: Advocate Before and On the Bench,” *Journal of Supreme Court History* 30 (2005): 31-46.
- “The Taft Court (1921-1930): Groping for Modernity,” in Christopher L. Tomlins, ed., *The United States Supreme Court: The Pursuit of Justice* (Boston: Houghton Mifflin, 2005), 199-220.
- “The Bull by the Horns: Nadine Strossen, Pornography, and Free Speech,” *Tulsa Law Review* 41 (2006): 677-91.
- “Thomas Jefferson and John Marshall: What Kind of Constitution Shall We Have?” *Journal of Supreme Court History* 31 (2006): 110-26.
- “Louis D. Brandeis: Teacher,” *Brandeis Law Journal* 45 (2007): 733-53.
- “Do Go Gentle into That Good Night: Thoughts on Death, Suicide, Morality, and the Law,” *Arkansas Law Review* 59 (2007): 819-40.
- “Campaign Finance Reform before 1971,” *Albany Government Law Review* 1 (2008): 1-62.
- “Louis D. Brandeis and His Clerks,” *Brandeis Law Review* 49 (2011): 163-83.
- “Hugo L. Black’s Dissents: From *Betts* to *Gideon*,” *Journal of Supreme Court History* 41 (2016): 90-102.
- “The Great War and the Court: An Introduction,” *Journal of Supreme Court History* 44 (2019): 251-66.

II. Publications in American Jewish History

A. Books

American Zionism from Herzl to the Holocaust. Garden City: Anchor Press/Doubleday, 1975; paperback edition, 1976; reprinted, University of Nebraska Press, 1995.

We Are One! American Jewry and Israel. Garden City: Anchor Press/Doubleday, 1978.

Ed., *Essays on American Zionism, 1917-1948. The Herzl Yearbook.* 8 New York: The Herzl Press, 1979

Co-editor with Nathan Kaganoff. *Turn to the South: Essays on Southern Jewish History.* Charlottesville: University of Virginia Press, 1979.

A Voice That Spoke for Justice: The Life and Times of Stephen S. Wise. Albany: State University of New York Press, 1981.

Commonwealth & Community: The Jewish Experience in Virginia. Richmond: The Virginia Historical Society, 1997.

The Levy Family and Monticello, 1834-1923: Saving Thomas Jefferson's House. Charlottesville: Thomas Jefferson Foundation, 2001.

A Genesis of Religious Freedom: The Story of the Jews of Newport, RI and Touro Synagogue. New York: George Washington Institute for Religious Freedom, 2013.

B. Articles in Scholarly Journals and Book Chapters

"Zionism: An American Experience," *American Jewish Historical Quarterly* 63 (1974): 215-36; reprinted in Jonathan Sarna, ed., *The American Jewish Experience* (New York: Holmes & Mercer, 1986).

"The Americanization of Zionism," *Prospects* 2 (1976): 263-91.

"No Aliyah from America," *Forum* 25 (1976): 72-76.

"Democracy in Jewish Life," in Jack Nusan Porter, ed., *The Sociology of American Jews: A Critical Anthology* (Washington: University Press of America, 1980 rev. ed.), 45-50.

“Rifts in the Movement: Zionist Fissures, 1942-1945” and “HaMa’avek: American Zionism, Partition and Recognition, 1947-1948,” in *Herzl Yearbook* 8 (1979): 195-211, 284-307.

“A Cause in Search of Itself: American Zionism After the State,” *American Jewish History* 69 (1979): 79-91; reprinted in Nathan Kaganoff, ed., *Solidarity and Kinship: Essays on American Zionism* (Waltham: American Jewish Historical Society, 1980).

“American Jewish Leadership,” *American Jewish History* 70 (1981): 401-19.

“Symposium: The Influence of Zionism on the American Jewish Community,” *American Jewish History* (1985): 159-64.

“Two Paths to Zion: Judah Magnes and Stephen Wise,” in William M. Brenner and Moses Rischin, eds., *Like All the Nations? The Life and Legacy of Judah L. Magnes* (Albany: State University of New York Press, 1987), 85-98.

“Zionism and American Politics,” in Norman J. Cohen, *The Americanization of the Jews* (New York: NYU Press, 1994), 151-64.

“American Jews and Israel: The First Decade,” in S. Ilan Troen and Noah Lucas, eds., *Israel: The First decade of Independence* (Albany: State University of New York Press, 1995),

“The Levy Family and Monticello,” *Virginia Quarterly Review* 78 (2002): 395-412.

“Virginians Jews in the Civil War,” in Laura Cohen Apelbaum and Claire Uziel, eds., *Jewish Life in Mr. Lincoln’s City* (Washington: Jewish Historical Society of Greater Washington, 2009), 71-84.

III. Exhibitions Curated and Consulted

A Family Tapestry: The Hutzlers and Richmond. Beth Ahabah Museum and Archives, Richmond, Virginia, 1984.

Louis D. Brandeis: American Zionist. Greater Washington Jewish Historical Society, Washington, D.C., 1992.

Commonwealth and Community: The Jewish Experience in Virginia. Virginia Historical Society, Richmond, Virginia, 1997

Historian for exhibit in the John L. Loeb, Jr., Visitors Center, Touro Synagogue, Newport, Rhode Island, 2005-2009.

IV. Other

Lectures overseas under sponsorship of United States Information Agency in Australia, Burman (Myanmar), Canada, France, Malaysia, Romania, Thailand, Turkey, and the former Yugoslavia. Lectures under other auspices in Australia, Great Britain, Israel, and Italy.

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