

necessary to go up to my standard of an absolutely superior member of the U.S. Supreme Court.

She is scholarly, reflective, judicious, and humane. She knows when to act with vigor, but equally important, she knows when not to act. And she has the wisdom and experience to know in those actions the value of judicial restraint.

As both a lawyer and a judge, she is extremely experienced in appellate practice and procedure at all levels. As a lawyer, she herself has both briefed and orally argued with great skill multiple cases in the U.S. Supreme Court. And as an appellate judge, her industry and skill have been recognized nationwide for more than a dozen years.

However, she is not limited to just appellate skills. She is a person well versed and experienced in all aspects of the law as it will be presented from time to time for decision by the U.S. Supreme Court.

While I recognize it to be a very broad statement, I firmly believe—and I have a large acquaintance in the American law establishment because I was a bar politician for so many years. I firmly believe that there is no single lawyer in America, male or female, better qualified to be a Supreme Court Justice. Truly she is exceptional. Certainly I personally like Ruth Ginsburg. I have served and participated through the years with her in multiple activities. But I fervently assert that my endorsement of her to you for confirmation is based solely on my idea of merit. Over the years I have become convinced that she has one of the superior legal minds that I have ever been around, talked to, argued with, discussed or debated.

Her legal writing suits me. It is succinct, pithy, concise, scholarly, and absolutely on target. She conserves energy and words. While her experience and intent perhaps have been focused primarily on procedure and constitutional law, I find that she has a broad and roving interest in all aspects of law and justice. She truly loves the law, and she represents it as its best.

Additionally, she is a completely well-rounded person who has the professional and personal capacity to bring to her judicial duties wisdom, moderation, compassion, and justice in the myriad areas of the law routinely a part of the Supreme Court docket.

As a citizen, I strongly urge that you speedily confirm her appointment to the Court. As a trial lawyer, I tell you that she is the kind of judge that I want to go before and advocate causes because I believe that she will consider the facts and the law of that case and make a right and proper decision under the law.

Thank you very much.

[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF CHESTERFIELD SMITH

Without reservation, Circuit Judge Ruth Bader Ginsburg in my opinion will if confirmed be a magnificent Supreme Court Justice. As both a lawyer and a person, I know her quite well—extremely well. I believe that she possesses the temperament, the character and the professional skills and abilities necessary to be an absolutely superior member of the United States Supreme Court. She is scholarly, reflective, judicious and humane. She knows when to act with vigor, equally important she knows when not to act, and she has the wisdom and experience to know in those actions the value of judicial restraint. As both lawyer and judge, she is extremely experienced in appellate practice and procedure at all levels. As a lawyer, she her-

self has both briefed and orally argued with great skill multiple cases in the United States Supreme Court; as an appellate judge, her industry and skill have been recognized nationwide for more than a dozen years. However, she is not limited to just appellate skills; instead, she is a person well versed and experienced in all aspects of the law as it will be presented from time to time for decision to the United States Supreme Court.

While I recognize it to be a very broad statement, I firmly believe that there is no lawyer in America, male or female, better qualified to be a Supreme Court Justice. Truly, she is exceptional. I do personally like Ruth Bader Ginsburg (I have served and participated throughout the years with her in multiple organized bar activities) but I fervently assert that my endorsement of her to you for confirmation is based solely on merit. Over the years I have become convinced that she has one of the superior legal minds that I have known.

Her legal writing is succinct, pithy, concise, scholarly, and absolutely on target. While her experience and intent have perhaps focused primarily on procedure and constitutional law, I find that legally she has a broad and roving interest in all aspects of justice. She truly loves the law and she represents it at its best. Additionally, she is a completely well-rounded person who has the professional capacity to bring to her judicial duties wisdom, moderation, compassion and justice in the myriad areas of the law routinely a part of the Supreme Court docket.

As a citizen and lawyer, I strongly urge that you speedily confirm her appointment to the Supreme Court.

The CHAIRMAN. High praise, Mr. Smith. Thank you.
Judge, welcome.

STATEMENT OF JUDGE HUFSTEDLER

Judge HUFSTEDLER. Thank you very much, Mr. Chairman.

Because I was admitted to the bar 43 years ago when the number of women who went into law were very, very few, in my enthusiastic endorsement of Ruth Bader Ginsburg for the U.S. Supreme Court I thought it might be useful to place what Ruth has accomplished in a somewhat broader historical framework.

When President Johnson appointed me to the U.S. Court of Appeals for the Ninth Circuit in 1968, I was the second woman in the history of the United States ever to be appointed to a Federal appellate court. The honor of being the first went to Florence Allen, and the President who appointed her was Franklin Delano Roosevelt in 1934. When she was appointed, she was then a justice of the Supreme Court of Ohio, a position to which she was elected by the women who had worked with her to obtain passage and ratification of the amendment to the U.S. Constitution permitting women to vote. Judge Allen had died before I was appointed, and it was to be many years before another woman was to have that honor.

I resigned from the bench in 1979 when President Carter asked me to become Secretary of Education of the United States. The U.S. Supreme Court, however, has been a matter of intense scholarly scrutiny and more than slight interest to me during my entire professional life.

The Court has been called upon, as each of you are aware, to interpret and apply the Constitution under circumstances of more than 200 years of history. That great charter of government is also the Nation's great charter of freedom in the Bill of Rights. The Supreme Court has been repeatedly required to decide the issues that most deeply divide our citizens one from the other, invoking that great Bill of Rights. Those rights include not only the right to worship as one pleases, to own property, to have the right to petition for grievances, but also the right to equal protection of the laws,