as you, Judge Hufstedler. I know you both well, and it is a compliment to the nominee that you two are here, as well as the other two of your colleagues are here.

Senator HEFLIN. I will take exception at your omission of Chesterfield Smith. I don't know Mr. Millstein as well, but he——

The CHAIRMAN. Mr. Millstein, you are qualified as well to be on the Court, but I mean it. I think the Nation would have been served extremely well had William T. Coleman been a Supreme Court Justice.

But having said that, enough of my advertising for future nominees for the Court. Let me——

Senator SPECTER. It may be yet, Mr. Chairman.

The CHAIRMAN. I know. I said that. That is why I don't want to continue to advertise, because I learned one lesson, at least as it related to my children in the colleges and universities they attend. Whatever university you want your child to attend, do not mention it. Whoever you would like to see appointed to the Supreme Court, don't tell the President.

But, at any rate, Mr. Coleman, why don't you begin.

PANEL CONSISTING OF WILLIAM T. COLEMAN, JR., O'MELVENY AND MYERS, WASHINGTON, DC; CHESTERFIELD SMITH, HOLLAND & KNIGHT, MIAMI, FL; SHIRLEY M. HUFSTEDLER, HUFSTEDLER, KAUS, AND ETTINGER, LOS ANGELES, CA; AND IRA M. MILLSTEIN, WEIL, GOTSHAL AND MANGES, NEW YORK, NY

STATEMENT OF WILLIAM T. COLEMAN, JR.

Mr. COLEMAN. Mr. Chairman, members of the committee, I have submitted a seven-page statement, but then there are attached some memoranda because I either read or had people read and then explain to me most of the judge's cases. I certainly think that with her background and everything she certainly should be considered well qualified.

But I would like just to indicate to you why in my judgment this is a superb appointment, because I think that you have to look to the character of the person, for in the end, particularly in constitutional matters, the only sense on a Justice's exercise of power is his or her own sense of self-restraint.

Now, the factors that I think that you ought to consider, first, is what she has been exposed to and done with her life in the last 60 years: a great education, a superior mind, great intellect and intelligence, her seizing of every opportunity, and her just being able to discharge both the responsibilities in the profession, but also as a wife and mother.

She certainly has made an outstanding record as a jurist. I think if you would look at her readings and just walk through her library and just watch the diversity of things that she has read, in addition you often will see her at the opera, the theater, the symphony, the ballet, the art museum, the Council on Foreign Relations. And she has, as you already know, a very wide range of friends. And, believe me, as quiet as she is, she will discuss and argue almost any issue with them. She has written in a lot of different fields.

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With it all, however, we still know the great Justices had to have something that touched them with fire. Holmes had his Civil War. Frankfurter had his battles as an immigrant coming to this country at age 12, not speaking a word of English, and, as once he said, "belong[ing] to the most vilified and persecuted minority in history." Chief Justice Marshall had his battles to make this country a Nation, and Thurgood Marshall his battles to end racial segregation and all the deleterious effects thereof.

In Ruth Bader Ginsburg, I have confidence that the fire was set by the discrimination Ruth Bader Ginsburg encountered when she first came to the bar and by the challenges she met in developing legal theories which ended some of such discrimination and unfairness. But even more important, that fire rests in her disciplined desire that she excel as a judge, as a legal scholar, as an American, and as a human being.

So I urge this committee to advise and consent favorably for this nomination. I also want to congratulate the country, the legal profession, President Clinton, our great educational and cultural institutions, and the Ginsburg family that in this case the process and system worked, and worked quite well.

I would like to conclude by adding something which may create a slight controversy. That is, on the first day when Judge Ginsburg was introduced, the senior Senator from New York indicated that Justice Frankfurter would not even interview her. I speak as a former Justice Frankfurter law clerk. I would ask that be checked and not be made a part of history. I became his law clerk in 1948. I know that in 1953 when a lady whose last name was Holmes and was the first one to make the Harvard Law Review, that he at that time indicated that, gee, she would be a great law clerk.

In addition, because the statement was made that he would not interview her, the fact is that Justice Frankfurter would interview no one. I was not interviewed by him. His law clerks were selected by Henry Hart, Paul Freund, and, later on, Al Sachs. I say that only to try to keep the record straight. In my heart, I just feel that Felix Frankfurter had the judgment and wisdom that I know Judge Ginsburg has to have the vision that in this country we have the ability to recognize those of great ability.

Thank you.

[The prepared statement of Mr. Coleman follows:]

PREPARED STATEMENT OF WILLIAM T. COLEMAN, Jr.

The country is fortunate that the end result of the Presidential selection process to fill the vacancy on the Supreme Court of the United States arising from the retirement of the Honorable Justice Byron Raymond White was the nomination of someone with the talent of Judge Ruth Bader Ginsburg who with her heart, character, determination and background gives promise that she will be a worthy addition to the highest Court.

Among the bar and in the academic community, there is no doubt that Judge Ginsburg ranks among the best jurists who presently sit on the various Courts of Appeals in the United States.[1]

[1] I have read or caused to be read and explained to me all of the cases that Judge Ginsburg has written that could be classified as civil rights cases, all cases dealing with the standing to raise such issues, including personal constitutional issues, and all cases dealing with constitutional issues involving individuals rights. Attached hereto are three interesting and excellent memoranda that were of great aid in this task.