

Remarks of
U.S. Senior Circuit Judge Frank M. Coffin
Introducing
The Honorable Ruth Bader Ginsburg

The Eighth Coffin Lecture on Law and Public Service
Portland, Maine, November 22, 1999

In the year 1872, the United States Supreme Court considered a case from Illinois. One Myra Bradwell had made so bold as to apply for a license to practice law, having passed all examinations. The Illinois Supreme Court had turned her down, reasoning that the state legislature had recognized "the axiomatic truth" that God had charged only men "to make, apply, and execute the laws." The Supreme court deferred to that view, but Justice Bradley went further. He opined that not only the civil law over the centuries but "nature herself" decreed that "the natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life." Strangely, the Chief Justice, Salmon Chase, dissented but did not favor us with his reasoning.

Almost exactly 100 years later, in 1971, Ruth Bader Ginsburg founded the American Civil Liberties Union's Women's Rights Project, and in 1972 became the first tenured female professor at Columbia Law School, where she taught a seminar in conjunction with the Project. She went on to argue in the Supreme Court six key gender rights cases in the following decade, winning six of them. She filed amicus briefs in 15 other cases.

In 1985, Erwin Griswold, long time Dean of Harvard Law School and former Solicitor General, speaking on the occasion of the 50th anniversary of the Supreme Court building, singled out as leading public issue advocates before the Court Thurgood Marshall and Ruth Bader Ginsburg. It was highly appropriate, therefore, that, this past summer, Justice Ginsburg became the first woman to receive the Thurgood Marshall Award from the American Bar Association.

Such a record makes Justice Ginsburg one of the rare individuals to come to the Supreme Court not with just a solid record of professional achievement, but with a record that had, without more, earned a prominent place in the history of our times. Happily, her story goes on. Far be it for me to try to encapsulate her style and genius. One can get some idea of her formidable intellectual firepower from knowing that she cowrote a text on Swedish Civil Procedure. . . in Swedish. There is also the judgment of the Justice's daughter Jane that her cardinal objective is always "to keep sight of the individuals whose plight gives rise to the question of principle." And we can rely on the Justice's own appraisal, borrowing from the example of Thurgood Marshall and the words of Benjamin Cardozo: "Justice is not to be taken by storm. She is to be wooed by slow advances."

Finally, I must reveal to you that the Justice has a secret weapon, illustrating the not-so-ancient truth that behind many a successful woman stands a sensitive and stalwart man. So tonight we pay tribute not only to the Justice but to an outstanding lawyer and ever supportive husband, Martin Ginsburg.

In this unfolding term of the Supreme Court, the Justices will face basic questions about what has been called "a continuing revolution in the making" — the nature of our federalism, the reach of state sovereignty; they will also deal with First Amendment issues centering on campaign finance, religion in schools, speech on college campuses; and they will further

examine the scope of habeas corpus relief.

How will our Justice approach these? Listen to her closing words in accepting the Thurgood Marshall Award:

In the next century, may the Constitution Thurgood Marshall celebrated continue to evolve. May the nation's motto, E Pluribus Unum, of many, one, become not simply aspirational, but real. May we build and keep our communities places where we tolerate, even celebrate, our differences, while pulling together for the common good.

I can think of no theme that more faithfully captures the underlying spirit of this lecture series than the title of tonight's lecture -- "In Pursuit of the Public Good: Lawyers Who Care" -- nor anyone more qualified by achievement, competence, and commitment to give it than Justice Ginsburg. To add a personal footnote, I am today celebrating the beginning of my thirty-fifth year as a United States Circuit Judge. I could not possibly have a happier excuse to celebrate than this occasion.

Justice Ginsburg, that you have made the effort to be with us tonight is a gift that all of us in Maine will ever cherish. I have the signal honor to present the Honorable Ruth Bader Ginsburg, Justice of the Supreme Court of the United States.