**Consideration by the Senate Judiciary Committee**

**Read the excerpt from Justice Ginsburg's statement to the Judiciary Committee below.**

**What does the statement reveal about the qualifications she believes the Senators are looking for in a Supreme Court Justice?**

" . . . I am, as you know from my responses to your questionnaire, a Brooklynite, born and bred—a first-generation American on my father's side, barely second-generation on my mother's. Neither of my parents had the means to attend college, but both taught me to love learning, to care about people, and to work hard for whatever I wanted or believed in. Their parents had the foresight to leave the old country, when Jewish ancestry and faith meant exposure to pogroms and denigration of one's human worth. What has become of me could only happen in America. Like so many others, I owe so much to the entry this Nation afforded to people yearning to breathe free."

" . . . [I]n my lifetime, I expect to see three, four, perhaps even more women on the High Court Bench, women not shaped from the same mold, but of different complexions. Yes, there are miles in front, but what a distance we have traveled from the day President Thomas Jefferson told his Secretary of State: "The appointment of women to [public] office is an innovation for which the public is not prepared. Nor," Jefferson added, "am I."

"The increasingly full use of the talent of all this nation's people holds large promise for the future, but we could not have come to this point – and I surely would not be in this room today—without the determined efforts of men and women who kept dreams of equal citizenship alive in days when few would listen. People like Susan B. Anthony, Elizabeth Cady Stanton, and Harriet Tubman come to mind. I stand on the shoulders of those brave people.

"Supreme Court Justices are guardians of the great charter that has served as our nation's fundamental instrument of government for over 200 years, the oldest written constitution still in force in the world. But the Justices do not guard constitutional rights alone. Courts share that profound responsibility with the Congress, the President, the States, and the People. Constant realization of a more perfect union, the Constitution's aspiration, requires the widest, broadest, deepest participation on matters of government and government policy.

" . . . Some of you asked me, during recent visits, why I want to be on the Supreme Court. It is an opportunity, beyond any other, for one of my training to serve society. The controversies that come to the Supreme Court, as the last judicial resort, touch and concern the health and well-being of our nation and its people; they affect the preservation of liberty to ourselves and our posterity. Serving on this Court is the highest honor, the most awesome trust that can be placed in a judge. It means working at my craft—working with and for the law—as a way to keep our society both ordered and free.

"Let me try to state in a nutshell how I view the work of judging. My approach, I believe, is neither "liberal" nor "conservative." Rather, it is rooted in the place of the judiciary of judges—in our democratic society. The Constitution's preamble speaks first of We, the People, and then of their elected representatives. The Judiciary is third in line, and it is placed apart from the political fray so that its members can judge fairly, impartially, in accordance with the law and without fear about the animosity of any pressure group.

"In Alexander Hamilton's words: the mission of judges is 'to secure a steady, upright, and impartial administration of the laws.' I would add that the judge should carry out that function without fanfare, but with due care: she should decide the case before her without reaching out to cover cases not yet seen. She should be ever mindful, as Judge and then Justice Benjamin Nathan Cardozo said: 'Justice is not to be taken by storm. She is to be wooed by slow advances.' "

" . . . Federal judges may long outlast the President who appoints them. They may serve as long as they can do the job, as the Constitution says, they may remain in office "during good Behavior." Supreme Court Justices, particularly, participate in shaping a lasting body of constitutional decisions; they continuously confront matters on which the Framers left many things unsaid, unsettled, or uncertain. For that reason, when the Senate considers a Supreme Court nomination, the Senators are properly concerned about the nominee's capacity to serve the nation, not just for the here and now, but over the long term.

You have been supplied, in the five weeks since the President announced my nomination, with hundreds of pages about me, and thousands of pages I have penned – my writings as a law teacher, mainly about procedure; ten years of briefs filed when I was a courtroom advocate of the equal stature of men and women before the law; numerous speeches and articles on that same theme; thirteen years of opinions—well over 700 of the decisions I made as a member of the U.S. Court of Appeals for the District of Columbia Circuit; several comments on the roles of judges and lawyers in our legal system. That body of material…is the most tangible, reliable indicator of my attitude, outlook, approach, and style. I hope you will judge my qualifications principally on that written record spanning thirty-four years . . . ."

". . . You are well aware that I came to this proceeding to be judged as a judge, not as an advocate. Because I am and hope to continue to be a judge, it would be wrong for me to say or preview in this legislative chamber how I would cast my vote on questions the Supreme Court may be called upon to decide. Were I to rehearse here what I would say and how I would reason on such questions, I would act injudiciously."

". . . A judge sworn to decide impartially can offer no forecasts, no hints, for that would show not only disregard for the specifics of the particular case, it would display disdain for the entire judicial process."

". . . It is fitting, as I conclude this opening statement, to express my deep respect for, and abiding appreciation to Justice Byron R. White for his thirty-one years and more of fine service on the Supreme Court . . . He expressed a hope shared by all lower court judges; he hoped "the [Supreme] Court's mandates will be clear [and] crisp...leav[ing] as little room as possible for disagreement about their meaning." If confirmed, I will take the counsel to heart and strive to write opinions that both 'get it right' and 'keep it tight.' "

*Excerpted from "Nomination of Ruth Bader Ginsburg, to be Associate Justice of the Supreme Court of the United States,"* Hearings before the Committee on the Judiciary, United States Senate, 103rd Congress, *U.S. Government Printing Office, 1994, pp. 53-56.*