

to enter law school. Eventually transferring to and graduating from Columbia Law School, she had a difficult time breaking the "old boy" network that excluded so many other fine law graduates. In true Brooklyn form, though, this did not dissuade her, and through perseverance, she obtained a clerkship with U.S. District Judge Edmund Palmieri.

After her clerkship, Judge Ginsburg went on to teach law at Rutgers University, where, during her nine years, she rose to become a full professor. She moved on to Columbia University Law School where she taught another nine years. During those years as a professor, Judge Ginsburg was quite successful before the bench arguing numerous cases, including winning five of six decisions before the Supreme Court regarding sex discrimination. Based on her intellect and ability, she was appointed to the U.S. Court of Appeals for the District of Columbia in 1980.

Since her appointment to the federal bench, Judge Ginsburg has written hundreds of decisions. While I may not agree with her on some of her opinions, I have found Judge Ginsburg to be honest to a fault, with the utmost in integrity, a keen mind, and a true belief in the law.

No Senator will agree with the opinions of a Supreme Court Justice 100 percent of the time. I know that I will not agree with Judge Ginsburg's decisions all of the time. However, I do know that hers will be the kind of decisions that will be undertaken with deliberate care and that even if I disagree with her, I will be confident that her opinion will not be the result of a rash or ill-thought decision making process.

Mr. Chairman, I am pleased, also, to welcome Judge Ginsburg's family—her husband Martin Ginsburg, a Professor of tax law at Georgetown University and a partner in the Washington office of Fried, Frank, Harris, and Shriver; her daughter Jane, a law Professor at Columbia University; her son James, a law student at the University of Chicago and a producer of classical recordings, and her lovely grandchildren.

Again, it is my pleasure to introduce Judge Ruth Bader Ginsburg at her confirmation hearings to be an Associate Justice to the United States Supreme Court.

The CHAIRMAN. Now we will hear from Delegate Eleanor Holmes Norton. We welcome you to the other body, and thank you for coming over.

#### **STATEMENT OF HON. ELEANOR HOLMES NORTON, A DELEGATE IN CONGRESS FROM THE DISTRICT OF COLUMBIA**

Ms. NORTON. Thank you, Mr. Chairman.

Mr. Chairman, it is my great pleasure to introduce and recommend Judge Ruth Bader Ginsburg to you. Now a resident of my district here in Washington, DC, Judge Ginsburg was born in Brooklyn. Brooklyn natives, of course, have often spread to far corners, like the overseas Chinese, sharing the riches of that borough with places like Washington which thrive on such exports.

Judge Ginsburg's service on our U.S. Court of Appeals has been unusually distinguished, a virtually foregone conclusion for any who knew her before her appointment in 1980. I have known Ruth Ginsburg for two decades. As a law professor, civil rights and civil liberties lawyer, she was the chief navigator in the journey that took women, after more than 100 years, into the safe harbor of the U.S. Constitution.

When Ruth Ginsburg founded the ACLU women's rights project, today's axiom that the 14th amendment applies to women was not axiomatic at all. As one of Judge Ginsburg's former students has said, "People forget how things were."

Judge Ginsburg has spent her life making things how they ought to be. Using her gifted mind, honed by indefatigably hard work, she has used the law, always carefully, always defensibly, for all of those left at the margins, for want of a lawyer or a judge with the brilliance and commitment to pull them mainstream.

As a lawyer, she was an activist intellectual who brought grace to both roles. As a judge, Ruth Ginsburg has not only resolved hard cases, she has contributed to legal theory and made collegiality among judges and its effect on the law a new and fascinating subject of scrutiny.

Those who have expected great things of Ruth Ginsburg have always gotten what they bargained for. Count on Justice Ginsburg to keep that unbroken record.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very, very much.

I know all of you have other duties, and we appreciate your being here. Thank you for your input. And, Pat, I am delighted that you had the opportunity to introduce a woman who saves my daughter Ashley from having to be the second woman nominee to the Supreme Court. Thank you.

Now we will return to semiregular order, which is that Senator Kennedy would go next. But our distinguished colleague and ranking member of the Armed Services Committee has to attend a hearing at 11, and Senator Kennedy has graciously suggested that he go next.

#### OPENING STATEMENT OF SENATOR THURMOND

Senator THURMOND. Thank you, Mr. Chairman. I wish to thank Senator Kennedy for letting me go at this time.

I want to express my appreciation to Senator Hatch for his kind words. He is a great Senator and a great man, and I appreciate what you had to say.

We all welcome Senator Specter back, a great Senator and a true patriot of this country. So glad to see you in good health now.

Now, Mr. Chairman, today the Senate begins consideration of the nomination of Judge Ruth Bader Ginsburg to be an Associate Justice of the U.S. Supreme Court. If confirmed, Judge Ginsburg will be the 107th person to serve as a Justice, continuing the long tradition of distinguished jurisprudence which began with Justice John Rutledge of South Carolina, who was appointed on September 26, 1789. Although I was not privileged to be in the Senate at that time—[Laughter.]

Lest anyone have doubts—Judge Ginsburg's will be the 25th Supreme Court nomination I have reviewed during my nearly 39 years in the Senate.

Since its first session in the Royal Exchange Building in New York City in 1790, the Supreme Court has been an indispensable part of our Government, securing individual rights and interpreting the laws of this Nation. Occasionally, however, the Federal courts have gone beyond their constitutional mandate and used their judicial authority to legislate from the bench. I believe that the Hamiltonian vision of the judiciary is a correct one: Judgment, not will, is to be exercised by the judicial branch.

Mr. Chairman, we have a very serious responsibility here. Article II of the Constitution confers upon the Senate the duty of giving "advice and consent" to the President's appointment of Supreme Court Justices. The detailed review of judicial nominations has been assigned by the Senate to the Judiciary Committee. To a great extent, our colleagues who are not on this committee depend