

## **Lunch with Justice Ginsburg, 9/12/08**

Ladies and Gentlemen,

My name is Symeon Symeonides, I am Dean of Willamette University College of Law, and on behalf of the faculty, students, and staff of the College it is my pleasure to welcome you to this celebration. It's a big day for us, because today we begin celebrating the 125<sup>th</sup> anniversary of Willamette University's College of Law.

In 1842, seventeen years before Oregon became a state, Willamette University was born, the child of both the foresight and sacrifice of Methodist missionaries. Willamette was the first university in the West, destined to provide intellectual sustenance to the children of pioneers and later the whole region.

By 1866, Willamette established the first medical school in the region and, by 1883, a law school, our College of Law. At that time, there were only 51 law schools in the United States, of which only 37 survive to date among the 194 law schools now in existence. All but 7 of those schools were located east of the Mississippi River, and all but one (Hastings, 1878) were east of the Rocky Mountains. Thus, Willamette's law school was the second law school in the West and the first in the Northwest.

125 years later, we are the beneficiaries of the vision and hard labor of those pioneers and their successors. During this time, the College of Law has excelled in all of its endeavors, continuing to be a pioneer in legal education, even after it began sharing the field with many other fine law schools. It has produced outstanding graduates who have served the profession and their communities with honor and distinction throughout the United States — on the bench and the bar, in state and national government, in Fortune 500 companies and in nonprofit agencies.

I am delighted to see so many of them here today. I am also particularly humbled to see some of our benefactors, like Ken and Claudia Peterson, Maribeth Collins, Cherida Collins Smith, Melvin Henderson Rubio, Rick and Barbara Wollenberg, Mary Hughes, Susan Hammer, and Brian Erb.

As we celebrate this significant milestone in the school's history, we take time to reflect on those dedicated professors, graduates, staff, and benefactors who, each in their own way, have helped make our school so special. No individual who has entered through the doors of the College of Law, in its many homes, has come out unchanged; and each one has helped shape the College into the outstanding law school it is today, and change the world beyond.

I am humbled and honored to be one of the current stewards of this long and rich tradition, along with my colleagues and co-workers, the current law faculty and staff. We have every reason to look to the future with confidence and optimism, indeed with assurance, that our best days are still to come, that Willamette's law school will thrive for at least another 125 years.

We are truly thrilled to have with us today an outstanding jurist and exemplary scholar and public servant, U.S. Supreme Court Justice Ruth Bader Ginsburg. Her visit to Willamette will be a source of encouragement and inspiration for our students and faculty for many years to come. It is my distinct pleasure to introduce Justice Ginsburg to you.

But really, how does one introduce a legend? How does a common mortal like me introduce a demigod? You see, in our business, that is, in legal education, a Justice of the US Supreme Court is only a small step below the divine. One consequence of this difference in elevation is that, whatever we mortals say about these demigods can easily be taken as expected and trite flattery, and therefore is less credible.

For this reason I decided not to talk about how great our guest has been (and is) as a member of the Supreme Court (you know THAT after all), or previously on the Court of Appeals for the District of Columbia, or what a terrific scholar she has been (and is). Instead, I decided to limit myself to a few lesser known FACTS from the days before she became so famous. I do so because I want to remind our students that, although the legends of today are the wonder-children of yesterday (as our guest was), not all wonder-children become legends, but only those who fight for good causes **and** persevere.

Ruth Joan Bader was born in Brooklyn, New York, the second daughter of a father who immigrated from Russia at age 13 and a mother who was “conceived in the Old World and born in the New World.” Her mother died of cancer at age 47 the day before Ruth graduated from high school, and thus did not get to see all the honors she received, or that she received a full state scholarship that would fund her study at Cornell University.

At Cornell, Ruth had the reputation of being “beautiful, popular, and exceptionally smart” or, as some people said, “scary smart.” Once again she graduated at the top of her class. One of her classmates was Martin Ginsburg, now her husband of 54 years. I am delighted to say that Professor Martin Ginsburg, an internationally prominent scholar of tax law is with us today; and so is their daughter, Professor Jane Ginsburg, another academic superstar, also of Columbia Law School, who delivered a terrific lecture on copyright law on Wednesday here at Willamette.

Martin was drafted in the army and served a two-year tour in Oklahoma. Ruth accompanied him there and took a job with the Social Security Administration. But when she disclosed that she was pregnant, her supervisor demoted her by three levels in pay. This was in 1955!

When she entered Harvard Law School the following year, she was only one of 9 women students in a class of 500 students. The then dean – no lesser a figure than Erwin Griswold – hosted a dinner for the 9 women, perhaps in an attempt to make them feel welcome; but he clearly had the opposite effect when he asked each one of them to explain how they felt about occupying a seat that would otherwise be occupied by a male student. I have heard many similar stories from many other law schools, including our own, especially during the years of the Vietnam war.

The following year, Ruth transferred to Columbia Law School because her husband took a job in New York and, a year later, she graduated from Columbia, again at the top of her class.

You would think that a top Columbia graduate who had served on both the Columbia and Harvard law reviews would have no difficulty securing a clerkship with a member of the US Supreme Court. Yet, even Justice Felix Frankfurter (THE Felix Frankfurter), who 10 years earlier (in 1948) had hired the first African American law clerk on the Supreme Court (William Coleman), refused to interview Ruth Ginsburg and

acknowledged that he was “just not ready to hire a woman.” This was in 1958!

You would also think that any one with Ruth Ginsburg’s credentials would have no difficulty getting a job with a prestigious New York Law firm, on or off Wall Street. Not so!

She did succeed in finding a federal district judge (Judge Edmund L. Palmieri) who was willing to hire women, and then took a research position at Columbia’s Project on International Civil Procedure. She learned Swedish in record time, translated the Swedish Code of Civil Procedure into English, and wrote a book about it, while building the foundations that to this day make her the best procedural lawyer to either argue before the Court or to sit on it.

In 1963, Ruth Ginsburg began her teaching career at Rutgers law school, one of the few law schools that hired women. Yet, when she became pregnant with her second child, she had every reason to be afraid that she would be fired if her pregnancy became known. So she decided to hide her pregnancy during the Spring semester with the help of a larger size wardrobe borrowed from her mother-in-law. Her second child was born just before classes started in the fall semester.

I don’t know if Ruth Ginsburg got mad; but I know that she got even. Through her path-breaking scholarship, but also through her creative lawyering, she succeeded, almost single-handedly, in changing the law on sex discrimination. In 1972, she founded and directed the Women’s Rights Project of the American Civil Liberties Union, and – in a manner reminiscent of the path earlier followed by Thurgood Marshal in racial discrimination cases – she argued and won several landmark sex-discrimination cases before the Supreme Court.

Thus, the woman who would not be hired as a clerk on that Court was now arguing and winning cases before it. And in 1993, that same woman became a member of that august body of demigods. And she has already left an indelible imprint on the Court’s jurisprudence.

Madame Justice, we and millions of our fellow citizens thank you for all the fights you have fought and continue to fight, for your persistence and perseverance; and we are grateful for your decision to travel this far to add distinction and luster to our celebration.

Ladies and Gentlemen, it is my distinct honor to present to you The Honorable Ruth Bader Ginsburg, Associate Justice of the United States Supreme Court.