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A Global Lawyer: Celebrating the Contributions of Herman Schwartz to the Rule of Law

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Supreme Court of the United States

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REMARKS

A GLOBAL LAWYER: CELEBRATING THE CONTRIBUTIONS OF HERMAN SCHWARTZ TO THE RULE OF LAW

SEPTEMBER 27, 2019

AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW

THE HONORABLE RUTH BADER GINSBURG*

It is impossible to recount, in tolerable length for pre-dinner remarks, the huge contributions Herman Schwartz has made in his lifetime devotion to the advancement of human rights. He has been rightly called a preeminent global champion of justice.

I am among legions who applauded his efforts, during his tenure at the State University of New York at Buffalo Law School, to deal with the 1971 Attica prison uprising. In 1969, Herman founded the ACLU Prisoner's Rights Project and was thus one of the few trusted by the inmates to give an honest count of what had occurred. Nominated by

* Associate Justice, Supreme Court of the United States. Prior to serving on the Supreme Court, Justice Ginsburg was instrumental in launching the American Civil Liberties Union's (ACLU) Women's Rights Project and served as the ACLU's General Counsel from 1973–1980. In 1980, President Jimmy Carter appointed her to the U.S. Court of Appeals for the District of Columbia Circuit. After serving on the D.C. Circuit for thirteen years, President William Clinton nominated Justice Ginsburg as an Associate Justice of the Supreme Court. Justice Ginsburg took her seat on the Court on August 10, 1993.

Governor Carey to head the New York State Commission of Correction, Herman might have made New York jails and prisons a model for the nation. But he was stopped at the launching stage by political forces opposed to reform.

A personal note. Herman was on leave from academia in 1980, when President Carter nominated me to fill a vacancy on the D.C. Circuit. He was Senator Metzenbaum's principal aid on, among other things, judicial nominations. With Herman in my corner, and Senator Metzenbaum chairing the Senate Judiciary Committee hearing, my nomination was confirmed in record time.

Herman was foremost among law teachers to appreciate the value of a comparative study of constitutional law. He contributed importantly to the framing of post-World War II Constitutions abroad, and he was particularly hopeful about promoting human rights for all who dwell in the land of Israel. To that end, he established at American University's Washington College of Law the U.S./Israel Civil Liberties Law Program. In that program, he superintended the training of scores of Arab and Jewish Israelis to become leaders back home in the advancement of genuinely equal justice. His motto, which has inspired students at AU and elsewhere to follow in his way: "You've got to keep trying, you've got to keep trying." That message is conveyed in his prolific speeches, lectures, interviews, and wide-ranging writings: books, legal commentary, and articles in the press for general readership.

I have barely scratched the surface of Professor Schwartz's contributions to the well-being of all of the people law exists (or should exist) to serve. Retirement will allow him to control his own schedule, but I suspect he will continue his advocacy of human rights, in the USA and abroad, unabated. For all the good he has done, please join me in applauding Professor Schwartz and wishing him well in his life's next chapter.