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Judge Ginsburg, you deserve much of the credit for this fresh new atmosphere. The excellence of your record has itself made your nomination a source of consensus. Much of the credit must also go to my Republican colleagues for their approach to this process. Too often in the past, both parties have suffered from the nearsightedness that sometimes comes from wearing the blinders of partisan allegiance. Finally, a large share of the credit must also go to the President for avoiding a selection based on litmus tests or ideology.

This respite of goodwill is a gift to all of us. Indeed, it is a rare opportunity for this committee and the public we represent to engage in an enlightened dialog with, in my judgment, a future member of our highest court. Freed of the turmoil that has often marred the confirmation process, this committee and the full Senate will have an opportunity to more properly and objectively play the advisory role with which the Constitution charges us.

In that spirit, let me add that my own review of your record leaves me highly impressed. I find particularly encouraging your writings on the need for collegiality and consensus in deciding cases, while adhering to principle. You have also said that a judge's role is to see beyond the often misleading claims of ideological labels. You observe, for example, that a description like "judicial activism" can be a battle cry for both the right and the left, and that a phrase like "original intent" is a signpost along an unending and uncertain road.

I welcome this insightful candor on your part. It reveals a healthy disdain for ideological dogma and a fresh receptiveness to intellectual challenge.

If these instincts are any guide, your service on the Supreme Court would honor that institution and our Nation. You have the potential to break free from the polarization of the left and the right. You offer the promise of reflective, nonideological, and fair jurisprudence. And I for one know of no other values more vital to a sound judicial temperament.

I am optimistic that your brand of judicial decisionmaking will set a standard, and I am also hopeful that the spirit of goodwill that has graced this process so far will set a standard for appointments to come. I look forward to your testimony and to a discussion of your vision, philosophy, and values over the next few days.

I welcome you today and wish you well.

[The prepared statement of Senator Heflin follows:]

PREPARED STATEMENT OF SENATOR HEFLIN

Judge Ginsburg, I welcome you and congratulate you on your selection as a nominee to the United States Supreme Court.

Over the years, I have had the opportunity to participate in the confirmation process of a number of nominees for our Nation's highest court. I have, during past hearings, seen the organized distortions of interest groups, heard the roars of extreme party loyalists, and witnessed the divisiveness of politics. I have, in a sense, seen blood shed during past confirmation hearings.

This time, I believe we will see a process remarkably free of acrimony and partisan bickering. Already, there is a noticeable difference. What a change of atmosphere from that of the recent past: Congeniality prevails over confrontation; back-slapping has replaced back-stabbing; inquiry is the motivation rather than injury. While it remains to be seen whether this climate of goodwill will last, for now, at least, we are scaling the heights of bipartisan cooperation.

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The CHAIRMAN. Senator, I have never heard you so articulate or so rhetorically eloquent. Obviously major surgery does a lot to people up here. You are looking good, and we have been welcoming Senator Specter back, but you have gone through one heck of a summer and spring, and it is great to see you in such great health and making such fine statements.

Senator HEFLIN. Well, thank you, sir. I appreciate that.

The CHAIRMAN. Now, Senator Brown, who has not had any major surgery, is next. [Laughter.]

Senator LEAHY. But we still welcome him back.

The CHAIRMAN. That is right.

OPENING STATEMENT OF SENATOR BROWN

Senator BROWN. Thank you, Mr. Chairman.

Judge Ginsburg, let me add my welcome to you as well. It is clear from looking at your record that your commitment to the law is a family affair. I note that your husband Martin is a distinguished professor at Georgetown University and that your daughter is a tenured professor at Columbia Law School. They tell me that even your son, who is currently on leave from law school, is a law student at the University of Chicago. That kind of family