

## Appendix B

IJE Presentation to Honoree

Grays Inn London

October 22, 2021

BRENDA HALE, BARONESS HALE OF RICHMOND

American lexicon has an unfortunate tendency to first create, and then attempt to legitimize, non-existent words. It is a propensity I generally deplore, but there are times when a term seems apt. Such is the case with the noun “Shero,” a feminine adaptation of the overused term “hero.”

My mother was a “shero,” with considerable impact on a relatively small scale. She battled triple discrimination, on the bases of race, gender and disability, in a small Southern city in the 1960s and 70s. Yet she persevered to become the law librarian at an historically black law school in Durham, North Carolina. In that role, she taught a generation of African Americans who were not allowed to attend the university from which I obtained my law degree, but nevertheless went on to greatness.

Lady Hale is, if you will forgive the colloquialism, a “shero” of enormous impact on a grand scale. We are here today to honor her for all that she has done. However, I would like to focus as well, based on admiration from afar, on what she has said, and who she is. Her words and her very presence, as well as her actions, have made a difference. At every phase of Lady Hale’s phenomenal life, she has been a “first,” or one of a very few. That in and of itself is a weighty responsibility, both with respect to its substantive burdens and the pressures of the additional visibility her unique status necessarily brought with it. Hers was never the option to fail to succeed in anonymity.

Lady Hale’s accomplishments are many and her stature greater still, in large measure because she has used the positions she has held to speak of the need for the judiciary to become more diverse, so that the public can have greater confidence in judges: “in a democracy which values everyone equally, and not just the privileged and the powerful, it is important that their rights and responsibilities should be decided by a judiciary which is more reflective of the society as a whole,

and not just a very small section of it.” The battle for recognition and inclusion is still being waged around the world, but it has been made easier under Lady Hale’s aegis.

The fight has not been hers alone. I want to draw a comparison, and I am not the first to do so, between Lady Hale and the American icon with whom she has appeared and spoken, and with whom she appears to draw common cause. I refer, of course, to Justice Ruth Bader Ginsberg, who, in her later years, was accorded and apparently reveled in the Rapper label, the Notorious RBG.

Supreme Court Justices rarely attain celebrity, much less iconic, status. But Lady Hale has secured a rare popular prominence not unlike that of Justice Ruth Bader Ginsberg, a judge of similar jurisprudential and social sensibilities.

The similarities are remarkable. Both were law professors at some of the most prestigious institutions in their respective countries; both married eminent legal scholars; and both served as judges on lower courts before their elevation to their nation’s highest ones.

Both have unique fashion styles: Justice Ginsberg is famous for her jabots—the white lace collars she wore at the throat of her black robes to bring a touch of femininity to the otherwise stark attire. She was particularly famous, if not infamous in some circles, for the special collar she wore to dissent. Similarly, Lady Hale is known for her brooches, and particularly a silvery sparkly spider one that caused a great deal of speculation when she wore it to deliver what is sometimes called the Brexit decision. “You can do a lot,” she said in classic understatement, “with a spider.”

The two Justices are also famous for their observations about the status of women. “*Omnia feminae aequissimae*,” “Women are equal to everything,” became Lady Hale’s motto for her coat of arms upon being made a Law Lord. Justice Ginsberg equally famously observed, “when I am sometimes asked, when will there be enough women on the Supreme Court my answer is when there are nine. People are shocked. But there have been nine men forever and no one has ever questioned that!”

And finally, the two women speak with a quiet conviction that carries force without the need for volume. To the contrary, they both epitomize a spirit of

inclusion and a recognition that there is room for other points of view. As Lady Hale has commented, “I try not to be too certain I am right.” Justice Ginsberg’s view is similar: “Fight for the things that you care about, but do it in a way that will lead others to join you.”

At a time when polarization and conflict seem rife in public discourse, Lady Hale’s examples and her words exhort us to recognize the cohesive strength that lies in respectful difference and conscious diversity. As she shows us, it is possible to be strong without being strident, to differ without conflict, disagree without being disagreeable and achieve without doing so at the expense of others. Lady Justice Hale is a “shero” who honors us by allowing us to recognize her.