

The one that I remember being above all was character, the individual character of a Justice was more important than any other single factor in identifying greatness on the Court.

I should also say that I think it was Justice Frankfurter who said that the ability to define greatness for a judge is a very uncertain art, and I would agree with that.

Mr. Best I believe may have some further answer to your question.

Mr. BEST. If I may, Senator, I think the same law review article demonstrated an attempt statistically to determine what was the best background for a Supreme Court Justice, demonstrated that there are no hard and fast rules. The character was extremely important, and the only other factor that came out in the analysis and discussion was, of course, the question of background, and to the extent that would be helpful to this committee, it seems that the analysis of those candidates for the Supreme Court who had come up, as it were, the hard way, who had scratched and crawled their way and had made their career for themselves were probably the greatest of the Supreme Court Justices.

So, to the extent that that sort of meager sociological information is helpful, I offer it to you.

Senator SPECTER. Any other references on that subject besides the single Minnesota Law Review article?

Mr. OLSON. Well, I suppose we could go back to Socrates, he had a quote or two, and certainly wrote about what it—

Senator SPECTER. I mean about an evaluation of this Supreme Court.

Mr. OLSON. I don't have any specifically to suggest at this time. We would be happy to supplement the record, if the Senator would like.

I would make one other statement that I think too often tends to get overlooked with respect to our Federal judiciary, and that is the single criteria of integrity. It seems to me it is very easy to take that criteria for granted, and if you look around at this Federal judiciary that we have had for so many years and, in particular, the Supreme Court, there has been very, very few breaths of scandal. It is that integrity that I think in my mind speaks directly to the majesty of the law that Senator Thurmond referred to about half an hour ago, and I think it is something that this committee that you represent and, hopefully, our committee and our work have something to do with, and it strikes me that that has distinguished our judiciary here in the United States from virtually every other judiciary in the world, and it is one that I am very proud of, and I think when you talk about greatness on the courts and consistency, that to me is a criteria that is very, very important.

Senator SPECTER. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Heflin.

Senator HEFLIN. How many members are there on the committee?

Mr. OLSON. Fifteen members on our committee.