

from THE BOLCH JUDICIAL INSTITUTE



Justice O'Connor named 2024 Bolch Prize recipient for pivotal work in civics education

The late U.S. Supreme Court Justice Sandra Day O'Connor has been named the 2024 recipient of the Bolch Prize for the Rule of Law by the Bolch Judicial Institute of Duke Law School (which publishes *Judicature*). She will be honored at a ceremony on Duke's campus in April.

Justice O'Connor's pathbreaking career included service as a lawyer, state legislator, state court judge, and the first woman justice of the United States Supreme Court, where she became known as the moderate voice of the Court and a model of pragmatism and civility. But her post-retirement work equally distinguishes her legacy of advancing and protecting the rule of law. After stepping down from the Court in 2006, Justice O'Connor launched a civics education movement that has since engaged millions

of young people and adults in learning about America's founding principles and institutions.

Today, iCivics — the nonprofit organization that Justice O'Connor founded in 2009 to provide free civics resources and games for students, teachers, and families — is the nation's premier provider of nonpartisan civics resources, reaching more than 9 million students annually. It is just one of several organizations she founded to advance civic education and civil discourse throughout the country, helping to spark a renewal in civics advocacy and programming for schools and universities as well as countless court- and judge-led initiatives around the country and throughout the world.

"It would be hard to imagine anyone more deserving of a prize honoring dedication to justice, judicial indepen-

dence, and the rule of law than Justice Sandra Day O'Connor," said John G. Roberts, Jr., chief justice of the United States. "After decades as a pathbreaking figure in two branches of government, she capped off a lifetime of public service by launching iCivics, which revolutionized the teaching of civics education in our schools."

The Susan and Carl Bolch Jr. Prize for the Rule of Law is awarded annually by the Bolch Judicial Institute of Duke Law School to an individual or organization who has demonstrated extraordinary dedication to the rule of law and advancing rule of law principles around the world. By honoring those who do this work, the Bolch Prize draws attention to the ideals of justice and judicial independence and to the constitutional structures and safeguards that undergird a free society.

“Even as we mourn her passing, Justice Sandra Day O’Connor remains a beacon of light and hope for our country. We are proud to honor her lifelong devotion to advancing and protecting the rule of law, both as a political and judicial leader and as the architect of a renewal in civics education in our country,” said Paul W. Grimm, the David F. Levi Professor of the Practice of Law and Director of the Bolch Judicial Institute at Duke Law School. “Her legacy of moderation, of civility and decency, of genuine affection for colleagues on all points of the political spectrum offers a model of leadership that we all should aspire to. And her foundational work in civics education provides a map toward improving not just educational opportunities for young people but also our society’s understanding of who we are as a country, the things that bind us together, and how we can work together to continually perfect our union. At a time when public understanding of and faith in our democratic institutions is at an historic low and extreme partisanship and public incivility blight our public discourse, we need Justice O’Connor’s example more than ever.”

From the ranch to the statehouse

Sandra Day was born in El Paso, Texas, on March 26, 1930, and spent her childhood on her family ranch in Arizona. Her parents noticed that she was academically precocious at a young age. Because educational opportunities in rural Arizona were sparse, she was sent to live with her maternal grandmother in El Paso, where she attended the Radford School for Girls. She thrived in school and graduated from high school two years early. At the age of 16, she was admitted to Stanford University. Three years later, she was admitted to Stanford Law School,

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— SCOTT O’CONNOR

where she became a law review editor. She graduated third in her class — just behind her classmate William Rehnquist. Also at Stanford Law, she met John Jay O’Connor III, whom she married shortly after she graduated in 1952. They later had three sons — Scott, Brian, and Jay.

Despite her excellent academic qualifications, O’Connor struggled to find work after graduating, as few firms hired women attorneys. She turned down a legal secretary job and volunteered to work as a lawyer for San Mateo County, California. She quickly proved her value and was offered a position as deputy county attorney, a job she held from 1952 to 1953. In 1954, her husband, who served in the U.S. Army Judge Advocate General’s Corps, was stationed to serve in Frankfurt, Germany, and she worked as a civilian attorney for the Quartermaster Corps there.

The couple returned to Arizona in 1957, and their three sons were born over the next several years. O’Connor practiced with a small firm and then served as assistant attorney general of Arizona from 1965 to 1969. She was appointed to fill a vacant seat in the Arizona State Senate in 1969 and was subsequently reelected to two two-year terms. She also served as the majority leader — the first female state senate majority leader in the country. O’Connor ran and served as

a Republican, but she had friends on both sides of the aisle. She frequently hosted potluck dinner parties at which senators from all parties and walks of life would mingle as friends. “She got a lot accomplished by being a nice person,” said her son Scott O’Connor in a *USA Today* profile in March 2023.

A moderate in court

In 1975, O’Connor was elected to serve as a judge of the Maricopa County Superior Court. She served there until 1979, when she was appointed to the Arizona Court of Appeals. In 1981, President Ronald Reagan nominated her as an associate justice of the Supreme Court, and she was unanimously confirmed (99–0) by the Senate. She took her seat Sept. 25, 1981. As the only justice to have served in all three branches of government, she brought a unique awareness of the role of the Court and the impact of its work on people’s lives. She worked to build consensus on the Court, and, when that wasn’t possible, she often wrote a narrow majority decision or carefully concurred to blunt the impact of a decision that she thought was too broad. She was frequently the swing vote, and not always in predictable ways. Her case-by-case approach to decisions was the subject of both praise and criticism. More recently, however, even some of her critics have expressed wistfulness for her time on the Court and her capacity to forge compromises.

“She had an extraordinary ability to find the middle ground in the most emotional debates, including those involving reproductive rights and affirmative action,” said Lisa Kern Griffin, the Candace M. Carroll and Leonard B. Simon Professor at Duke Law School and a former law clerk to Justice O’Connor. “Justice O’Connor was open to competing points of view and set standards that could accommo- ▶

date changing facts and circumstances. She was committed to an ongoing dialogue between the courts and the other branches of government, and to a continuing civic discussion that could ensure the government's accountability to the citizenry."

Justice O'Connor retired from the Supreme Court on Jan. 31, 2006. She continued to hear cases on a part-time basis in the federal district courts and courts of appeal, spoke and wrote about threats to judicial independence in the U.S. and around the world, and advocated for merit selection of state judges rather than elections. As she traveled and spoke to more people, she began to notice a distressing inadequacy in the public's understanding of how the judiciary and government work.

A mission to educate

In 2009, Justice O'Connor launched Our Courts, a website that offered teaching tools and civic education games for teachers and students. The site quickly expanded into iCivics, which today serves millions of teachers and students, providing interactive games, lesson plans, and professional development resources for teachers. In 2018, iCivics created the CivXNow Coalition, a group of more than 150 organizations and individuals advocating for systemic change to make high-quality and equitable civic education a centerpiece of modern education nationwide.

Also in 2009, she founded the Sandra Day O'Connor Institute for American Democracy in Tempe, Arizona, to advance civic education and civil discourse through programs and gatherings at her former family home, a landmark adobe residence in Tempe that she called "the Camp David of the Southwest." Early in 2023, the Institute launched Civics for Life, a multigenerational online resource center for

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civics education, civil discourse, and civic engagement that aims to address the educational gap of American adults who did not receive civics education during their school years.

"Justice O'Connor, true to her Western roots, was a trailblazer in many ways," said James Duff, executive director of the Supreme Court Historical Society. "When she turned her attention to addressing an alarming drop-off in civic education in our country, she wanted to utilize new technologies to reach and teach young people in a forum with which they were comfortable and familiar. Among several other initiatives, she created the welcoming and fun but challenging electronic format of iCivics. Its success has inspired many others to join in civic education outreach to all age groups of Americans."

Justice O'Connor served on the board of and later as an emeritus trustee for the National Constitution Center. She also was a founding co-chair of the National Institute for Civil Discourse; a member of the executive board of the

ABA Central European and Eurasian Law Initiative (now the CEELI Institute); a member of the Board of Trustees of the Rockefeller Foundation; and chancellor of the College of William and Mary, among many other civic and professional roles. She died on Dec. 1, 2023, in Phoenix, Arizona, of complications related to advanced dementia and a respiratory illness. She was 93.

In 2018, Justice O'Connor announced in a letter that she had been diagnosed with dementia and would retire from public life. She wrote about her efforts to promote civic education and the legacy she hoped to leave:

"I've seen first-hand how vital it is for all citizens to understand our Constitution and unique system of government, and participate actively in their communities. It is through this shared understanding of who we are that we can follow the approaches that have served us best over time — working collaboratively together in communities and in government to solve problems, putting country and the common good above party and self-interest, and holding our key governmental institutions accountable. . . . There is no more important work than deepening young people's engagement in our nation. . . . I hope that I have inspired young people about civic engagement and helped pave the pathway for women who may have faced obstacles pursuing their careers."

— MELINDA MYERS VAUGHN

is deputy director of the Bolch Judicial Institute at Duke Law School and managing editor of *Judicature*.