

ABA Commission on Women in the Profession

Women Trailblazers in the Law

ORAL HISTORY

of

BARBARA BABCOCK

Interviewer: LaDoris Cordell

Dates of Interviews:

January 18, 2006

January 25, 2006

February 1, 2006

February 8, 2006

February 15, 2006

February 22, 2006

March 2, 2006

March 8, 2006

March 22, 2007

TOPICAL AREAS

The major topical areas covered in the Oral History of BAB

Tape 1

- Decision to go to law school
- Law school experience
 - being one of the few women
 - performance in class
 - publishing articles
 - law review officer rejection
- Clerkship experience
- Exposure to civil rights movement
 - living with Eleanor Holmes Norton
 - march on Washington -1963

Tape 2

- Biographer's perspective (along with an abbreviated version of career plot)
- Some specifics about job at PDS
- Teaching at Georgetown
- Teaching Civil Procedure at Stanford
- Foltz Epiphany
- Start at Williams & Connelly
- More information on PDS
- First trial (Moseley)

Tape 3

- Moseley (first trial continued)
- Last case (Clinton Phillips Jr.)
- MayDay

Tape 4

- Religion
- Work at PDS
 - getting the statute passed
 - the office's mission
- Support system and family relationships
- The worst experience at PDS: the Cockerham trial
- The best experience at PDS: the Gravette trial

Tape 5

- Feminism and the women's movement
- Teaching at Georgetown
- Writing casebook on sex discrimination
- The decision not to have children
- Involvement in the Equal Rights Advocates clinical program
- Interviewing for a job in the Carter administration

Tape 6

- Visiting professor at Hawaii / Tenure decision
- Running the Civil Division of DOJ
- Arguing Before the Supreme Court
- Decision to leave the Civil Division

Tape 7

- Identifying women for judgeships
- Teaching Criminal Procedure for the first time
- Finding Foltz

Tape 8

- Teaching philosophy
- Cancer
- Retirement

Judge Cordell: Today is Thursday, March 22. It is approximately 4:15 p.m. I'm sitting at Barbara Babcock's house and we are taping the final session of our oral history. This session we're going to talk about Barbara's childhood and upbringing. So Barbara, why don't you talk to us about where you were born and your family?

Professor Babcock: Ok. I was born actually in Washington D.C, but I lived the first five or six years in Arkansas, in Hope Arkansas, because my father went into the Navy and my mother stayed and was working in Washington. We were sent back, my brother and me, who is 15 months younger than me, David, back to Arkansas to be taken care of while she was working.

Judge Cordell: Are your parents alive?

Professor Babcock: No. They both died. It's always seemed to me to be a wonderful story of their early lives together. They were both from Arkansas. My mother was from Hope, which is now a famous little town near the Texas border and my dad was from Batesville, which is in the Ozarks on the White River. They met at Arkansas College, which was a small church school in Batesville. My mother was the first person in her family to go to college. Her family were pioneers in Arkansas . . .

Judge Cordell: How so?

Professor Babcock: I mean, they were the first people who lived there . . . [laughter]

Judge Cordell: Oh, those kinds of pioneers [laughter]

Professor Babcock: Yeah, those kinds of pioneers [laughter] They were farmers and my mother's grandfather's name was Joseph Starling Moses and he was just

definitely Jewish by birth. He ran a little store that was called Moses Mercantile and if you see a picture of him and his family, you would think it was a Jewish patriarch surrounded by all these good looking people, and that was my mother's father's side . No one in the town thought he was Jewish. He went to the Baptist Church. And her mother's side, they were also early pioneers, German extraction, but her mother was an orphan. My mother's mother was an orphan. She had been raised by an aunt and uncle and the uncle was a country doctor who lived really out in the country in Arkansas. He was famous, Uncle Frank, for reading. He read everything. He would get books in the mail and just read and read and read. He had a horse and carriage and would go take care of people all over the neighborhood. My grandmother married young and was a farm wife all of her life. She had no education beyond the sixth grade, and neither did my Grandfather, Pop, we called him. Floyd Moses was his name. He was a farmer and my mother always said about her growing up in Hope. She always said "we were poor, but we didn't know we were poor." She had a brother Perry and two sisters. Her sister was few years younger, her name was Ardelle, but she was always called Mutt because when she was born she had all this black hair and looked like a little mutt, people said. So her name was Mutt Moses and she was this beautiful woman, eloquent woman called Mutt all her life. And you put that together with this other pronunciation of aunt, you got "Ain't Mutt," that's

what we called her [laughter]. And there was a sister that was much younger, Margery. She was ten years younger than they were.

Judge Cordell: What is your mother's name?

Professor Babcock: Doris. Is that a funny collection of names? Perry, Doris, Ardelle (Mutt) and Margery – But I do think my mother's childhood was idyllic. Hope was this little town and the Moses girls were the belles of the town. Though they looked almost exactly alike, especially in their old age, Mutt was known as the pretty one. Mother was the smart one and Margery was the sweet one. My mother was a great swimmer all of her life. She would swim with the boys, bicycling out to the quarry every day in the summer. She was always smart in school so she got a chance to go to college and it was very very exciting. My grandfather at the time had moved in from the farm and opened a feed store in town and had sent my mother to college.

I think it's two years she spent at Arkansas College were the happiest times of her life. She was voted the most attractive, and loved all her courses, and met my father who was a senior and was considered the smartest person in school, and probably was. So they had this great romance. But then the second year, my father had left Arkansas . . . Oh, the second year was the stock market crash. She went the second year, but she couldn't go back after that because my grandfather had to move back to the farm. He lost his store. He was always very proud though that he paid off all his loans. He didn't go into bankruptcy or let other people go

down because he was going down. He went back to subsistence farming. My mother instead of going to college which was so exciting to her, she became a school teacher, a country school teacher. She was young and she had such a struggle. She always remembered. They weren't paid money. The State had no money. People who lived through the depression never got over it. My mother's relationship to money was always peculiar because she lived through time when there was literally no money.

Judge Cordell: So what did she get for compensation?

Professor Babcock: Scrip. Scrip, so someday you might be able to cash it in, or cash it in right away for like ten cents on a dollar. She remembered going in together, everybody going in together to buy a coke and share it. They were so poor. And these children, these disadvantaged country children that she was trying to teach and inspire . . . and my father had done what a lot of people in Arkansas did. See, there was no job, no matter how smart you were you couldn't get a job. So he went to Washington DC, these young people flocked to DC because of the government. There were jobs in the government. My mother was in love with him, though there were a lot of men who were interested in her. She then went to Washington where there was a crowd of young Arkansans that knew each other. My mother always said they were "cute people"; they were the cutest people. I think she meant they were story tellers and knew how to have a good time.

Judge Cordell: Was she married by then?

Professor Babcock: No, they eloped. In fact, I have this telegram framed here –this is a telegram that she sent to her parents.

Judge Cordell: Want to read it?

Professor Babcock: Yes, I'll read it. It said . . . there's a date on it, which is December 2, 1935. "I have always loved Henry, so we were married tonight at 8:00 in the Church of the Assumption , Silver Spring, Maryland. We are awfully happy. Love me and be happy too. Doris.

Judge Cordell: This telegram went to?

Professor Babcock: Her mother and father, Floyd and Alma Moses. And then I was born in 1938, three years later, and David 15 months after that. As I say, when the Second World War started, my father went into the Navy and my mother sent us to Arkansas. I don't remember a lot about Hope, except I do remember I was supposed to go to Batesville and David was supposed to go to Hope, but we couldn't be parted. Our parents both worked and the depression . . . and we really were unusually bonded; we just had each other. So when we were separated, both of us just cried all the time. David has always been sad that we ended up in Hope instead of Batesville because the Batesville relatives were more affluent and had an easier life. Life on the farm in Hope was not that easy, as you probably don't know but have read [laughter].

Judge Cordell: Right.

Professor Babcock: But I do have some pleasant memories of growing up on the farm. My cousins were around, the children of my mother's siblings. There were

lots of things that are fun about a farm for a kid. I always remember my grandfather would come in at night, and he would say, "David, you want to go with me to get the cows?" He never would ask me to get the cows. David of course didn't want to get the cows; and I would have liked to do it. So that was my first experience of sex discrimination.

My father grew up in Batesville, which always seemed less idyllic than my mother's youth because his father died when he was only 9 or 10 years old. He was a drygoods salesman. He was a handsome man. He was a really successful salesman; and he made a lot of money as a salesman. He had just built this big fine house that had the biggest magnolia tree in Arkansas; and it was in the front yard of this house. Huge, you have never seen a magnolia tree this big with low lying limbs even a little kid could climb quite high in it. Anyway, my father's father died and he never really knew him because he was on the road. He left nothing; he left nothing except the house. He died young, so my grandmother on that side began taking in borders, that was kind of a hard life; and my father always had to work to actually help support his mother and sister. I do think Batesville was a nice little town, a beautiful little town, and he was always a bright little boy; he would tell this funny story about how he drove the ice truck, taking around the ice for refrigeration. One time he was going up a big hill in a hot summer day -- it gets so hot in Arkansas that you don't even know hot -- I mean, Washington DC is very

hot, but Arkansas is worse. The horse died. And he was just a little boy, 14 or 15 years old and the horse died; he never quite got over that. When he came from the Navy, they brought a house on the GI bill for \$9,000 in Hyattsville Maryland.

Judge Cordell: That's a lot of money back in those days, right?

Professor Babcock: Well, wouldn't be so much. This is around 1946. I'm not sure what the inflation rate was, but it was till cheap then for such a huge house-- a great big Victorian house, tremendously run down, but it had been built by the senator from Indiana in 1880s. It was a show place, beautiful house, great big house full of secret passages and it had servant quarters.

Judge Cordell: This was in Washington DC?

Professor Babcock: No, this was in Hyattsville, Hyattsville Maryland, which is a suburb of Washington. Then it was kind of a sleepy country suburb but now it's quite a bustling suburb. I remember when we moved into that house, my mother was in despair because my father just gone out and bought it without her even seeing it. I remember we rode the bus over from Buckingham Virginia where we were living to the new house in Hyattsville. For a kid, it was a wonderful house that had apple trees and a huge yard. In the spring time, everything looked beautiful and exciting, but of course my mother said, "How am I going to keep a huge house like this." And she never did manage to keep it. Her method of keeping house was to turn the lights low and paint everything gold [laughter].

Anyway, I grew up there in Hyattsville in that big house. I loved that big house. It had a wonderful front porch where I would spend many hours reading a whole book. On a summer day, I opened a book in the morning and finished it as the sun went down for good in the evening.

Judge Cordell: How old?

Professor Babcock: Oh, I started in the 4th grade or so. We moved there when I was in 2nd grade. There's a game we played or used to play called deprivation. You had to say something that you've been deprived of. And everybody who had what you've been deprived of has to give you a penny. And the person who ends up with the most pennies wins. *I had the best one which is I didn't have shoes in the 1st grade, that was in Hope.* Tom has a very good one too which is he'd never been to a public school [laughter]. So, my father had gone to law school at night before he went into the Navy, and he was working in the library in the day time.

Judge Cordell: This is where?

Professor Babcock: In Washington DC. He worked in the library, the Masonic library in the day time and at night he went to law school at GW (George Washington). But he never graduated. He just took some courses. In those days, you could take the bar without finishing law school. You didn't have to be a law school graduate. He became a lawyer and went into practice with his cousin who had grown up in Batesville. They had the same grandmother. He was a very successful man in real estate, business kind of thing, but he

didn't practice much law; and he wasn't much of a lawyer, but my father really was, I think, probably a great lawyer.

Judge Cordell: What is your father's name?

Professor Babcock: Henry. Henry Allen Babcock. I really never thought about it, but of course he was my inspiration for becoming a lawyer. It was partly because, and I might have told you this before, he made being a lawyer so much fun. He would go to work; he walked to work everyday, just a few blocks, and he always seemed to look forward to going. And at night at the table he would tell these wonderful stories; a lady came into the office today, and then he would be off on some wonderful tale in which the lawyer was always the hero. And I thought the lawyer is the person that can solve all your problems. I remember once, I got into a fight with a neighborhood boy. He was an old fashioned bully. I'm not sure they have them anymore . . .

Judge Cordell: How old were you?

Professor Babcock: I was around 10, 11 or 12. He was just . . . beating up little kids. He was just a bad boy. I told him to stop doing that. I remember it was just like yesterday standing in the yard and I said, you have got to stop doing that. And he said who's going to make me? And I said, my father, he's a lawyer. This boy, I don't remember his name, he said so what, and then he just socked me. That was sort of my first introduction to the fact that lawyers may not be able to . . . the mere mention of a lawyer is not going to solve everything. [laughter].

Judge Cordell: Whatever happened to the boy?

Professor Babcock: I don't know. I hope he had a very obscure and unsatisfying life. I don't know what happened to him.

Judge Cordell: You and your father share the same middle name?

Professor Babcock: Yes, yes, it is . . . let's see whose name it is . . . it's somebody's name. It may have been my great grandmother's name or something, but that was a very southern thing you know. To use last names for middle or even first names.

Judge Cordell: And your brothers do not share the happy Allen in the names?

Professor Babcock: No, they have . . . David Henry and Joseph Starr. Joseph Starr after Joseph Starling, my mother's grandfather.

So I went to school around the corner, always able to walk to my school, always went to public schools. I always liked school very much.

Judge Cordell: What do you like about it?

Professor Babcock: I liked that if you really work hard, didn't act up, things would happen the way you expected them to happen.

Judge Cordell: Did things come easily to you?

Professor Babcock: Very easily except for math, everything else I was good at. Anything that smacked of math from a very early age I feared, with an almost animal fear. But then I developed this thing . . . did I tell you this story when I was in college? I got to the University of Pennsylvania -- - they didn't have all the strictures now on human testing, on human subjects that they had then. So my roommate told me that you can get some huge sum, a

vast sum, like \$10 or \$25 for going over to the psychology department and being a subject in this experiment. So I went over there and this is within months of getting to college. The thing was they give you this test and I couldn't do it. I couldn't even see what it was about. Afterwards, they meet with you and they say this is pretty serious, what's your background? Oh, you went to a big public school. You're not cut out for this. You're not college material if you can't do this. So they're measuring anxiety and stress. I said, oh, I got a big scholarship here, I'm sure I can do it; and I'm not in any trouble. Well, how can you account for the fact that you can't do this test? I said, it's math. No, it's not math, it's reading comprehension. I said, no, no, if it's reading comprehension I can do it; it must be in some ways related to math. They just absolutely couldn't shake me. So afterwards, they said, you're off the scale. We can't use you. But I love the certainty of school . . . and for early on I developed this . . . I like giving speeches. I remember my first speech, we put together like a speech, a report . . .

Judge Cordell: When was this?

Professor Babcock: This was the 4th grade. I remember my first speech was on New York City. .

Judge Cordell: Before we . . . but speeches, these were classes where you had to give speeches?

Professor Babcock: It was like a report, but I would give speeches. I remember I had one on the death of Lincoln that had people in tears, me included [laughter].

Judge Cordell: You said New York? You gave one on New York?

Professor Babcock: I gave one on New York. One of my first speeches was on New York.

Judge Cordell: Were you dramatic when you were doing it?

Professor Babcock: Dramatic, gestures, but mainly I just prepared it.

Judge Cordell: Did you research?

Professor Babcock: I did a lot of research. I had a lot of facts that people wouldn't know.

Judge Cordell: So you spent a lot of time in the library?

Professor Babcock: Yeah, in the library reading books. The library was just down the street.

You can take out something like 7 books a week. And my best friend Patsy, my best friend since 2nd grade, she lived around the corner from me; we went through grades 2 -12 together. Kids in the neighborhood organized ourselves for play, but our lives were not nearly as organized as those of kids today . . . Lessons, I've never had a lesson; no tennis lessons, no dance lessons, no swimming lessons, no camp, no tutors; just lots of time when the summer came. It seems the day would last forever. As I said, I just remember so much about the pleasure of reading, just reading a whole book, and no responsibilities.

Judge Cordell: Do you have a favorite elementary school teacher? Any come to mind?

Professor Babcock: I didn't really have a teacher that I was crazy about until the 7th grade, and that was Mrs. Jerrold. I thought the sun rose and set on Mrs. Jerrold. Looking back, I don't know what it was. She just seemed so smart and she always prepared and she always knew I had the answer.

Judge Cordell: Were you the teacher's pet?

Professor Babcock: Well, I didn't do things like bring an apple or wash the board, but I was a pet in the sense of being the smartest, and recognized as being the smartest which is all I really wanted. Then I went to this high school -- this great huge high school -- the first school was called the little school, then there was a middle school, then there was a Junior High for 7 through 9, and then the high school was 3 grades. A huge, huge 500 kids in each class. Northwestern High School. I think I told you about my high school. It was the most un-diverse place you could ever imagine. I remember thinking this is one of the best schools, and we really believed that this was one of the best schools. We had a very dedicated Principal and wonderful teachers.

Judge Cordell: Were you still giving speeches?

Professor Babcock: Oh man, giving speeches, yes, in all kinds of classes. This was the 50s, so you were supposed to do lots of extracurricular activities, and that's how you got into college. There were no serious varsity sports for girls in those days. I was moderately athletic, and basketball I could have been good at, but we played half court . . .

Judge Cordell: Two dribbles

Professor Babcock: Yes that's right, two dribbles. But that wouldn't be true with you?

Judge Cordell: For me was three.

Professor Babcock: [laughter] But you didn't have the half court play, did you?

Judge Cordell: I'm trying to remember. I think we did.

Professor Babcock: Anyway, I was one of the first people to be an officer of all three honor societies: the National honor society, the Thespians, which was the dramatic honor society and the Quill and Scroll which was the journalistic honor society. Patsy and I put out the yearbook. We were to co-editors of the yearbook, and it was like . . . I just went to my 50th high school reunion last June. I pointed out to people which they had really never noticed, a picture of Patsy or me on almost every page [laughter]. It's like that "Where's Waldo" children's book, if you look carefully you'll find Patsy or me everywhere. I started saying I was going to be a lawyer early on. I said it all along-- in my Junior High School yearbook there it is: ambition: lawyer. Then everybody thought I would be a lawyer because I was always making speeches.

I would say I was popular in that people would vote for me, but I didn't have the kind of popularity that I longed for, which was to be a cheerleader. That was what I really would have liked to be. I actually tried to be a cheerleader, but I couldn't jump [laughter].

Judge Cordell: Could you do a cartwheel?

Professor Babcock: No, God no, but I don't think that was required at that time; you do need to jump real high and throw your arms back and put your legs up. But I did have a boy friend, and that was good. That was my first boy friend, and I saw him at the 50th reunion too.

Judge Cordell: How is he doing?

Professor Babcock: He's doing great. I had heard a long time ago that he had died. So I was very surprised to see him, and it was really wonderful to see him. He didn't change much.

Judge Cordell: So talk to me about hair when you were a little kid, how you rate your hair?

Professor Babcock: Well, I have this very curly hair.

Judge Cordell: Was that a good thing?

Professor Babcock: No, no. I always wanted long straight heavy hair. When I was little, I remember one time my aunt just washed my hair and brushed it in the sun and it just stood up; this huge like a giant afro. She never had seen anything like it, but it was extremely curly. It's curly now, but it was much curlier then. I remember it wasn't good, but I wore it short. My mother had this idea that my hair should be a little cap of curls, that was her idea, little cap of curls, rather than struggle with it. Most people that have curly hair went to a beauty parlor and had it straightened. So I wear it very short most of the time, not as short as yours, but right up there.

When I was in college, the page boy was the thing in the 50s. I would roll my hair on huge rollers every night and sleep on those things. Every week or so I would put on the perm stuff to straighten my hair but once you've gotten it straightened and if you got it wet, it will be all over. Somewhere along the line though, I don't remember when, curls became really the thing -- in style. And I thought, this is it.

Judge Cordell: Did your mom have the curly hair?

Professor Babcock: No, hers was straighter and easier to deal with.

Judge Cordell: And your dad?

Professor Babcock: Well, I can't remember his hair. He was bald and had a little hair on his side. He was always very proud of himself because he never got gray. But we always said, Dad, you don't have any hair [laughter]. My dad was a person that people would call a character, and he had this terrible illness of alcoholism which ruined his life and my mother's. But people loved him, my father, partly because . . . he was disinterested, he didn't have hatreds or strong aversions even and he always saw the other side. He thought almost everything was funny. He could make anything funny, something bad would happen and he'd make a funny story out of it.

Judge Cordell: Is that you? Do you do that?

Professor Babcock: I think it is one of the things that I do. I do make funny stories out of things that happen, good and bad.

Judge Cordell: Speaking of funny stories, tell us about the rain coat.

Professor Babcock: The rain coat story [laughter]. This is a paradigm story in my life and it's odd that I've made it a public story because it was a real trauma in my childhood. I was in the 4th grade, so that means you are like 10 or 11. There was a quiz show on the radio on Saturday mornings pitting two grammar schools against each other, with one representative for each grade in each school. The school that won would get a movie projector and a set of encyclopedias and lots of good things like that; and the whole

school would come, the whole community would come and see the schools against each other, so the auditorium would just be filled with hundreds of people. I was chosen to be the 4th grader for our school. Mrs. Vanderlinden was my teacher, and she said to me that I was chosen because I was the smartest person in the 4th grade and had the highest IQ. When the people heard that I was going to do it, they said, why did you get it? And I said, oh, I was the smartest person in the class. I didn't know you shouldn't say that, and I thought that was just a matter of fact, like. . . I have curly hair, I'm the smartest person, and I didn't say I was the prettiest person.

Anyway, what I forgot in my joy about being chosen is that I didn't know anything, which I still don't. I don't have any facts at my command and being married to Tom Grey for almost 30 years makes me worse because you don't have to know anything. You can just ask him [laughter], anything that you need to know. So the day dawns, we were there. I come up to the first question.

Judge Cordell: Before you do this, you didn't study for this.

Professor Babcock: No, no. This is supposed to be general knowledge.

Judge Cordell: Oh, I see.

Professor Babcock: This is supposed to be general knowledge because you're in school. It didn't even occur to me to listen to what kind of questions they have and read up. I believed them when they said I was the smartest so why I

would have to prepare [laughter]. So, I go up to the microphone from my chair, and behind me was sitting Billy Davis who is in my class that has the 2nd highest IQ. He's the alternate in case I would faint or something.

Judge Cordell: And this place was full of people now?

Professor Babcock: Full of people, hundreds of people.

Judge Cordell: Were your parents there?

Professor Babcock: Oh of course, maybe my brother too. So I go up to the microphone and the question was: where is the Sahara Desert? And I had no idea where the Sahara Desert is. Well, they said it began with an "A." I said, A, are you sure? [laughter]. Is it Africa. I was terrible so I go seat down. And Billy Davis said I knew that.

Judge Cordell: He resented you.[laughter].

Professor Babcock: Right. So I go up for the second question. The second question was who was the great Frenchman who invented the process to purify milk? And again, I don't have the faintest idea and the Emcee said think about the milk carton, what it says. And I said, Homogene.

Judge Cordell: [laughter]

Professor Babcock: Homogene. So I go back to my seat and Billy Davis said- I knew that. And then we were behind. And I go up for the last round. They ask what do the Native Americans – I think they called them Indians – what did the Indians use fish for other than food? I said rain coats.

Judge Cordell: [laughter]

Professor Babcock: And the answer is fertilizer, which everyone else including Billy Davis knew. I never forget that, and when I was walking crossing the Catholic school yard with my father and my father kept hitting me on the back and saying, oh that was so funny, rain coats, ha ha ha ha; homogeneous, ha ha ha, he was roaring, roaring with laughter. He didn't realize it was the end of my life. One thing I learned from that was never go on another quiz program. When I was in college, they want me to be on . . . remember the College Bowl? I said you must be crazy. I would die before I would go on another quiz program.

Judge Cordell: Didn't you end up in a tree?

Professor Babcock: Yes, I did. But I don't think I came close to a suicide because I couldn't even imagine what that would be, but I just couldn't go back to school. I went back to school the first day after it happened and Mrs. Vanderlinden called me out into the hall and said, it wouldn't be so bad that we lost the encyclopedia and the movie projector and the whole thing, but you told everybody that you are the smartest person and you shouldn't have told people that. I just felt that I never could go back to school. I would go out everyday and pretend I was going to school, and I would just go out and climb up in the magnolia tree in the back yard and read a book until it's time to come home. And I had my lunch up there . . .

Judge Cordell: [laughter]

Professor Babcock: So that was the trauma of my childhood, in early childhood. I would say given the difficulty of high school that I did alright. I had a fairly ok time.

Everything that I've been telling you all along . . . if I just work . . . I really work so hard, I mean being an officer of these clubs. I wasn't like a figurehead. I was out there getting the props for the play and seeing the program being planned. I didn't have the starring role. I'd never been a very good actress. I just can't be anything else other than myself, that's my problem.

Then I had a lot of opportunities in terms of going to college but it was a bad time financially for my family. So I just resolved to go to the college that gave me the most money. I had absolutely no idea where to apply. Looking back, it was just the most random thing. We had a college counselor but it was like one person for 500 kids. I got this wonderful scholarship from the University of Pennsylvania which I might have mentioned before. The other thing about Penn – where I think I got a wonderful education though not quite the way the school designed it – one thing is that all of a sudden there was all this diversity. For the first times I met a lot of Jewish people, for instance. I did know a few Jewish kids before but I didn't know they were Jewish.

The main thing that I did in college was debate, and I have always wanted to debate. But we didn't have a debate club at my school. So I learned how to debate in college and I was really good at it. I also had this desire to win a trophy, and I'd never done anything where you could win a

trophy. And the debate trophies were huge, I would go away for the weekend and come back with these huge trophies. It was just really so cool.

Judge Cordell: Where are those trophies?

Professor Babcock: They were the school's trophies; I earned them for the school; maybe they are still in a case somewhere. Anyway, I fell in love with my debate partner who was a Jewish person that I really knew well. He was a brilliant man. We were a great team. He has been debating all along and was really an expert debater, so he taught me a lot about technique. He graduated from Penn in two years and went on to Princeton where he got his PhD in classical studies. I used to take the train to go see him during the week in Princeton from Philadelphia..

Aside from debating, I had a good time on the whole in college. I formed a wonderful friendship with a woman that I really grew to love, who is still my friend, Rosemary Yaecker. Looking back on it again, I don't know if I would have done things so differently, but . . .

Judge Cordell: So...talk to us a little bit about Tom.

Professor Babcock: Maybe I should back up a little bit and talk about men in general. As I was saying in high school, I had a boy friend. He was very sweet, but I was never popular the way I wanted to be. My mother always said don't worry, every doggie has its day; the boys in college are really going to like smart girls. See, I was always the smart girl which is not what you are

supposed to in the 50s. I was also ambitious and was going to have a career too which is not what you are supposed to be either. In college I was so disappointed because the boys were the same ones in high school. They hadn't changed at all. They still didn't like smart girls. But Eddie Cohen, my debate partner did. He really did, but he wasn't a high status love object. He had a Philadelphia accent and he didn't dress right and he wasn't athletic, etc.

Then in law school, I finally had my day. But still there were a lot of men who were very put off by my being there at all. But most of the men who got to know me liked me a lot; and I had several boy friends. It really wasn't until I got out starting practicing law that I met a lot of men that I liked. I mean, not a lot but some. I married a man who was a wonderful trial lawyer, a professor and a public defender. Addison Bowman was his name; and we were married for just under four years.

Judge Cordell: Was he at Yale?

Professor Babcock: No, no, that was part of the problem. He had gone to Dickinson and didn't quite have the good credentials that I had, but he could teach me about being a trial lawyer.

Judge Cordell: Was he your age?

Professor Babcock: A little older, about four years older. I got married right before I became the head of the public defender and divorced just as I was leaving the public defender. I think I told you that . . . part of why I was ready to leave Washington for what I thought would be awhile. I really love

Washington DC. I also have this feeling that it's my hometown. Practically every corner has memories-- I defended a murder that happened here, went to a place after the prom there. My mother used to take us to the National Gallery of Art every Sunday. I lived all over the city for almost ten years. Then I went back when I was Assistant General for two years. I love the concentration of the town on one single object, the government, and what the Washington Post said about it everyday and how informed everybody is.

I came out here to teach when I was in my early 30's and met Tom. Tom said we first met when he came to interview me for a job at the public defender because I was running the public defender. In fact, I told you that there was a front page story in the Washington Post about how I was running the public defender, that this young woman was hiring all these absolutely top lawyers, very top of their class at Harvard and Yale. And Tom was one of those. I vaguely remember it, but not really. The interview didn't last long because I was requiring that people make a three year commitment. We did a lot of actual training before we gave anybody a case, so they need to pay it back. He couldn't because his wife, he was married to a woman who was going to medical school at Stanford, so he could only stay a year. I don't know how things would have been if he had come that year, but anyway, he came out here to teach. When I came here the next year to interview at Stanford, he interviewed me for a

job. I remember that interview very well because at that time he was in his hippy phase. He was riding a motorcycle, wearing love beans and had a beard. I was sitting in this interview in the old law school -- we were in the new building by the time you came, right? Or was it still on the Oval?

Judge Cordell: No, I was in the last class in the old law school.

Professor Babcock: I remember sitting in this room seeing Tom who was very cute, sandals and the whole business. He took out a cigarette roller, and I thought he was rolling dope. I thought my goodness, what kind of place is this? In an interview he was rolling this joint, but it was actually a cigarette that he was rolling, which was a California thing to do. He was married; and I thought happily at the time. For the first six years I was here we weren't together. Right before I went back to Washington to be an Assistant General, we got together. He had split up with his wife and we got together.

But then we were apart for two and half years while I was back in Washington. When people tell me they are going to be apart from somebody, I think at the beginning of a relationship is not so bad because you write all these letters and say all these things that you wouldn't say if you were actually living through the events with the person day by day. And when you do get together, you don't fight because it would be a real waste of time, so it's a highly romantic way to get together. When I came back from Washington, we got married, that was '79, so it has been a long

time especially for second marriages for both of us. I retired three years ago and Tom is going to retire this year. We are having a retirement party in just a few weeks. I'm looking forward to this next stage where I'm becoming a full-time writer and Tom is going to become a bird photographer which is he very involved with. It's been good; it's been really good to be here. The other thing that has happened to me is . . . I'm not sure if I could live in the East now. I remember when I came out here to interview, I came in October, the sky was so blue and Stanford looked so beautiful. I actually thought Stanford was in San Francisco so that was quite a shock to find that it was down here, but it was so incredibly beautiful and I had the sense of why would anybody live anywhere else? Now I remember a colleague said, once you become inured to the beauty, you'll find a series of intellectual deficiencies here. I just thought I'd never become inured to the beauty and I never have. .

Judge Cordell: One last word about the Dinah . . .

Professor Babcock: Yes, one of the things I never expected because I never got around to having children. I never actually decided not to, there wasn't a moment that I decided, but I never did. But I did have a step-daughter, a Stanford Law graduate named Rebecca Grey. She has produced this marvelous child Dinah. She doesn't have any of my genes, but I just feel so close to her and love her so much.

Judge Cordell: She calls you what?

Professor Babcock: Granny B. This child is a very modern child. She has six interested and involved grandparents and numerous aunts and uncles. I'm holding my own because I've been whispering to her since she was a tiny child; this is Grandly B, your favorite. [laughter].

Judge Cordell: Well Barbara, I think this really is it.

Professor Babcock: Ok, yes. Thank you.

Judge Cordell: My pleasure, always my pleasure.