Ruth Abrams Transcript

Oral History

of

RUTH ABRAMS

Judith Rosenbaum, Oral Historian

Women Who Dared

July 25, 2001

Boston, Massachusetts

This interview is part of the Nicki Newman Tanner Oral History Archive at the Jewish Women's Archive.

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PREFACE

The Jewish Women's Archive, a national non-profit organization founded in 1995, chronicles the stories, struggles, and achievements of Jewish women in North America.

Over the past century, Jewish women have made extraordinary cultural, political, intellectual, and religious contributions to our society. They have been the bearers of tradition and the forgers of new paths; they have shaped our lives, built our institutions, and nurtured our communities in ways both celebrated and unheralded. Yet their voices have too often been missing from the pages of history.

The Jewish Women's Archive's Women Who Dared project documents the stories of contemporary Jewish women activists who fought for social justice in their own communities, across the country, and around the world. From 2000 – 2007, the project recorded oral history interviews with 76 women of diverse backgrounds and generations from Baltimore, Boston, Chicago, and New Orleans. Each woman has committed herself to finding solutions to problems ranging from civil rights to the plight of Soviet Jewry, from women's disempowerment to domestic violence, from discrimination against the disabled to nuclear disarmament. The project chronicles the often-untold story of Jewish women's activism, highlighting the role of gender and Jewish values in the fight for social justice.

The Women Who Dared oral history interviews were funded in part by a major grant from the Dorot Foundation.

JUDITH ROSENBAUM: (inaudible) talked about your family, that type of thing, talk about the actual –

RUTH ABRAMS: You want me to get closer to this?

JR: This is actually pretty powerful. It should from work from this distance.

RA: Okay. You just tell me.

JR: So, I'll just introduce us to the recorder. It's July 25th [2001], and I'm sitting in the courthouse [inaudible] Boston with [inaudible] Ruth Abrams, and the interview is being conducted by Judith Rosenbaum.

RA: You want to turn that off?

JR: Do you think it'll be too warm?

RA: We could turn it off for a bit.

JR: Why don't we turn off and see [inaudible]?

RA: We can move away from it. Would you like to move over there?

JR: [inaudible] good idea. Let's see.

[RECORDING PAUSED]

RA: Yeah, it's better here.

JR: Yeah, [inaudible], and once again, introduce us to this. We're in the courthouse on July 25th in Boston, and I'm with Judge Abrams, and this interview is being conducted by Judith Rosenbaum. [inaudible] So, I would like you to begin by just telling me a little bit about your family background, where and when you grew up.

RA: I grew up in Newton, Massachusetts. I was the oldest of three. My father was a lawyer. My mother was a homemaker. I have a brother that's fourteen months younger, and a sister that's seven and a half years younger. All three of us are lawyers.

JR: So your father must have had a big influence [inaudible].

RA: I think that's true. We went to the Newton schools until – I went until the tenth grade. Then, I went to Choate School for Girls in Brookline. My brother went from the ninth grade on to Andover. My sister stayed at Newton High. I went on to Radcliffe and Harvard Law School. And then, I went into private practice with my father and my brother. Went on to the district attorney's office, the attorney general's office. I was then staff council for the SJC [Supreme Judicial Court], and then I became a superior court judge and then an SJC.

JR: Well, before we get into your [inaudible] lawyer, I just want to ask you a few more questions about growing up.

RA: Right. I just wanted to give you a sort of –

JR: [inaudible] the outline.

RA: The outline. Then you can go back where you want.

JR: Were your grandparents alive when you were growing up, or did they [inaudible]?

RA: No, my maternal grandparents died when I was – one died when I was three, one died when I was four. So, not much. My grandfather on my father's side died before I was born, and my grandmother died when I was about fifteen. So, no particular influence. Her influence only was that she wanted her sons to go to college and her granddaughters to go to college. She kept saying, "My daughters didn't go, but my granddaughters are going to go." But not any particular influence.

JR: Were your parents both born here?

RA: Yes.

JR: [inaudible]

RA: My mother's family came from Russia – disputed by some of my uncles, who say they came from Hungary.

JR: [inaudible]

RA: My father and mother were born here, and my grandmother came here when she was a child. Her husband came here when he was an adult from Russia.

JR: It was not only your grandma, but your other family members who [inaudible] college [inaudible].

RA: I think there was that assumption. I'm not sure whether they ever thought – I mean, because people always thought men had to support a family. Women did not. So, I don't know how much – the assumption was we would go to college.

JR: And what was your family's Jewish practices [inaudible]?

RA: I think they were Reform, mostly. Clearly, we stayed out of school on the holidays. We didn't eat bread during Passover. But my mother didn't do all of the things. She didn't clean out the house [or] use different dishes. I mean, she'd use different dishes, but she didn't put the others up in the attic and all that stuff. So we went to Sunday School. I was bat mitzvahed, my brother was bar mitzvahed, my sister was bat mitzvahed. We went to Temple Emmanuel in Newton, which is relatively conservative. We'd celebrate Hanukkah, mostly, when we were quite young. Four and five, we also sometimes got Christmas presents because we were living – in the neighborhood, we were the only Jewish people. But basically, that was the practice. They didn't go to temple. They weren't active in any temple

JR: What did the bat mitzvah entail?

RA: It entailed doing Hebrew, Tuesdays and Thursday afternoon for a couple of years. There were like three or four. I can't remember now who did it. We had to learn Hebrew and learn to read. It was not as big a deal as a bar or bat mitzvah.

JR: Was there a special service or something?

RA: It was a Saturday service, and we read from the Torah. They had lunch kind of thing afterward. For which I remember not one word of Hebrew. Not one word.

JR: I think that's common in Sunday School experiences. Did you participate in any other kinds of extracurricular Jewish activities [inaudible]?

RA: No.

JR: Was your family –?

RA: Partly, we were living in a part of Newton that was not Jewish, and my mother didn't get her license to drive until we were nearly in school – in grammar school. We were not

really in that part of Newton where we would have participated in other Jewish groups.

JR: Did your family ever talk about Israeli Zionism [inaudible]?

RA: Not very much. My father was president of the Hebrew Immigrant Aid Society, and they did help people come here. Especially during World War II. But they didn't talk a lot about it. They were pretty happy when Truman recognized the state of Israel.

JR: Were your parents involved in any community activities?

RA: Not particularly. Partly, I think it was a question of money.

JR: How do you define how your Jewish identity or Jewish practices changed over time?

RA: We've always had a Jewish identity, and the fact they didn't do things didn't mean we didn't have Passover, Hanukkah, or the high holidays. I mean, I remember the Newton School system – and I was so upset because I didn't get the perfect attendance medal because we weren't there for the high holidays. And my parents always identified with the Jewish community.

JR: And did you [inaudible]?

RA: I don't know if they even thought about it. I always knew I was Jewish.

JR: What does that mean to you?

RA: Oh, it was [inaudible]. Christmas was out, and that it was a religion that [inaudible].

JR: Are you married?

RA: No.

JR: Were your parents very political people? Were they involved? Did you talk about politics at home?

RA: A little bit. They certainly talked about current events at home. My father was an early supporter of Jack Kennedy when he ran for the Senate. He sent a letter as president of HIAS to Senator Kennedy and to Senator Lodge, urging some bill to be passed or not passed. I can't remember. And Kennedy answered right away, and Lodge said he would listen to the debate [inaudible]. So there wasn't any question which side the family was on. I remember my brother worked very hard for Jackson [inaudible] representative in Congress. We sort of were in politics of some sort. But not a lot. Politics in Boston is very Irish and very Catholic.

JR: Did your father, as a lawyer, ever talk about any Jewish themes of justice, or was that –? Do you think he connected [inaudible]?

RA: Understand that my father grew up one of eleven. My grandmother had no money, no husband. They sold popcorn and peanuts on the beach to get money to go to school. So, they had no religious training of any particular kind. So, we didn't talk about religion.

JR: Did you always know that you wanted to be a lawyer?

RA: Yeah, pretty much.

JR: What appealed to you about it?

RA: I don't know. I just thought it – well, I wanted to be an FBI agent. But it always seemed to me to be a good thing to do. You knew a lot about a lot of things. I still think that's true. They sort of participate in all of life.

JR: What kind of challenge did you face as a woman coming into the profession?

RA: It's a clearly male profession, still. You have to do as well as you can, you have to work at it, and you get some acceptance, and people more and more are accepting women lawyers. But it is still a man's profession. Senior partners, the rainmakers, are mostly all male.

JR: When you were in law school, how many women were there?

RA: In my class, the biggest class at Harvard Law School, fourth class, 19 – thirteen graduated. It's now about forty-eight percent.

JR: So, did people ask you why you wanted to --

RA: Oh, people thought you were crazy. My aunt cried for weeks on end when I decided to go because she thought that meant nobody would ever marry me for that reason alone.

JR: So, there was a sense that there was a choice between career and family [inaudible].

RA: This was too threatening to men. It may be to some men, still.

JR: Yeah, I think that's true [inaudible]. My classmates at Yale [inaudible] a smart woman is off-putting to men. [inaudible] Once you became a lawyer, how did you [inaudible]?

RA: Well, I was in private practice. It's interesting. You learn about gender bias in sort of a subtle way because my father sent me to the courthouse. The clerks would wait on everybody else because they thought I was a secretary. When he sent my brother, they'd take him right away. This is interesting. But even when I was on the SJC, I was here [inaudible] January '78. And a week before the [inaudible], there was a snowstorm. So there were a couple of judges and some [inaudible]. I went across the street to a

little shop that's now closed. I gave the lunch orders. The young woman behind the counter said, “Isn't that just like men, sending the secretary out for lunch?”

JR: What was your response when people made those kinds of assumptions?

RA: I didn't want to say. I wouldn't dare send a secretary out these days. But those are the assumptions. That was the assumption to the clerk's office [inaudible] that you were the secretary, and they could wait on the lawyers first.

JR: So, how did you get involved in –? How did you become a judge?

RA: Well, I was friendly with a lawyer who was friendly with the district attorney in Middlesex, and they needed a brief written, and none of the men would do it. So, he introduced me, and I went to work for John [inaudible], who was very good, very fair. He had one daughter, so he didn’t have any bias in favor of men. So, I caught up on his appeals, and then I was able to help the assistant DAs [district attorneys] win their cases, find cases, work on the law, and just sort of grew.

JR: And what appeals to you about being a judge?

RA: Well, that was being an assistant DA. Being a judge is sort of a culmination of the [inaudible]. You sort of think about the law all the time, what it should be, what it is. Sometimes, you can't do anything about what it should be. But sometimes you can. You're always thinking. It gives you a panoramic view of life – people's problems, the solutions the law provides, the solutions people find for themselves. The law is just as broad as life itself.

JR: So, is that what drew you to it?

RA: I mean, that's what I like about it. Everything is legal or not legal or this, that, or – it's just a very exciting profession.

JR: So, what was it like being the first woman [inaudible]?

RA: It was a very gracious acceptance. I think you have to – this, I think, is true of men – lawyers have to get used to [inaudible]. Remember, arguments used to start "Gentlemen of the court." One day, I was talking at the Mass Bar about [inaudible] justice practice, and I said, "When that argument starts, 'gentlemen of the court,' I start fantasizing – how can that lawyer lose?" Honest to God, it changed overnight, and nobody started it after that. Nobody does it now. The law schools also teach that that's an inappropriate way to address the court.

JR: [inaudible] see that change since you [inaudible].

RA: Yes.

JR: Have you been involved in or interested in the Women's Movement that was happening [inaudible]?

RA: Yes and no. I mean, I was clearly – I had lunch or dinner with several women lawyers but didn't really have time to do much because the job was somewhat encompassing, and then you wanted your personal life. It was hard to do. I did subscribe to some magazine. I forget what it was. Equity Now. It's out of business now. I was clearly for the ERA [Equal Rights Amendment]. Was very disappointed that it didn't pass.

JR: Was there like a network of women employers who helped each other deal with [inaudible]?

RA: Well, we used to meet. The person you'd want to talk to more is [inaudible], but we used to meet maybe every other month – dinner – and talk about different things. She has some horror stories at different law firms – not putting her name on a letterhead because it wasn't [inaudible] and not going out to lunch with people. The clubs were

always hard because lawyers tend to go to the Union Club or the Algonquin Club, or this, that, or the other thing. And those are all – they're all fine now. It took a long time to make them.

JR: [inaudible]

RA: No. When Nan Keohane was president of Wellesley, she was on the board of the State Street Bank. She was one of their consumer representatives. They had a dinner at the Algonquin Club, and this idiot doorman with no education tells the president of the Wellesley that she can't walk in the front door. [inaudible]

JR: Wow. So, did people complain about these kinds of things?

RA: Well, she kept saying, what should I have done? Should have walked in.

JR: Did you ever experience any of those kinds of [inaudible]?

RA: Yes, I remember the Chief Justice Walter McLaughlin, was having a luncheon at the [inaudible]. (Eileen Griffin?) and I were with them. The guy at the door said we got to go down the street to the other entrance. Not a feminist, not an ERA person. He looked at this man and said, “My judges go with me,” and walked us right in. So, people do all sorts of things that sort of break barriers, not intending to.

JR: On a personal basis, I’m wondering, would you define yourself as a feminist?

RA: I guess I would. What I want for women is equality. A chance for them to have choices in life as men would. A chance for them to enter any profession they want to enter. If that makes me a feminist, that makes me a feminist. I want women to have an equal opportunity. They'd like it if they were judged on their merits. We are a [inaudible] society, so some of it is looks. Can't do anything about that, but I would like it if it was mostly merits. Men have the same problem in that regard.

JR: What role would you say your work has played in how you define yourself?

RA: Oh, I think it's – I mean, I think of myself as a judge, as a person who looks at a problem, thinks about both sides, comes to a conclusion, and lives with it. It may turn out that I don't like what happens as a result of it, but it doesn't mean I'm not going to live with it. It may be good to change some things. When I vote, I clearly know more about candidates than most people. I always want to know what their positions are, and this, that, and the other thing. Not just choice, but all [inaudible] choice. But other things are important to me – family leave, medical care. All of that. Life is [inaudible].

JR: How do you see your work as – have you seen your work as really challenging women's traditional roles [inaudible] different ways that it's [inaudible] –?

RA: Oh, lots of different ways that it challenges it. I hate doing law stories, but we had a case where a woman applied for unemployment benefits because she had to follow her husband and his work. The rule was that was voluntary, and it's not voluntary. Finally, we got that decided that it was not voluntary, and the spouse had to follow another spouse to keep their family intact. Had to write it neutral. But I think it isn't – the assumption always was that women left their jobs voluntarily for their families, not because they didn't [inaudible] ¬ it was a voluntary thing. It's not voluntary.

JR: What would you say were the greatest challenges of getting to the position that you achieved?

RA: Oh, getting people used to the idea of – sort of having people think different – a different way.

JR: And what about the actual work that you did? What was the most challenging about the [inaudible]?

RA: Oh, it's very exciting to think about a problem and see the solution. See if you can write it up. It doesn't [inaudible].

JR: What was the most rewarding for you?

RA: It's just intellectually rewarding. Sort of like going to school. You study for the final, and the course suddenly all comes together. You sort of understand what the purpose was and what the reading was about. It was that kind of feeling.

JR: Did you have a sense that you were changing the world?

RA: No. I was changing little bits of pieces of it for when I helped this [inaudible].

JR: What kinds of [inaudible] were most important to you?

RA: [inaudible] Most important for judges and courts. You got to [inaudible]. The most important thing a judge can do.

JR: And what issues did you work on that you felt mattered most to you? [inaudible]

RA: Gender issues. When you saw them in the court, they weren't happy. If not happy [inaudible] wrote a dissent. Two women were made to work on Christmas. Unjust and unfair.

JR: Had you stayed in law [inaudible]?

RA: It's only been six months.

JR: But do you [inaudible]?

RA: I'm on some committees, and I read the [inaudible]. It's so hard not to.

JR: I'm sure, after being [inaudible] –

RA: Well, no, but I mean – you can't imagine a week going back, and you don't read an opinion.

JR: Right. [inaudible]

RA: Even if you don't agree with them.

JR: So, were there other kinds of community things that you were involved in outside of –?

RA: I spoke at a lot of schools about courts and about women. I had a couple of schools come up here, especially [inaudible] law [inaudible]. You don't have to be a lawyer or a judge to work in the courts. We have probation officers. We have court reporters, clerks – so you have to tell people that there are interpreters, and all of these are open to men and women. But girls somehow think you have to be the judge or the lawyer. Anyway, I try and get them interested in working for the court system if they didn't want to go to law school. I encourage women to go to law school.

JR: Do you think it's a very different world for lawyers now than [inaudible]?

RA: Absolutely. Absolutely. The law is different. It's not as small a profession as it was. It's more bottom-line oriented. It's not a close-knit [inaudible] lawyer. It's a small, close-knit community. If I said, you could do X, you could do X. People [inaudible] their word. Now it's, “I won't object. I don't agree, I don't object. It's much more cutthroat.” Now that's my perspective from my age. Young women may have a different view. I mean, it's better for young women in many ways because entry-level jobs are all open now for both men and women.

JR: So it sounds like, in some ways, you see it as being harder for women now.

RA: Well, harder for women and men. Men don't want to spend 2400 hours a year working and not having anything to do with their families. For women, it's impossible because they are still the main caretakers [inaudible]. That's still the main unit of our government.

JR: So you think the law can change those kinds of things? [inaudible]

RA: Well, the economy can change it, too. But the law can change it if you have family leave, pregnancy, or illness. All of those things.

JR: Paternity leave too.

RA: Absolutely. I had a [inaudible] paternity leave.

JR: Do you think of yourself as an activist in the kind of work that you've done?

RA: No. I think of myself as a judge. I don't think of myself as an activist.

JR: Even in the kinds of ways that you've set certain kinds of precedence or change?

RA: But I've thought of myself as this is the just and right solution. So, I don't think of myself as an activist.

JR: How would you say that your contributions have affected others?

RA: You'd have to ask others, but I would hope that it's clearly easier for women lawyers to become judges. Clearly more accepted.

JR: What about in terms of just the kinds of work that you do day-to-day?

RA: Writing opinions? Well, the opinions speak for themselves. Many of the opinions I write [inaudible] put out a helping hand for people who are [inaudible] find themselves in situations that are not right for them. My very last case was a [inaudible] plead guilty to

the killing of her son. Said she did it alone, when in fact, she had this horrible boyfriend who had a million years in prison for abusing other children. It was quite clear that she was under his [inaudible]. My hope for women is that they all become economically self-sustained. Not rich, but just enough so that they can walk away from bad alliances. I think that will make [inaudible] much easier.

JR: [inaudible] Are there any cases that stand out as having been particularly important to you?

RA: [inaudible] if you asked me, I could think about it, but for the moment ¬– I suppose my very first major woman case was the Supreme Court, in what had to be a terrible [inaudible] it was okay for insurance companies not to cover pregnancy. And I said, "Yes, it was okay, provided they didn't cover any male-specific diseases." Of course, they were covering everything. So, they then had to cover pregnancy. [inaudible] I suppose from the point of view of establishing myself as wanting equal treatment for women, that would be the first case. We were the first state not to follow this [inaudible]. I think if I had not been here, they would have.

JR: Were there any times in your career that you felt were like turning point, where you saw yourself as choosing a certain kind of path?

RA: Well, once I went on the court, that was a turning point. That takes you out of the running – what lawyers do every day, and that's a clear split. So, that I think, was the turning point. Going to law school is a turning point.

JR: Was it a hard decision for you to go to law school, or was it clear it had to be [inaudible]?

RA: No, I got in, so I went. If you don't get in, you don't go.

JR: How would you say that your work has affected you? You talked a little bit about these kinds of contributions you feel you've made [inaudible] –

RA: Well, I feel I did a good job when I was on the court, both as a trial judge and appellate judge. I think it made me more thoughtful as a person as to the kinds of problems people really live with every day. It was very hard because for a long time, the right-to-die case [inaudible] until you got these living wills, and that was the end. So, we pushed – not just me – but the court pushed all these issues.

JR: Did you have any role models?

RA: [inaudible] The judges were very nice, both on the Superior Court and [inaudible]. I didn't have any women role models if that's what you're asking.

JR: Well, what about your father was [inaudible] ¬–?

RA: Well, he kept saying, "Women's days are going to come, women's days are going to come." He was much more far-sighted than I was.

JR: And was your mother also encouraging?

RA: Yes.

JR: [inaudible] What about your siblings? They were also lawyers [inaudible].

RA: My sister is much more political. She's executive director of a women's campaign fund, and they fund women straight across the country who are pro-choice. She knows all the stands of all the politicians.

JR: So, she took a more political path.

RA: She took a more political path.

JR: And what about your brother?

RA: My brother's a corporate lawyer.

JR: So you each kind of followed a different path in the law. Do you see any of your work as a judge as being related to Jewish values?

RA: [inaudible] Everybody kept saying, “What do you care about Christmas?” All I could think of was [inaudible] this, that, and the other.

JR: Do you have a specific example?

RA: No, I mean I felt badly that they couldn't take that [inaudible] it was their [inaudible].

JR: Well, those are pretty much the end of the kinds of questions that I have, but is there anything that we haven't covered that you'd like to tell me about?

RA: I'm trying to think. You did a pretty good job of covering everything, so if you think of anything, I'll be away starting tomorrow for a while, but I'm always in touch with Joyce. So, you can always get in touch if you need more or anything else.

JR: Okay, great. Do you have email?

RA: I do. I think it’s …

[END OF INTERVIEW]