



Remembering Shirley Hufstedler

Jimmy Carter*

When I became President, one of my top priorities was to establish the Department of Education. Prior to that time, the crucial need for an independent and viable department was obvious, as it was buried under the Department of Health and Welfare. There were long and intense debates in the U.S. Congress, and finally the new department was approved by a close vote. The selection of the first Secretary was very important to me, and after thorough consideration, my first (and only) choice was Shirley Hufstedler. I was delighted when she accepted my offer and was sworn in on December 6, 1979.

As chairman of my county's Board of Education during the civil rights days and then a state senator and governor who was deeply immersed in the subject, I was qualified to engage in long discussions with her as we planned for the official inauguration of the department on May 7, 1980. As Secretary of Education, she more than exceeded all expectations. Her personal courage and wisdom enabled her to fulfill our major goals and to ease the concerns of legislators and leaders of other federal agencies who were originally skeptical about the new department.

At the time of her appointment as Secretary of Education, Shirley was one of the country's most distinguished judges. She was only the second woman to serve as a federal appellate judge. Indeed, from her appointment by President Johnson in 1967 until my appointment of Judge Amalya Kearsse to the Second Circuit in 1979, she was America's only female federal appellate judge. Her brilliant opinions protecting civil rights, civil liberties, and equal justice, as well as her leadership on the bench and her ability to persuade her colleagues, made her one of the most respected and influential judges in America.

As Secretary of Education, Shirley built the Department of Education from the ground up. She worked tirelessly with other agencies to absorb, reform, and revitalize hundreds of federal programs and defined the department's role not only in the federal government but also in American society. Perhaps most

* Thirty-ninth President of the United States, 1977-1981.

Remembering Shirley Hufstедler
69 STAN. L. REV. 609 (2017)

importantly, she shaped the department's role as a defender of civil rights. She successfully resuscitated educational programs for the disadvantaged and disabled, oversaw the department's work in dismantling "separate but equal" educational institutions, and made equality of opportunity in education a policy priority.

Shirley remained a close personal friend after we both left office. For instance, she urged Rosalynn and me to follow her example and trek in the mountainous areas of Tibet, and she helped us plan our trip to the area.