ORAL HISTORY OF
HONORABLE JOYCE HENS GREEN

First Interview – September 1, 1999

This interview is being conducted on behalf of the Oral History Project of the Historical Society of the District of Columbia Circuit. The interviewee is Judge Joyce Hens Green. The interviewer is Jennifer Porter. The interview is taking place in the judge's chambers at the United States Courthouse on September 1, 1999, beginning at 3:00 in the afternoon.

(TAPE 1)

MS. PORTER: Judge Green, we've been meaning to do this tape for a long time and now this is finally the day. I want to know for the record here about your childhood and your parents and your family background. Would you like to lead off with the history of your life?

JUDGE GREEN: I'll be delighted to do so, particularly since we're on the cusp of the millennium. It is way overdue that I have finally allowed this to occur. I should admit that my full name on my birth certificate is Ruth Joyce Martha Hens; now, of course, Green since my marriage. As soon as I had the opportunity, I joyously dropped Ruth and Martha, and I am now Joyce Hens Green.

You asked about my parents. My dad, James Stanley Hens, was born in Nowydwor, near Warsaw, Poland, in 1891. He had lived most of his life, since his early teens, in Switzerland, and indeed considered himself Swiss. He was educated there at college and medical school, the medical school being the University of Zurich in Switzerland, from which he graduated in 1917.

MS. PORTER: If I could just interpose here, how did your father come to be

living in Switzerland when he was born in Poland?

JUDGE GREEN: His parents, his father a Pole, who was an architect and civil engineer in Poland, and his mother, Frances, decided that of their three sons he was then the one that had the greatest hope for a career in a profession. They believed the education that he could receive in Switzerland was far superior to that being provided in Poland. As you will recall, Poland has seesawed back and forth, becoming part of Russia, then back to being Poland again. They wanted stability in this son's life, so that is exactly what happened. Do you want more about my father or shall I talk about my mother?

MS. PORTER: No, I'm still interested to know did he have other siblings who stayed behind in Poland?

JUDGE GREEN: He had two siblings who married, had their own business careers, and stayed in Poland. His brother, Michal, and his other brother, Brunik, both followed different careers. Brunik was a medical doctor and raised his family in Poland after spending a few years in London, England. Michal was a businessman. I just came across this information the other day in pursuit of the full truth of this episode we are doing now, and he was an entrepreneur in his day, dealing with advertising signs. You have to relate this back to the time that we are talking about. We are talking about the early 1920s, when they are marrying, going into business, and it was extraordinary to hear they even had signs that advertised anything in those days.

MS. PORTER: Now talk about your mother and her family.

JUDGE GREEN: Hedy Emma Bucher was born in Zurich, the second of four children. Her father, Johann Jacob Bucher, was 15 years old when he came from the farm to the

big city in Switzerland. He was totally self-made: a lawyer and banker, and ornithologist by hobby, and so recognized that people came from around the world to consult him about their birds. He also established a bank in Switzerland and participated in the rewriting of the Constitution of Switzerland. A fascinating person I've been told; I never knew him, he died long before I was born. He married my grandmother, Emma Rinderknecth. They had four children I just referenced, three sons and my mother. Do you want more detail about the sons?

MS. PORTER: Sure.

JUDGE GREEN: My mother's brothers were Karl Walter Bucher, Ernest Bucher, and Hans Bucher, and they were an educated family, a well-to-do family, who had great interests in the arts, opera, theater – a variety of things – and my mother indeed led a protected and sheltered life as the only daughter. She graduated from "finishing school," was essentially taught to be a homemaker, took courses of special interest, was an expert in anything that dealt with the home – sewing, embroidery, painting, arts. She played the accordion and, in all respects, was an absolutely beautiful person in her person and soul.

MS. PORTER: Let's go back to your father and studying medicine. Did he ever talk about why he became a doctor?

JUDGE GREEN: Oh, how he related to people. They were foremost in his life. He relished working with them, he enjoyed determining the similarities and the differences, what made them the way they are. This was at the time that Freud was first recognized worldwide. The science of psychiatry was novel. As my dad was completing medical school, certain professors encouraged him to consider working with the mind to become a neurologist/psychiatrist (neuropsychiatrist). And so he did.

MS. PORTER: So as you say, it seems like a rather bold choice of career, at least a new type of career.

JUDGE GREEN: My father was nothing if not bold. He was bold, he was courageous, he was adventurous. He was very advanced in his thinking and eager to approach new matters. He never regretted the choice. He loved being a psychiatrist. Other doctors referred to him as a natural; he had to be a psychiatrist. He was enormously helpful and successful with his patients who worshiped him and his extraordinary impact on their lives. People just had amazing rapport with him, telling him things that they had never told anyone. He, of course, encouraged this, but the fact was he would say it wasn't even that difficult to stimulate in many cases. He was so easy to talk to and relate to and, importantly, he wasn't judgmental. He and I had many discussions about what it was to be judgmental from a judge's viewpoint and a psychiatrist's viewpoint. He told our family that he tried to have his patients understand that he was not their judge, but was there to help them to live with that which they had to live with. He could change their attitude and acceptance of factors; often he could not change the factors.

MS. PORTER: So he graduated from medical school in 1917 and what happened then?

JUDGE GREEN: One of the things you had to do to graduate from medical school at that time (I don't know whether it still exists) is to write a thesis. His thesis (translated from the German by my stepson, who is a neurologist) was "Examination of the Imagination of School Children, Normal Adults, and Mentally Ill Through the Use of Shapeless Blots." That thesis was the predecessor of the famous Rorschach test. To put it delicately, my father's ink

blots were "adopted" by Rorschach, who expanded upon it. To be sure my dad's presentations were in black and white, Rorschach had some in color, but the concept that my dad had, that idea, the original idea, Rorschach took as his own and published in 1922, five years after my father's thesis was published, giving him the most minimal credit imaginable. When I asked dad why he had never done anything about this, he said, put yourself in the situation of a young psychiatrist in Switzerland versus an older, more experienced, highly renowned psychiatrist. People were not litigious in those days, unlike today. Dad never really considered doing anything, other than a mild protest. In any event, he did not believe, even to his final day, that the Rorschach test was of such substantial importance. An aid, yes, but other psychiatric tests and means he found far more useful and important.

MS. PORTER: Now he graduated from medical school and already had an interest in psychiatry. Was there any other formal education he had to have to hang out a shingle as a psychiatrist? What was the process?

JUDGE GREEN: After he graduated, in October 1917, he took a post as an assistant physician at the Medical University Clinic in Zurich. Thereafter, he practiced psychiatry and, during the violent influenza epidemic in 1918, where everyone was recruited – doctors, nurses, volunteers – to assist in this massive deadly influenza situation, through which, eventually, millions of people died worldwide. He went and attended patients daily, while continuing still with his psychiatric practice.

MS. PORTER: In this clinic?

JUDGE GREEN: In this clinic. My mother, much to the consternation of her family, insisted that she had to do something to aid the crisis. She wasn't a nurse, but

volunteered as a nurse's assistant, doing anything needed. That's how and where she met my dad.

MS. PORTER: Now obviously you're here and your father came to work here. When did all of that happen?

JUDGE GREEN: While my mother was not particularly enchanted with my father when they first met, this promptly changed when they met in Zurich a few years later. She then found in him a brilliant and ebullient spirit that enamored her completely. They adored each other from the time they started going out together. They married in Zurich in February 1922 and shortly after the marriage, about six months later, they applied for visas to come to the United States of America where my father could receive graduate training in psychiatry. He went to Columbia University. In those days (and the preferred site of education shifted back and forth) it was appropriate to get some American education to balance the European education.

MS. PORTER: Did he have some sort of scholarship or fellowship when he came, or did he just come to the United States?

JUDGE GREEN: I don't know, but he immediately matriculated at Columbia. And after several months, my parents decided that they were going to make their life in America. They had lived the early months in the Bronx with my Uncle Walter (Wally) and his wife, Tessy. Then my parents moved to Manhattan and started the path to naturalization, which occurred five years later.

MS. PORTER: And you said your mother's brother was here too? How did he come to the United States? You have other relatives who migrated as well. It wasn't just your mother and father?

JUDGE GREEN: In addition to my parents, my only relative that migrated to

the United States was that uncle.

MS. PORTER: Did you ever have any contact with the part of the family that stayed in Poland?

JUDGE GREEN: Yes. We would see them occasionally, but more at the time I was five years old and my brother was seven; we spent five months in Switzerland with my mother's family and her relatives. Then my paternal grandfather and grandmother, their sons and their sons' families paid many visits to Switzerland so we could see each other. On at least one occasion we went to Poland.

MS. PORTER: When was that? I didn't know you had been to Poland? You are a well-traveled person.

JUDGE GREEN: Well-traveled at age five. I was told that I had gone to Poland.

MS. PORTER: You don't even remember?

JUDGE GREEN: I have an independent memory of taking a train from Switzerland and, to a five-year-old it seemed a long way. That's really all I know about it. But I vividly remember meeting my paternal grandparents and their relatives, and recall their loving attention, my cousins (also very young) and wonderful cooking aromas.

MS. PORTER: Your father, when he came to the United States, went to Columbia University. What was he doing there and how long was he there? When did he start to set up his own psychiatry practice in the United States?

JUDGE GREEN: After the six months that he had intended to spend at Columbia were completed, he and mom then made the decision to stay in the United States. He

took the required examinations in order to become licensed in the State of New York and to establish a practice, and was phenomenally successful from the outset. I've been told that among other friends my parents acquired in their first few months here, they knew a great number of schoolteachers. Several became patients, demonstrating the stress of teaching, as well as other persons with other occupations. That's how practice began in the U.S.: patients satisfied with the results achieved and the comfort found in their physician make references and referrals. It developed so quickly that my dad soon had a very large office in New York, on Park Avenue, with all the amenities, and several secretaries. Our family moved a few months after I was born, in New York City, to Westchester County, Pelham Manor, where we continued the environment of a successful life. My brother and I had a governess. I recall we had a chauffeur and a car that had a window that would close and separate the chauffeur from the passengers to afford privacy. One of the delights as a child with my short legs was sliding down in my chair at the dining room table in order to press that button for the butler to come. I tell you all this for a reason, because we had this luxury for a while and then we had none.

MS. PORTER: Before we go on to having none of the above, I've allowed you to escape without telling me when you and your brother were born.

JUDGE GREEN: (laughter) I hope you can hear my laughter. My brother was born first, August 20, 1926, and I was born two years and three months later, on November 13, 1928. Within weeks of my birth, my parents became naturalized citizens.

MS. PORTER: Okay, and now you are living in Westchester County where you had the chauffeur and the butler and all those other things.

JUDGE GREEN: Right. And I mentioned that because part of what develops

you are circumstances along the way, often beyond your control. The Great Depression seized the country. A huge amount of stock had been purchased, almost all of it on margin. The market collapsed; my dad, eternally optimistic, thought this really can't continue and insisted we live the same lifestyle until, over time, all material things were lost. We had to sell the house. All the home personnel could no longer be paid, and we moved from Pelham to New York City. My father's large office was divided into two parts. One part became our residence, the other part continued as the office. But dad still had several secretaries and expensive furnishings and equipment. This dug a deeper and deeper hole of economic distress from which there had to be some dramatic change.

MS. PORTER: How long did you actually live in Westchester County?

JUDGE GREEN: Approximately six years. I was around six when we came to New York City, where I first started school.

MS. PORTER: So it's during the Depression, and your father had bought all this stock on a margin. Did his practice slow? I assume people needed psychiatrists just as badly, or more so, during the Depression.

JUDGE GREEN: They needed psychiatrists just as badly, of course, although many could not pay. Pay or not, none were turned away. The fact is, while the practice had patients there all the time (filled waiting rooms), the income was totally insufficient to maintain even a retrenched lifestyle. I should mention, though, that as a child I never realized there was a difference in our financial status until my adolescence, when I could review the years from a more mature view. We had so much stability in the family. We had so much love, so much protection, and our parents really hid troubles from us, wanting us to have a happy, normal

childhood. My brother and I have discussed this many times. We were completely unaware of the distress and hard times my mother and father had at that time. We certainly had enough to live on and eat, but all the extras we didn't really need them as children. We remember this period as a good life.

MS. PORTER: So you actually started school in New York City?

JUDGE GREEN: Yes. I never went to kindergarten and I never went to first grade. I took an examination and went directly to second grade.

MS. PORTER: This is an examination to go directly to second grade?

JUDGE GREEN: Exactly.

MS. PORTER: Was this a special exam for you or did everybody do the same?

JUDGE GREEN: No, this was a special exam to see if I could skip the first two grades because, self-taught, I had read since I was three years of age, and because I could write, not all self-taught. It was felt that I could go into a more advanced class and so it was. I'd like to mention a couple of things because we never really know what forms you as a person later on, but some things are so deep in my memory from that age that probably they did have something to do with the person I later became. My first adventure in school was for one day at a school that was the elementary school part of Hunter College. I recall the teacher asking if anyone could write. I was a shy child, but raised my hand, went to the front of the classroom, and with my left hand, printed a number of things on the blackboard. She mocked this in front of the entire class, laughed and berated me because I was left handed (in those days some thought it important to force people to change their native inclination, which my dad wouldn't allow), and the teacher

also complained that I did not write cursive (I didn't know what cursive was), I had printed the words. At the end of my day my father encountered me, spirit shaken, tearful. I relive those emotions every time I think about that day. Dad promptly removed me from the school, telling the principal that no child should be in a place where a teacher would do this to a child's confidence. I then went into public school, PS 6, where I was given the advanced placement examination by that principal, Ms. Emily Nosworthy; I was pronounced appropriate for the second grade. Since I had never had the opportunity to associate with other children in school, and had just had a searing experience at Hunter, I was lonely and shy and spent most of my first weeks sobbing away until they placed me in the third grade with my brother. While he wasn't happy to have this pesky young sister sitting next to him, I promptly found my social abilities there.

MS. PORTER: Does this mean that you skipped the second grade as well?

JUDGE GREEN: No, no, no. They wouldn't go that far. After seeing me quieted down for whatever it took, days or a couple of weeks, I was put back with my second grade class and then readily adjusted. But that whole situation was traumatic. The indignity that the first teacher foisted on me, the protections and love and security that my family gave by rescuing me immediately from that, the confidence I got by being put into a higher grade, the discouragement I felt because I wasn't socially ready for it. You learn many things from these striking experiences at age six.

MS. PORTER: How does Russ feel about it all today?

JUDGE GREEN: He puts up with a lot from me, even today. He is the most wonderful, loving, protective brother, and I have to ask why after what I put him through for

years. Anything he did, I tried to copy. "Me, too!" He is an electronics engineer and more about him later.

MS. PORTER: What else do you remember about PS 6?

JUDGE GREEN: I loved school. I enjoyed everything but math and gym. Those were my two least favorite subjects. Math I could tolerate and, after Russ, a genius with math and science, patiently explained how to do it, I applied myself and could do it well. Gym I found an absolute horror, and similarly so in high school and college. I have absolutely no athletic ability. When they coined the phrase "couch potato" they were thinking of me. To do archery and basketball, and to emerge in those blue serge, two-piece, billowing gym suits that had absolutely no grace, everyone alike, and observing others with skills I did not have, I wanted to be anywhere but in gym. Today I am the best spectator at sports, which I do enjoy watching, especially the beloved Redskins.

MS. PORTER I can vouch for that.

JUDGE GREEN: (laughter) I love to read. As a child I would go to the library daily and literally take out four books. I can't promise you that I read every delicious page, but I did read most of them and then I would return the books the next day. I rapidly swallowed all the books in the children's room, so my mother gave me her adult card and said, "Go for it." I am confident there were many, many books beyond my comprehension, actually I know so, because I took out reading material I now recognize as a bit much for a child as, for example, Joyce's "Ulysses!" I was devoted to reading and continue to be.

MS. PORTER: Are there people that you remember from that time?

JUDGE GREEN: I remember a number of the teachers, not by name, but by

personality, who were caring and tender and inspired in me the joy of learning. There was never any doubt that there would be many more years of schooling for me. It was a fabulous experience. It was a fabulous school. You know, in those days public schools were remarkable, and you received every bit as good an education as you could from the most endowed private school. Sadly, it's a different story today.

MS. PORTER: How many grades were there at PS 6?

JUDGE GREEN: Kindergarten and six grades. Sixth grade was the last grade; then you went to a junior high school.

MS. PORTER: You said you remembered some of your teachers – how about classmates? Do you remember any of the kids you used to play with or were in your class?

JUDGE GREEN: I do. There were not very many children in the classes, perhaps 20 in a class. Much smaller groups than today. Both boys and girls. I remember them very favorably. I had many friends and two special ones. One was a girl about my age named Marian Anderson, who was the only black in our class and a great pal. Everyone wanted to sit next to her.

MS. PORTER: Did she sing?

JUDGE GREEN: No, Marian didn't sing, and as far as I know she wasn't related to that Marian Anderson. I just remember her as being a wonderful person whom I cared for a good bit. And then another one, Daisy Lundblad, the daughter of the janitor in our apartment building, who became my best friend. Even today we share Christmas cards. She now lives in New Jersey, is a retired schoolteacher, wife, mother, grandmother. These were my best chums going through elementary school. I was a very good student; academics were easy for me.

MS. PORTER: And there was only one black in your class?

JUDGE GREEN: Just one.

MS. PORTER: How about in the school? Do you have any recall of that?

JUDGE GREEN: I don't. I didn't even know what "black" was. I recall going home and asking my parents why Marian's skin color was different from ours. My parents asked if it made any difference to me. I said of course not, and they said well, that's how it is, some people you like specially and some you do not. It's up to you to decide who will be your friends. It was a very simple response that a six-year-old could accept.

MS. PORTER: We touched on Russ very briefly. He had to put up with the mortification of having his younger sister sitting next to him in grade three. Tell me about Russ and his life at PS 6, with a remarkable sister like you.

JUDGE GREEN: (laughter) He was very studious, an excellent student, far more creative than I am. He always loved to design and invent all types of contraptions, and to read. Science was his forte, still is. He relished reptiles and animals of every size and shape. Our family was deluged with salamanders, guinea pigs, and ducks that people gave us for Easter, which, as you can imagine, wasn't easy in an apartment in New York City. There were kittens I would smuggle in from the beach where we spent every summer for many years. We also had dogs. We had a baby alligator, if you can believe it, that some "friend" in Florida gave us once, which lounged in our bathtub and had to be taken in and out several times a day so we could bathe.

MS. PORTER: I must admit, Joyce, you seem too fastidious to have ducks and alligators.

JUDGE GREEN: They were my brother's until they escaped, then there were moments of horror, but you asked me to explain him to you. He was all boy and just a really good guy.

MS. PORTER: Now there came a time when you left PS 6. What happened after that? Where was your next stop?

JUDGE GREEN: The next school was Joan of Arc, a junior high school. I have a fleeting memory of that experience. It was just very quick. It was for less than a year, easy, but not memorable in any way. We moved then from New York to Maryland.

MS. PORTER: Do you recall when that happened?

JUDGE GREEN: 1941. Earlier that year, as part of this continuing retrenching still resulting from the Depression, still with the need to pay back all of the huge indebtedness, at this point my dad finally acknowledged there had to be a change in lifestyle. He took a job, in addition to his private practice. He began private practice in Maryland and he was also a staff psychiatrist at Spring Grove State Hospital in Catonsville, Maryland. We lived on the premises next to the criminal division which, when I was appointed a judge, took some explanation to the F.B.I. Even more so, when I was appointed to the FISA Court! Those were wonderful years, growing years. The medical families socialized together very well and this was where I learned, if you can believe it, how to play a mean hand of poker at the age of 12, and have my first "date" with the son of another doctor there (Nedick's Orange Juice Bar for dinner and a movie).

MS. PORTER: Well it's not athletic, so I believe you could do that very well.

JUDGE GREEN: (laughter) I can still play poker. Maybe not as sharply as I could in those days; not enough opportunity to practice in later times. My family reestablished

our lives in Maryland, and then, because there was a far better high school just a few miles away, in Baltimore County, as was Catonsville, we moved to the Parkville area of Baltimore County, and I attended Towson High School, where I graduated. So my experiences in high school overall, both in Catonsville and particularly in Towson, were impressive.

MS. PORTER: Tell me some more about what you remember about life in high school back in those days.

JUDGE GREEN: Life in high school I found most enjoyable. I was in the school orchestra, played the violin, and to this day, every time I hear "Pomp and Circumstance" it takes me immediately back to those days that I squeaked with my violin for four years at each and every graduation ceremony and numerous concerts. But I really enjoyed doing that. I love music and this was an outlet in that regard.

MS. PORTER: Just help me get oriented as to what we're talking about. What years?

JUDGE GREEN: Let me think if I can get this straight. Roughly the end of 1943, something like that. I was in the middle of my second year when I started at Towson and I graduated in '45, so you'll have to do the mathematics on that one. And I was also, in my senior year, the editor-in-chief of the yearbook. It is certainly not the glossy kind of yearbook that you see young people producing today, but we were very proud of our result. This adolescent period saw me particularly shy: 13, 14, 15, and 16 were difficult growing years. I had many friends, but due to the shyness, I didn't have the full kind of social life I wanted in high school. I was always prepared when I'd be called upon to stand up and recite in class, but, nonetheless, I would blush and gulp and find it difficult to express myself in front of everyone. Finally, in my senior year in

high school, as I was looking forward to college, the time came when I decided that for the rest of my life I was going to carry me with me (including shyness) unless I made the change. And so I forced myself to meet people, I forced myself to laugh uproariously at jokes that I didn't think were funny, even feeling the stretch marks on my face when I came home at the end of a day. But, remarkably, after a few weeks of this, I discovered that the jokes were really funny, I enjoyed the people who welcomed me into the circle and I absolutely glowed in that regard. While I still have minor shyness on occasion, by and large that has been conquered; I'm very proud I met this challenge myself. As a psychiatrist's daughter, I did not go to my dad and say help me here. I knew I was the one to conquer the problem.

MS. PORTER: Why do you think you were shy?

JUDGE GREEN: I have no idea. I had always received a lot of praise from family and friends. I had succeeded in some things at a very early age. I had many young friends, so I have no idea why.

MS. PORTER: Certainly it seems an unusual characteristic for a judge, but –

JUDGE GREEN: It's unusual that I've chosen the path that I have in many respects: my private practice of law, the need to be a litigator, the other matters that have brought me relentlessly into public life. As indicated, I still have aspects of that shyness that well up on occasion, but perhaps it was the challenge of having to conquer this that put me on the path that I took. I've often wondered about it.

MS. PORTER: Well then, tell me what subjects you studied in high school.

JUDGE GREEN: The normal subjects that everybody studies: English, social studies, history/geography, language, mathematics, science, arts, hygiene. Males and females

were also taught cooking.

MS. PORTER: That sounds progressive.

JUDGE GREEN: Wood and workshop was for the boys only, I have to say. Those were the customary classes. There was typing, but reserved for those students who were going to live a life in the commercial world typing and clerking and doing that kind of activity. While I knew I would have a different working life, I took typing as an elective, hoping that someday it might come in handy, and indeed it did, because I had a number of jobs later on that required typing.

MS. PORTER: Which subjects did you particularly like? Or did you like them all?

JUDGE GREEN: I liked most of them. I liked history; I liked the political sciences; I liked the languages; I liked anything with English, poetry; I liked biology, chemistry slightly less, physics not at all, gym, absolutely not, but we've discussed that before. I loved French. I was particularly proficient in that language at the time and went directly to the second year of French, because my mother, who had lived in Paris for a year, taught me one summer how to write and speak French. I was quite fluent for a time, but regrettably, haven't maintained that comfort level.

MS. PORTER: When you talk about physics and chemistry, in classes did you have electives or did everybody take everything?

JUDGE GREEN: Everybody took everything to the best of my memory, except for typing. There were a few other courses, not recalled now.

MS. PORTER: So you had girls as well as boys doing these heavy science

subjects.

JUDGE GREEN: Yes. Lots of laboratories. Excellent public schools, really wondrous schools. Now, when I think of the demise of the public school systems, particularly in large cities like Washington and Baltimore (with which I am more familiar because my daughter-in-law is a high school teacher), it's just astonishing and sad.

MS. PORTER: At Towson were there any black students?

JUDGE GREEN: I do not think so. Fifty-five years later I do remember some persons of color from those days, but not at school, and only a few in the community. This was long before profound civil rights legislation and *Brown v. Board of Education*.

MS. PORTER: Now I'm going to switch around on you a little bit. We've talked about when you were in high school and basically that's during the years of World War II, but we haven't really talked about whether there were any discussions of that in school or what you remember about being alive at that particular time in U.S. history.

JUDGE GREEN: My entire high school years spanned the time when our country entered into the war, December 1941, and the ending of the war in Europe in May 1945, and with Japan in August 1945. Those were the years that our country went through an extraordinary time; patriotism was reflected in everything, in the newsreels you would see at the movies, in the rationing, in the attitude of the people to do what had to be done, with dignity, perseverance, uncomplaining, and with a determination to win this war and bring home safely our service members. You would have butter, fats, gasoline, meats, dairy products, eggs, all rationed. You would receive the little ration books (I came across one the other day) and would tear out a coupon every time one of those rationed items was purchased. Purchase of such items could not

be more frequent than the specific regulations allowed. People accepted this without question, as essential to the war effort. We would listen to Gabriel Heatter announce the news, and Edward R. Murrow broadcast from London the plight of the world, as the bombs rained down. The radio was our anchor in all of this (there was no television). Patriotism was strong: as example, when Kate Smith sang "God Bless America" on the radio, I would stand up to salute our country. My brother went into the service, so that had a dramatic effect on our family.

MS. PORTER: When did he go into the service?

JUDGE GREEN: He enlisted in the Navy when he was just a few weeks shy of his 18th birthday in order that he could get into the emerging field of electronics. He served there for over two years, and because of his extraordinary ability in engineering and the new electronics, he was at the forefront as our country confronted with sonar and radar guided missiles – those scientific matters we take for granted today. He couldn't discuss any details because his work was highly classified. At 19 years of age he was a naval instructor, teaching people often twice his age. The Navy kept Russ in the territorial United States because of his usefulness. Honorably discharged, he entered the University of Maryland.

But, back to our time of the war, this was the moment when young people, such as I, would write letters to the servicemen overseas, people we had never met; I can imagine how enthralled they must have been to have received a communication from a 13-year-old or 14-year-old. But they did write back, so hungry they were for news from home. And then my mother, so gentle and such a homemaker, who had never worked for pay, decided she could no longer sit at home when our country had a tremendous need of civilian services. She worked for about two years in a factory which made small parts for radios to be used on the battlefield for

servicepersons to communicate with each other. Classified work, that's all I know, except I have a strong memory of her coming home at the end of each day for weeks after she started working, with her palms bleeding from the precise and detailed work that she was doing. But, she was absolutely determined, just as she was in the flu epidemic in 1918, that she was going to do her part, and then, when she felt she had done sufficiently, she came home to be a total homemaker again, wife and mother. Gentle as she was, she had that incredibly tough fiber, and when something had to be done, she would see that it was. Never complained. I cannot recall my mother ever complaining about anything, even when she disagreed with situations or was devastated by her final illness years later. A truly remarkable woman. This selflessness left an enormous impression, telling me, through deeds, that when you encounter a challenge you do what you must to meet that moment in life.

MS. PORTER: Do you have any recollection now of how the ongoing war affected the boys that were in school then? They were thinking about careers, thinking about going into the service?

JUDGE GREEN: Unlike Vietnam, and Korea, to a lesser degree, it was considered an honor and privilege during World War II to go into the service. They would line up and, if rejected, would return again and again for further evaluation. Nobody considered deferring. Because my brother was so underweight, at first the Navy was not going to accept him. He said he would gain weight and persisted. He didn't get very many pounds on, but his tenacity saved the day and the Navy gained tremendously. It was unquestioned that if you were of age you would go to service unless there was something extraordinary that prevented you from doing so. And you knew that you might not survive. This was a very dangerous war, so far away from our

shores, but everyone rallied. I've never seen this country as unified as it was at that time and that, too, occurring during pivotal years, left an enormous impression.

MS. PORTER: Now it's 1945 and you've graduated from high school. Obviously for a young woman in that particular time and place, having a career, even going to college, is not something everybody did. What do you remember about when you started thinking about having a career?

JUDGE GREEN: I have always known that I was going to have a career. When I was very young I thought I was going to write the great American novel. I loved to write and would constantly be slipping notes under my parents' pillows, usually complaining about what my brother had done or writing little snippets of poetry sharing thoughts. But rapidly on, perhaps 11 or 12 years of age, I determined that I wanted to be a doctor, a psychiatrist like my dad, whom I adored, and then, after accomplishing that I wanted to follow with marriage and motherhood, like my mother, whom I also adored. In short, I really wanted for my life the best of what I saw in them. There was never any question in my mind that I'd go on to college, then go on to medical school, that I would have a family. I would do all these things. My parents heartily encouraged all.

MS. PORTER: How many women went to college then?

JUDGE GREEN: Not many. It certainly wasn't customary, but I had very forward-looking parents who, from the earliest of my life, discussed as a matter of course that my brother and I were going to have fine educations. For me, they hoped it would be a career in medicine, but, if not medicine, then another profession. Again, unlike these days, there were no entrance examinations, no SAT. I had excellent grades and many extracurricular activities. I

graduated third in my class at Towson High School of several hundred graduates, so I would have had no problem getting in any college. But I never applied to any but my local college, the University of Maryland. I was 16 years of age and I think I recognized that I was a bit young to be traveling, but I didn't focus on that. I knew I was immature and there was simply never a longing to go somewhere else.

MS. PORTER: Was it common then for kids to go away to college or was it more common for kids to go to college closer to home?

JUDGE GREEN: It was the latter. My first two years I did live on the campus of college and then during my second two years I was what was called a "day dodger," meaning that you commuted. But, let me digress. During the summer between high school and college I had my first 40 hour a week job. Up until then I had done some babysitting for the high school faculty and neighbors. I had operated a switchboard, and in those days you would plug into the switchboard. Of course, I unplugged people more frequently than I plugged them in. I had my first full-time job the summer before I went to college just after my high school graduation. The company, Butler Brothers, in Baltimore, was a merchandising house, something similar to Sears Roebuck and Montgomery Ward, and the work that we did was piecework. One hundred women, the proverbial 100 women sitting in a room, each at her typewriter (here's where typing came in handy) and hitting a steel blade, which was the tab on the typewriter, so it would deeply crease the hands; and there was a small meter in back of the typewriter that noted the starting and ending point daily to reflect productivity. There was but one man. His full duties were to walk around the room ceaselessly, loading each person with paperwork when it began to look as if the employee was going to run out of work. I had a supervisor who was an absolute tyrant, who,

when I recklessly told her one month after I started, and two months before I was to complete, that I was going to be leaving at the end of the summer, refused to talk to me until my last day of work. I learned for the first time there was such a thing as a coffee break, both morning and afternoon for 10 or 15 minutes. I was sent out to stand in line to get the cigarettes (another item that was rationed) for the women who smoked, and after a while I thought I should do this for myself. So, I bought my first pack of cigarettes, red tipped Marlboros, went home and asked my mother if she would teach me how to smoke. Since she never had smoked, the teaching (and learning) became tortured, but she preferred that I tell her about it than sneak it. And then I, too, smoked, but, in all seriousness, I did not inhale for the first few months. I know it's a joke today, but anyhow, I benefitted life-long lessons which I share about that summer job. That summer I earned a total of $219.08, from which $22.10 was withheld for federal income taxes. I learned that the 99 other women were going to have to support themselves and their families for the rest of their lives. I was going to escape to college at the end of the summer and so my life was, even then, recognized as tremendously better. I learned that these wonderful women were remarkable and they took good care of me because I was the youngest there; they could not have been more caring. They saved their hard-earned money to buy this girl a pink angora sweater as a going-away gift, which shed on everything but was worn and treasured for years. I learned that you have to leave people with dignity and hope, something I have tried to teach my children and all my law clerks and something I've tried to put into effect as I pass through life. There was a day when I, not challenged by this boring work, decided there had to be a more stimulating way to do it; I was going to be the fastest in the room just one time. I worked breathlessly and as fast as I could. I got down to the last piece of paper on my desk as I glimpsed the man with his load of papers. I

typed faster and faster, but I didn't make it. I was still on the last two lines on that last piece of paper when he piled perhaps a hundred pieces of paper on top of it. At that point I didn't care if I did anymore or not. It took away all hope. And these are the things that you learn and carry with you in life. I have thought of that innumerable times. A great lesson. People need encouragement, need to be left with dignity, need to have hope, however tiny.

MS. PORTER: And so, you got your pink angora sweater and you went off to college. What did you decide to study at college?

JUDGE GREEN: Pre-med. Pre-med was a three-year course that combined all of the general courses one takes in a university and, in addition, has many numerous specialized courses, including laboratories, zoology, hematology, invertebrate anatomy, vertebrate anatomy, inorganic chemistry, organic chemistry, languages, scientific German, physics, calculus, intended to lead the way to go to medical school some day. So that was three years of your four in college, and in your fourth year electives were available and other matters to make college a bit more pleasurable. My family was elated that I was going into medicine. My brother had decided to be an engineer as I noted earlier. But after my first semester, even during my first semester in college, there I was at 16 looking at least at 12 more years of education to become the psychiatrist I wanted to be; it seemed forever, it was forever. And working on cats and on inanimate objects in laboratories did not thrill me. I announced to my family that I did not want to become a doctor since I could not work with humans for years to come. We struck a bargain – a compromise, the way our family often resolved impending disasters. If I would finish the three years pre-med and all essential courses, should I still want to give up a career in medicine, then my parents would support and encourage whatever I chose and I would not be hassled further about my decision.

Alternatively, if I decided to become a doctor, I would have all requisite courses to apply to med school. This was a win win and I agreed, but never wavered, never applied to medical school and took double the normal amount of credits in my senior year to graduate with a major in psychology, a minor in English, in addition to the three years pre-med.

(TAPE 2 A)

MS. PORTER: This interview is being conducted on behalf of the Oral History Project of the District of Columbia Circuit. The interviewee is Judge Joyce Hens Green. The interviewer is Jennifer Porter. The interview is taking place on September 1, 1999, in the judge's chambers. This is a continuation of the interview on tape one. Joyce, you were talking about going off to college and studying pre-med and the deal that you made with your parents. One thing that interests me, and hopefully it will interest other people – not many women were doing this. Talk about the other women who were in college with you. Were there others?

JUDGE GREEN: Oh, yes. There were a number of women who had come from high school with me and, of course, from other high schools around the country. Certainly women were not in abundance in the school, except for the first half year. The war having ended in August 1945, the small college population of 3,500 gained 5,000 people six months later, swelling its resources so much that Quonset huts and makeshift housing accommodations were needed. Some of the matriculating veterans had families, not only wives, but also children; they were much more mature than we who came directly from high school. During the succeeding years they came by the thousands, so that the 3,500 population college, to the best of my memory, was something like 15,000 by the time I graduated. An enormous change in the dynamics of the school: the faculty of the school, the instruction you received, the seriousness with which the

veterans tackled the education, the usual disdain for fraternities and sororities, and the pranks that accompanied this society. It was an extraordinary time to go to college, from 1945 to 1949, when I received my B.A. But, to answer your question more specifically, there were a number of women who went to college. Most went in the teaching profession, some went into the home economics area, only a few intended to continue to graduate professional schools. Of my particular class that graduated from Towson High, I was the only female who sought to be a doctor.

MS. PORTER: You were so much younger than the average.

JUDGE GREEN: Yes.

MS. PORTER: And now you've got this older population coming in and you are young even for college – how did that affect the way you fitted in at school and the way you felt about college? You were 16.

JUDGE GREEN: Interestingly, it was, how shall I put it? Very invigorating. I enjoyed it, I thoroughly enjoyed it. It was nice being the young one and yet being able to accomplish many of the same things others did. I have to say, yes, when you were dealing with veterans who are six years older than you or ten years older than you. You are asked for a date to go to a dance. In those days you had the big dance bands, like Harry James. These dances were occasions you eagerly looked forward to all year. You wear formal ball gowns and it was expected that your date would bring a corsage. These were the big social events in college. Then some unwary individual, whose invitation I had accepted to the dance and who had not realized my youth, would ask, "How old are you?" When I said 16, we would stop right in the middle of the dance and have a little discussion. I found this very amusing. Actually, my dates bravely

accommodated themselves to the situation. At the same time, because I was a pre-med student, I had laboratories to go to at inopportune moments, so I would say, for example, at a dance, "Excuse me, I have to go to the laboratory and turn over my slide." It is not enchanting to come back to the dance reeking of formaldehyde, as I can remember doing, particularly when you've put on your best perfume to go with your ball gown. But I took those things in stride. Wonderful suitors also took them in stride. I was maturing rapidly. The vast majority of my friends were kind, accepting and really sensitive to the fact that I was younger. I was treated very well indeed. It certainly could have been otherwise. I thought then how lucky I was; I know now how blessed I was looking back on those tumultuous times.

MS. PORTER: How did the professors deal with women in their classes? Pre-med is a fairly untraditional program. There wouldn't have been many young women there, particularly not as young as you.

JUDGE GREEN: I was usually the only woman in the class of any age and just accepted that I would be the only one. I do not have a memory of being "picked on" in college, or discriminated against as we would say in modern times.

MS. PORTER: Picked on is what I had in mind.

JUDGE GREEN: Picked on. All right. I don't remember being picked on, but in college we also had much larger classes. In many of our courses we had classes of 300, some were much smaller, about 30. The laboratories were smaller, yet I still remember chemistry was a class of 300 in an amphitheater. Everybody was treated like everybody else, as best as I can recall, but what I do have a striking memory of is the scholarship and the effort put forth by the returning veterans, utilizing the G.I. Bill of Rights, compelled to be the best they could be as fast

as they could be, to learn and then to go out and earn. They had lost these years and they were reclaiming them in the finest way they could. It inspired you to do better, too, it really did. I think it made a big deal of difference in my approach and in my gaining maturity and learning about the ways of the real world.

MS. PORTER: You mentioned before that you lived on campus for two years.

JUDGE GREEN: I did. It was called Anne Arundel Hall and C Hall. Two different residence establishments for women; they had others for men; I commuted my last two years.

MS. PORTER: And what do you remember about the first two years there? Like the communal life in a college.

JUDGE GREEN: Lots of fun. I became more of a social butterfly than perhaps I should have been at that time, but it was my growth period. All the things that I had missed in a social sense in high school, as far as dating and going to dances, rapidly advanced when I got to college. I had a great time yet kept up my grades, continued involvement in extracurricular activities, such as writing for the school newspaper, the *Diamondback*, and engaged in many other matters, despite the extraordinary length of my class/lab hours as contrasted with the average college student. With those laboratories and the multiple science courses, I was always going to class while others were lounging under the trees or calling someone for bridge. It's my excuse for not being able to play bridge today – that I never had the time to learn. Of course, decades have passed, excuses run thin.

MS. PORTER: Yes, but you're good at poker.

JUDGE GREEN: That's true.

MS. PORTER: Tell me something about – you lived two years on campus and then there were two years off campus. Where did you live?

JUDGE GREEN: At home. And commuted from home daily and (laughter) in a wreck of an old Hupmobile. People don't even know it, so I'll spell it for you, h-u-p-m-o-b-i-l-e.

MS. PORTER: Is this a real car or is this your nickname for it?

JUDGE GREEN: A real car. It clanged and chortled along. My brother drove it, and there was the pesky sister again that he had to drive to class, as he drove himself to class, because, after my brother finished his tour in the Navy, he came to the University of Maryland, ending up two years behind me, even though he's two years older, because he had to replace the years lost while in the Navy. We took different courses, but he was very helpful at dramatic moments, such as the night before a huge examination in organic chemistry when I called for help. He has always helped me along the way.

MS. PORTER: What do you recall of the extracurricular activities that you were involved with in college? What sort of things were they?

JUDGE GREEN: In addition to working on the newspaper, I was in a sociology club that dealt also with political affairs, I belonged to some language clubs, keeping up my French, and also, because I was required to study scientific German. I joined the German Club. I continued to play my violin, but soon thereafter gave it up recognizing that I was not a virtuoso, nor would I ever be. I have no regrets about that. I also was enamored of fun times and became the sweetheart of a fraternity. I was a chum of the head of the fraternity, that might have had something to do with me being eventually named the sweetheart of the fraternity and – well, you've asked things that shaped me along the way and that's why I'm going to put this oral history

in embargo for a while (laughter), perhaps a long while.

MS. PORTER: What did you have to do – I'm almost hesitant to ask, but what sort of things were entailed in being the sweetheart of a fraternity?

JUDGE GREEN: I attended their functions and dances. I helped them when they had a float, for example, that went around the entire football field on the occasion of a football game and in those days Maryland's football team was ranked the number one college team in the United States. Bear Bryant, the coach, left Maryland football to go to Alabama. It really was an extraordinary time. I sat on the float as they tooled me around the field, at intermission, wearing a huge thing around my neck in the shape of the emblem of the fraternity that was signed by all the fraternity brothers on the back. What did I have to do? I had to be a pleasant person, that's all.

MS. PORTER: Well, that sounds easy for you, Joyce.

JUDGE GREEN: People had a great deal of enthusiasm at this time and encouragement and hope for the future. Those miserable war years were behind us and the future was ahead and people were excited about it. There was a vibrancy out there.

MS. PORTER: Well, I think it has to be said about you, Joyce, that when people talk about you they describe you as a liberal judge. Were you involved in political activity at that time? Were you interested in politics? If you were thinking back on your early life, where do you see the origins of this liberal streak?

JUDGE GREEN: It clearly comes from my parents, who daily demonstrated by word and action and unbiased attitude. It is one of the reasons that I've mentioned how rich we were once and how poor we became. It is important to know that I viewed both sides of life, but always had security and comfort. I truly believe in the inherent goodness of people (while

accepting that there is a downside, but optimistic about most), that everyone should be treated equally and fairly to reach his or her capacity to determine self worth, based on inherent abilities and soul, no matter the race, size, gender, origin, nationality, politics, education, and economic status. My brother and I were treated equally, a male and a female in the family – there was never a question about it. I have to give credit to my parents for that – it started there. Did I do anything outwardly in politics? No. In college you all participate in the small political matters that are ongoing and I did no less than any others, but was no crusader. The only thing I can remember that had to do with politics, and it did not have to do with liberalism in any way, was an assignment I had in one of my psychology courses. At that time there was the 1948 Truman/ Dewey impending presidential election. Dewey was expected to handily win the election. One assignment was to go out and poll neighborhoods, soliciting that which we deemed was the wealthy neighborhood, a middle-class neighborhood, and a poor neighborhood. We were to knock on doors and ask a series of questions we had created to determine how and why the people were going to vote in a certain manner. I had good friends who insisted on protecting me who waited outside the strange homes I would enter. If I didn't come back in 15 minutes they were to come in and rescue me. How naive we all were. I shudder as I relate the foolhardiness. I picked a plumber in Georgetown, I found a poor person, a bit into drink, and I landed at the home of Daisy Harriman (Averell's relative), then our Ambassador to Norway, who lived at this home. She insisted I have tea with her. I had to go out and tell my friends I would not be back in 15 minutes. Ambassador Harriman and I talked about life in general, and the world in general. That's not political. It was just an assignment, but I found it exciting and interesting and I liked doing it. Everyone talked to me. The plumber told me about his life and why he did what he did,

and when he did it and how he did it. Very enjoyable. And how he was going to vote. I don't remember how any of them were going to vote specifically at this time, but I dutifully took it down; I wrote a paper on this and found it an enjoyable task. I never wanted to go into politics, but always thought it would be interesting to work behind the scenes, to support and stimulate a candidate, or write speeches for a candidate, and I savored that thought for some time. Between my second and third year in college I also became briefly engaged.

MS. PORTER: To be married, as opposed to something else?

JUDGE GREEN: To be married. I was 18. He was 19. We were both too young and immature and had no independent means of support. I broke the engagement at 19. I hadn't really planned ahead and, anyhow, life went on and I graduated from college in 1949 and got a B.A. degree. I could have gotten also a B.S. degree, we just didn't do the doubles in those days, but I had so many science courses that would have been easy. I was a good student, I had a good record, and I had absolutely no idea of what I was going to do in the long future ahead. I truly had been so busy in college that I hadn't given the thought that I should have to the next step, but I had never considered being a lawyer.

MS. PORTER: You say you got a B.A. What were your majors and minors? You mention a lot of science courses.

JUDGE GREEN: As noted earlier, I majored in psychology, expecting at that time that I probably would need at minimum a Masters Degree, and more likely a Ph.D. in psychology to be a psychotherapist. That was fleetingly in my mind. I minored in English, I had a great many courses in English as I liked to write and I continue to write. In fact, I kept diaries for years and years, but all of them have gone by the wayside, probably during moves to residences

and schools. I'm somewhat rueful that I don't have them now because it certainly would help jog the memory of more intimate details, but perhaps, more likely probably, I wouldn't have shared them with you. (laughter)

MS. PORTER: Thank you for that vote of confidence, Joyce. Well, so now you've graduated, it's 1949, what happens next?

JUDGE GREEN: What happens next is that I applied for one job only, and looking back, it would have been interesting. That was to be the manager of employee relations, that is hiring and firing employees of all the Marriott endeavors in the Washington metropolitan area, for each of its restaurants, hotels, and motels. I'm 20 years old; I look 16. I have freckles. My hair is sometimes braided on the top of my head and sometimes otherwise. The people I would have had to work with were the cooks, the waiters, the busboys, the hotel clerks, the chambermaids, the porters, the elevator and doormen personnel. While the interviewer, and the ultimate decider, really liked me, persistently calling me back for three separate interviews over several weeks, I was finally told I was too young and there was a concern that I would be unable to handle these people, so much older and worldly than I. So, now, I didn't have a job, I'd just been rejected, and I didn't know what I was going to do with the rest of my life. But, fortuitously or otherwise, my former fiancee reappeared in my life briefly. He was a law student at Georgetown and encouraged me to go to law school; there also was a woman lawyer, a great friend of the family, very influential. She was a tax lawyer at the Department of Justice who opined that I'd make a fine lawyer. With encouragement like that, and as the granddaughter of a lawyer, I decided to apply to law school less than two weeks before law school began. This could not be accomplished these days, but remember, we did not have to take tests. I applied to one law

school alone, just like I had applied to one college only, and that was to the University of Maryland Law School. All their professional schools are in Baltimore. They wrote back and said their class was filled, but to send them my transcript. I did and by return mail I was told I was now in their class of '52, and I should come immediately. I cannot sufficiently stress how unprepared I was for this evolving event, but exhilarated about the idea of preparing for a profession. The more I reflected on it, the more I became excited about the public service I'd be able to do some day and how much I was going to learn. I went to Baltimore and looked for an apartment, determining that I would live by myself for the first time in my life and, after three days, changing my mind. I found an apartment, a second floor walk-up, and had a remarkable time at law school.