Harry A. Blackmun
1908–1999

Shortly after Richard Nixon was elected president in 1968, he had an unusual opportunity. Four of the nine positions on the United States Supreme Court were vacant. Nixon was very concerned about certain federal court rulings. He wanted to fill the vacancies with people he felt would support his conservative views. In 1970 he appointed Harry A. Blackmun to the Court.

Harry A. Blackmun was born in Nashville, Illinois in 1908, and grew up in St. Paul, Minnesota. He was raised in a devout Methodist family with a strong work ethic. He met future chief justice Warren Burger at Sunday school when the two were about five years old. They went to the same elementary school, and played sports together. In fact, when they grew up, Blackmun was the best man at Burger’s wedding.

Following his graduation from high school, Blackmun went to Harvard University. He received a small scholarship, and also worked as a janitor to help pay the bills. He earned a degree in mathematics in 1929 and went on to attend Harvard Law School. Three years later he graduated and returned to Minnesota to practice law. He also taught at the St. Paul College of Law.

In 1950 Blackmun became general counsel for the Mayo Clinic, an internationally known medical research and treatment center in Rochester, Minnesota. After almost a decade there, Blackmun was appointed to the United States Court of Appeals for the eighth circuit by President Dwight D. Eisenhower. Blackmun served in that position until 1970. By that time, his old friend Warren Burger had been appointed chief justice of the Supreme Court. Burger recommended Blackmun after Congress rejected two of President Nixon’s nominees. Blackmun’s nomination was approved 17-0. The new judge gave himself the nickname “Old No. 3,” since he was third choice for the position.
A Search for Order

In his early years on the Court, people called Blackmun and Burger the Minnesota Twins, after the baseball team. Both men were considered to be conservatives and had similar voting records. But in later years, Blackmun’s voting record changed. He became known as a strong defender of civil liberties. He wrote the majority opinion on *Roe v. Wade* in 1973, which protected a woman’s constitutional right to end a pregnancy in the first six months. He also supported gay rights. In addition, in 1994 he changed his position on the death penalty and came out against it.

During nearly 25 years on the Supreme Court, Blackmun played a key role in some of the most important legal decisions of the twentieth century. In 1994 when he retired, he was the third-oldest person ever to serve on the court. Blackmun died in 1999.

WHAT DID YOU LEARN?

1. **Identify**  What court did Blackmun serve on before he was appointed to the Supreme Court?

2. **Make Inferences**  Why do you think President Nixon wanted to appoint conservative Supreme Court justices?

ACTIVITY

As a class, outline the process of nominating and approving a Supreme Court justice. Given the fact that justices serve until their retirement or death, do you think this process is a good one? Why or why not? Discuss these questions as a class.