

Mr. Lee's Court Contribution

Among the contributions for which Blair Lee should be remembered as Maryland's acting chief executive is the diversification of the state Court of Appeals. First, Mr. Lee a year ago made Harry A. Cole the high court's first black judge. Now, he has named Rita C. Davidson as the first woman judge. That this occurred as the court began its third century of existence only emphasizes the overdue nature of these appointments.

Taken together, these appointments are important both symbolically and substantively. Large segments of the citizenry, blacks and women, should not be excluded from any level of the judiciary because of race or sex. The only convincing proof that such exclusion does not exist is the presence of blacks and women on the bench. Judges Cole and Davidson are that proof and, therefore, important symbols. Moreover, they bring to the Court of Appeals important perspectives that a high court cannot get from a white male, no matter how sensitive or brilliant.

Beyond that, Judge Davidson's appointment is im-

portant for another reason. She replaces Judge Irving A. Levine who was a major element in the transformation of the Court of Appeals from what was considered one of the nation's most "conservative" to one of its most "liberal" high courts. Mrs. Davidson is expected to follow in the path of Judge Levine, who died in October. Indeed, her six years on the Court of Special Appeals suggest she may even be a more liberal member of the court than was Judge Levine.

Liberal and conservative are convenient terms used to pigeonhole people politically and philosophically. It can be argued that liberal judges are those who strive to conserve and protect the individual rights enshrined in the federal and state constitutions. Indeed, the "liberal" tack taken by the Court of Appeals in the last five years has in large measure been an effort to protect and strengthen personal rights and freedoms. Judges appointed by Mr. Lee and by suspended Governor Mandel are responsible for that shift. This is an important part of the legacy of the Mandel-Lee decade.