



October 9, 2020

The Honorable Lindsey Graham, Chairman
Committee on the Judiciary
United States Senate
290 Russell Senate Office Building
Washington, DC 20510

The Honorable Diane Feinstein, Ranking Member
Committee on the Judiciary
United States Senate
331 Hart Senate Office Building
Washington, DC 20510

Re: Judge Amy Coney Barrett

Dear Chairman Graham and Ranking Member Feinstein,

In December 2013 I had the opportunity to travel to Quito, Ecuador, with my longtime colleague Amy Coney Barrett, to co-teach a weeklong seminar to the judges of the Ecuadorean Constitutional Court. My portion of the lectures was on international human rights law, while Prof. Barrett addressed United States constitutional law, emphasizing trends in US constitutional theory and constitutional interpretation over the last several decades. Going into those seminars, I wondered with slight nervousness what kind of a reception we could expect from the judges, especially regarding the segments on US constitutionalism. Ecuador was at that time under the leadership of the socialist president Rafael Correa, and the Constitutional Court was regarded as largely aligned with his hard left orientation and unconcealed antipathy toward the United States. But I need not have worried in the least, because in a way that transcended any cultural, political or ideological differences or suspicions, Amy Barrett simply dazzled them. Her presentations were panoramic in scope, taking up a broad range of different theories, judicial philosophies, and key cases, spanning the entire horizon of recent American constitutional thought and practice. Her exposition was as erudite as it was clear and accessible, and as honest and fair-minded about the strengths and weaknesses of every approach as anyone could aspire to, with not a hint of personal bias shadowing the objectivity and evenhandedness of her exposition. The judges were enraptured and deeply appreciative of the opportunity to be led into the central themes and intricacies of American constitutionalism by so able a guide. And I, not for the first time, was quite in awe at Prof. Barrett's singular brilliance and talent, and grateful to be able to count her as a colleague and friend.



I have dwelt at some length on this Ecuadorean episode because I regard it as emblematic on a small scale of the kind of impact that Judge Barrett, if confirmed as an Associate Justice of the United States Supreme Court, would also have on a large scale. Her presence and exceptional gifts would not only contribute immensely to the Supreme Court internally and to its enduring strength as a core institution of our constitutional democracy, but she would also enhance the stature and influence of the Supreme Court and of the American constitutional tradition on a global scale.

I have been a scholar of comparative constitutional law for nearly 30 years, and in that time have also had the privilege of serving as a member (and President) of the Inter-American Commission on Human Rights and also as a member of the European Commission for Democracy through Law (the “Venice Commission”). In all those capacities, I have had very many occasions to meet, observe, and work with high court judges from all over the world, from Argentina to Austria and from South Africa to South Korea. Based on that experience I can say with great certainty that Judge Barrett stands out, on a par in her abilities with the most distinguished and influential among them, as much because of the depth and breadth of her legal mind as because of the thoughtful, fair, balanced, measured temperament that she brings to every detail of her work. Her achievements as a jurist and her dedication to the virtues of responsible adjudication will add to the honor and prestige of the Supreme Court and of the United States, far beyond our shores.

The Supreme Court of the United States has long been a focal point that draws the attention of the world. Its opinions are studied widely, its doctrines debated, and its words and reasoning weighed carefully. Although the Justices are called to interpret and apply the Constitution and laws of the United States, for the rest of the world they stand also as embodied witnesses of the ideals of equal justice and the rule of law. Among the virtues one would desire in an ideal nominee to the Supreme Court, therefore, it is not a minor point also to take into account how she would be seen and received on the global stage. As she demonstrated in our small Ecuadorean seminar and as I have observed in countless other ways over the 24 years that I have known her—as a student, as a faculty colleague, and as a personal friend—Amy Barrett will dazzle the world with her wise and principled judgment, her scintillating intellectual gifts, and her deep personal integrity. And the world will be a better place for it.

Yours sincerely,

Paolo G. Carozza

Director, Kellogg Institute for International Studies

Professor of Law and Concurrent Professor of Political Science