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Judge Frank M. Coffin: An Examined Life

The 2019 Judge Frank M. Coffin Lecture  
Dr. Richard J. Maiman  
October 17, 2019

Let me begin by expressing my thanks to Nancy and Douglas and Meredith and Susan Coffin – and of course your wonderful mother Ruth – for opening the door to me at One Ledge Road four years ago. You made it possible for me not only to get to know each of you, but also to spend some memorable afternoons talking with your mother about her beloved husband. And you gave me unrestricted access to your father's unarchived papers, including, most importantly, his personal journals. I vividly remember the excitement of sitting at the Judge's desk in the Judge's study, reading the Judge's journals for the first time. So I thank the Coffins for their generosity and trust. I also would like to thank all the people who have shared their thoughts and memories of Frank Coffin with me, and to single out two in particular -- Don Nicoll and Barbara Riegelhaupt. It was Don who worked most closely with Frank Coffin the politician and Barbara who knew him best as a judge. I so appreciate the strong encouragement Don and Barbara gave me when I was first thinking about taking on this project, and the assistance they provided every step of the way. To borrow an expression that I frequently found in Frank Coffin's journals, I have been incredibly blessed.

For nearly four years now, the life of Frank Coffin has occupied most of my waking moments and, lately, quite a few of my sleeping ones as well. Writing about someone else's life tends to take over your own. Anyone who has spent much time with me, or even just run into me at the grocery store, can probably attest to that. This is not a complaint. To be able to spend every day getting to know such a remarkable man and engaging in a kind of extended dialogue with him, has been a privilege and a pleasure.

Tonight I will be describing some of what I have learned about Judge Coffin – or more specifically, about the man who was a judge. But not only a judge, because in his long lifetime Frank Coffin actually had several distinguished careers and many notable achievements. Some of you will not be familiar with that record, so let me tell you, and show you, some of its highlights. Frank Coffin was born and raised in Lewiston, Maine. He graduated summa cum laude from Bates College, where he carried away most of the academic prizes. His most important prize was Ruth Ullrich, the young woman from New Jersey he met here who would become his spouse, supporter, and soul mate. After two years at Harvard Law School, he shifted to the business school, where he earned the equivalent of an MBA before entering the wartime Navy and serving in the South Pacific. After the war, Coffin finished law school and then, spurning job offers from Boston law firms, he went home to Lewiston to establish a practice. There are many bright young men and women who have come to Maine, or come back to Maine, with an Ivy league degree and a game plan and a timeline for making partner, or making their first million, or making it to the Blaine House. That was *not* Frank Coffin. He had no game plan, he was never

ambitious for either fame or fortune, and he was content to let the future take care of itself. What he wanted, then and always, was the chance to do challenging, interesting, useful work. Nevertheless, within only a few years, he had become one of Maine's top appellate lawyers and had teamed up with Ed Muskie to revive, or more accurately, *recreate*, the Democratic Party in Maine, beginning with his masterminding of Muskie's surprise election as governor in 1954. Elected to Congress himself in 1956, Coffin won a coveted seat on the House Foreign Affairs Committee, where he became well known for his tenacious, eloquent advocacy of foreign aid. After unexpectedly losing the Maine governor's race in 1960, he accepted President Kennedy's invitation to join the New Frontier, where he helped design and run USAID before becoming a foreign aid diplomat in Paris. In 1965, at the age of forty-six, Frank Coffin was appointed to the Court of Appeals for the First Circuit, where he spent the second half of his life building the illustrious record that his fellow federal judges recognized in 2001 with their highest honor, the Devitt Award. This year marks the centennial of his birth and the tenth anniversary of his death in December 2009.

A biography usually examines a subject's life using as many lenses as possible. It takes its basic shape from the author's interests, biases, assumptions, and values. But while this is *my* life of Frank Coffin, it's not exclusively mine because it draws upon many other people's perspectives as well. I've talked to over 100 of the Judge's family members, friends, colleagues and associates, including most of his clerks, all of whom told me about *their* Frank Coffins. Even someone as steady and grounded as Judge Coffin has more than one persona, a point he made himself in a journal entry shortly after he became chief judge of the First Circuit:

Our judges, law clerks, court clerks, attorneys are a small, low profile, but not insignificant society. And I manage it – because that's my job. Setting hearing times, rearranging cases, assigning cases, calling conferences, talking with staff members. Apart from manager I am also a player – I talk with my clerks, argue in conferences, interview clerk applicants. All of this is so far removed from my mental image of me, in baggy pants, sweating, painting the trim on the garage and cutting a hollyhock root.

Some of the slides I am showing you tonight depict a foundational part of Frank Coffin's personality, his infectious enjoyment of life. Douglas told me a story about being with his mother one afternoon in his parents' later years when they heard his father arriving at the front door. Ruth said excitedly, "Frank's home!" and got up to greet him. Halfway across the room she stopped, turned to Douglas, and said, "He's such *fun!*" Many people have described the Judge in those same words: he was such fun; he was a joy to be with. That was apparent even those of us who knew him mainly as a master of ceremonies at events like this one. Doing justice to that side of Frank Coffin would take far longer than we have available tonight, so I wanted to fix these images of his playful side firmly in your minds before moving on to other matters.

A moment ago, you heard the first in a series of quotes from Judge Coffin that I will be using tonight. They are drawn from the rich record of self-reflective writing he left behind. For him, the unexamined life was certainly unthinkable, if not

unlivable. The idea behind my lecture title, “An Examined Life,” and my principal topic tonight, is the interplay between my examination of Frank Coffin’s life and his own intensive self-examination, particularly in his three-volume memoir and his more than 60 years of keeping personal journals.

John Updike once explained that he had been moved to write a memoir after hearing that someone wanted to write his biography. “The idea seemed so repulsive,” Updike said, “that I was stimulated to put down, always with some natural hesitation and distaste, these elements of autobiography.” Frank Coffin toyed for years with the idea of telling his own story, but his motive was never to steal a march on a prospective biographer because he never seriously thought that there would be one. He used to tell his daughter Susan that it would be her job someday. Though she always assumed he was joking, she told me that she still felt somewhat relieved when I arrived on the scene.

The journals reveal that it took the Judge some time to decide whether it would be worth the effort to write a memoir. To begin with, he worried that the time he spent looking backward might detract from what he always found more interesting, looking *ahead*. As he put it, “I do realize the past is part of me & I should try to see *how* it is. But I want to continue living, doing new things, adding to my life story.” He also couldn’t help questioning whether his life was really *important* enough to write about. He once wrote, “I read so many biographies of people who have done far more, been far more gifted . . . I have not reached even the lowlands of eminence in my time that would make me of interest to many.”

At one point, a young friend urged him to write an autobiography as a way of inspiring others. At first the Judge was skeptical. “Inspiration,” he said, “is an objective I hadn’t thought of; indeed, one would have to have a pretty elevated idea of oneself to pursue it.” But it did stimulate him to “put false modesty aside” and consider whether his story might be “a constructive force for others.” At the same time, he couldn’t help noting that other autobiographers were not so high-minded: John Kenneth Galbraith, for instance, whose memoir the Judge said he enjoyed even though it “added not one cubit to my understanding of living.”

In the early 1990s, he finally decided to go ahead. He was a senior judge by then, with a somewhat reduced workload. His second book about judging, *On Appeal*, had recently been published to strong reviews. His leadership of the campaign to improve judges’ salaries had finally reached a successful conclusion. For his memoir the Judge chose a title, *Life and Times in the Three Branches*, that highlighted one of his singular achievements: he was one of only a handful of people in the twentieth century to serve in all three branches of the national government. His friend Arthur Schlesinger happened to be working on an autobiography at the same time. He was a famously fast writer; it’s a good joke, but also true, that he wrote *A Thousand Days* in only 500 days. Schlesinger’s book would “cover so many interesting people and events,” the Judge said. “Mine will be the hedgehog, plowing its own deep furrow.”

At some point, Judge Coffin realized that he was really writing for a hand-picked audience that included many of the people here tonight: family, friends, clerks, political associates, fellow judges, and a few others. Deciding not to try to place his

book with a commercial publisher freed him, as he put it, “to relax, not worry about what I thought others would be interested in, but just write about what interested me.”

And talk about feedback loops! As the Judge’s past journals fed his memoir, his memoir-writing was generating observations and reflections for his current journals, which then found their way into later chapters of the memoir.

One thing Judge Coffin never had to worry about was whether he had enough material. His life had not only been full, it had been fully documented. It is hardly an exaggeration to say that he kept every *scrap* of paper that ever reached his desk. All of the letters he wrote or dictated in his various careers were carbon copied, filed, and stored. Handwritten notes and letters were either reconstructed from memory or summarized as file memos or journal entries. He was an inveterate note taker while on the telephone, in meetings, and during oral arguments in court. All these notes survive, along with the drawings and doodles that often accompanied them. The only records the Judge ever systematically disposed of were the ones from his law practice. He once remarked that he hesitated to call what he was writing a “memoir” because “memory plays a minor role; my chief sources are papers and pictures, diaries, logbooks, occasional essays, and clipping albums (thanks to Mother).”

Speaking of his mother, the Judge’s archival instinct may well have been genetic. From the day Frank was born, his devoted mother, Ruth Morey Coffin preserved just about everything that had any connection with his life – except for photographs of his *father*, from whom she had been bitterly divorced, and whose images she painstakingly scissored out of her albums. One year, Ruth saved a memento from each day of her life with young Frankie; her collection included a piece of sultana roll that he brought home from a Halloween party at his grandparents’ house.

After some fifteen years of thought, research, and writing, the Judge had indeed told his own story, all 1037 pages and 650,000 words of it. Volumes One and Two, which he put in the mail on the last day of 2004, covered the first half of his life, the years before he became a judge. Once that was finished, he started immediately on a third volume dealing mostly with his career on the bench. I think most readers would agree that this volume is less compelling and revealing than the previous two, partly because he had already said what he had to say about judging in his published books. But by now the writing had become an end in itself, an enjoyable process through which he and Ruth could relive their life together. It engaged him literally to the end. The very last words Judge Coffin ever wrote were these, jotted in his pocket diary on November 19, 2009, two days before he suffered an aortic aneurysm: “Finished edit of Ch 9 and redid part of summing up, cutting out duplications – R’s good criticism.” He never saw his third volume in its finished form. Nancy took charge of having it printed and distributed to his previous recipients. For those fortunate enough to have been on that mailing list, it was a gift to be cherished.

For the biographer, however, such a memoir is both a gift and a challenge. How *does* one write about someone who has already told his own story? When Bruce Murphy set out to write a biography of Justice William O. Douglas, whose thirty-odd books included three volumes of autobiography, he soon discovered that very

little of what the Justice had written about himself could be corroborated. It turned out that Douglas had suppressed much of the real evidence of his life and fabricated a lot more. Murphy's book is by far the most interesting of the several Douglas biographies, a character study of a man who felt compelled to invent a semi-fictional version of himself for public viewing. I never had that problem with Frank Coffin. He simply did not have it in him to tamper with the evidence. The essential details of his memoir line up squarely with his contemporaneous journal accounts and other available documentation. So, my problem as a biographer was very different from Murphy's, but it was still a problem. Obviously, I was not interested in simply recapitulating Judge Coffin's story. But what could I add to it? Or – just as importantly, given its length, what should I *subtract* from it? How could the memoir help me produce *my* life of Frank Coffin?

First, I used it less as a source of facts than as a source of clues to his character, as revealed through what the Judge thought was *worth* recounting. Next, I listened hard for the memoir's silences, trying to tune my ear to what was *not* there, picking up on events and issues the Judge had not written about or had moved past with little elaboration. Here, having access to the journals was crucial because they contained much more emotional content than the memoir on subjects like the Judge's relationship with his father, who was largely absent from his life.

I also tried to go not only go deeper than the memoir, but also wider. A biographer can add other points of view to the memoirist's single lens. For example, when the Judge asked his old friend, Don Nicoll, to read parts of the memoir dealing with their joint political projects, he did not ask Don to compare the experience of working for him to that of working for Ed Muskie, as I did. The Judge did not ask his clerks how their association with him had influenced their lives and careers, as I did. Nor did he ask his fellow judges about his impact on the Court of Appeals for the First Circuit, as I did.

To be accurate, the Judge did pay close attention to one other perspective besides his own. Ruth Coffin edited her husband's entire manuscript, adding her own recollections and sometimes correcting his. Her editorial comments, usually made on yellow post-it notes, make for such delightful reading that I can't resist sharing a few:

Your loyal Mother drove you to Cambridge, no easy trip (you and I still are not sure of the way). . . . I don't like your approach that you were a typical law student. You were not typical. You were different, and it shows in this tale. . . . This seemed much ado about nothing. I'm not sure your cooking stories are worth memorializing. . . . I like this quote because it tells about *you*.

The Judge took Ruth's comments very seriously and usually followed her suggestions, but she did not press him to discuss uncomfortable subjects. For example, when I had the opportunity to question Ruth about Frank's relationship with his father, it was obvious that we were entering territory that she had not visited for years.

Finally, the most important way for me to augment what I found in the memoir was by doing my *own* research at sites like the Kennedy and Johnson presidential libraries and the National Archives. Many people in this room know something

about the protracted standoff between President Johnson and Senator Muskie over Frank Coffin's circuit court nomination in 1965. At the LBJ Library I found documents that cast more light on the Texas-sized grudge that LBJ was still nursing against Frank Coffin four years after their brief but fateful encounter in 1961. Those materials helped me piece together what I believe to be the definitive nomination story, and to add my thoughts about what the president might have expected from Senator Muskie in return for finally letting the nomination go forward.

Some of the new material was much closer at hand. For example, I wanted to learn more about Coffin's aborted nomination to be U.S. ambassador to Panama, which President Kennedy had announced but had not yet signed off on before he left for Dallas on November 20, 1963. In an online archive I found recordings made in the Oval Office that December. President Johnson can be heard complaining to a staff member about his earlier encounter with Frank Coffin, when Coffin "told me I don't know what the hell I'm talking about in front of 50 guests!" (The way Coffin remembered it, only a couple of people had witnessed their exchange.) Johnson can also be heard on tape a few days later instructing Secretary of State Rusk to find Coffin "the most insignificant, smallest [ambassadorship] we can." Hearing this, I felt the way Robert Caro must feel whenever he unearths another example of LBJ's pettiness and petulance.

And then there were materials that the Judge knew about but simply did not use in his memoir. In the USM archive, I found some papers relating to interactions between Chief Judge Coffin and District Judge Charles Wyzanski of Boston in the early 1970s. Clipped to the manila envelope containing these papers was a handwritten note from Judge Coffin's longtime secretary, Midge Bouvier, suggesting that he read them over and then throw them in the fireplace, lest they "fall into the wrong hands." The Judge did not take Midge's advice. I don't know whether he would have considered mine to be "the wrong hands," but I did use the papers because they illustrated so well Coffin's skill in dealing with some of his colleagues' prickly personalities.

Judge Coffin once said that as far as he was concerned, when his memoir was finished, all of those boxes of saved materials would have served their intended purpose and could be destroyed without any loss to the world. *But he did not destroy them.* He did not instruct his family to burn his notebooks, as Justice Hugo Black did on his deathbed. He did not lock up his papers for fifty years, as Justice David Souter recently has done. Instead, Judge Coffin gave his judicial papers to the University of Maine Law School and his political and some personal materials to the University of Southern Maine. The only stated restriction on their use was the reasonable one that certain materials about other judges not be made public until 10 years after his or the other judge's death, whichever came later. Although the Coffin family imposed no rules on my use of the journals, I have observed the same restriction with regard to their contents. This eliminated some interesting material about some of the Judge's First Circuit contemporaries, but there was still a lot left to work with.

The Judge was an avid reader of biographies, but he frequently complained that they did not supply enough details about the subject's personal life. In his otherwise

positive review of Gerald Gunther's biography of Learned Hand, Judge Coffin mentioned his regret about "one other area, a rather vast one, where the reader may well wish he knew more. That is the private side of Learned Hand." My book certainly does not neglect the Frank Coffin's private side. While his work obviously was important in his life, it was not his whole life. He was a workhorse, but not a workaholic. Other important dimensions of his life included his family, his friends, painting, sculpting, creative writing, running, boating, traveling, summering at his beloved cottage in South Harpswell, and his various roles off the court -- all of which I have tried to give their due.

I have no doubt that Frank Coffin left behind a more comprehensive written record of his work *and* his life than any judge ever has. In addition to his Russian novel-length autobiography, there are four books, scores of articles and book chapters, and hundreds of speeches. Barbara and Chief Justice Dan Wathen collected around 160 Coffin speeches delivered just in his years as a judge. On the bench, he wrote over 1300 signed opinions, and hundreds more that were unsigned. In the course of his various careers there were thousands of letters, and countless reports, memoranda, position papers, statements for congressional committees, and the like. They all survive. And we must not forget his creative writing, a thick file that includes poems, short stories, a play draft, a puppet show script, and what he called "whimsy," the humorous Christmas letters and the winter solstice declamations he wrote to entertain family and friends. All these writings are windows into Frank Coffin's capacious mind. Unlike most of today's Supreme Court nominees, here was one judge who left a paper trail.

And then there are the journals, the eighty-five bound volumes spanning the Judge's forty-one-year judicial career and his four years of retirement. He also journalized intermittently before that, but those journals, like so many other people's, petered out as they were overtaken by events that there was simply no time or him to record. But once Coffin became a judge and developed a regular, almost metronomic, routine, he was able to maintain an uninterrupted flow. His method was to make cryptic notes every day, usually in a small pocket diary, but also on notecards, the backs of envelopes, boarding passes -- whatever was at hand. For most people, those notes would constitute a journal. But for Frank Coffin, they were simply the first draft of a journal. Every couple of weeks, usually on a Sunday afternoon, he would spend several hours going through his notes and expanding them into a narrative describing and reflecting on major events. The writing would be fluid and graceful, sometimes even lyrical, composed in complete sentences and full paragraphs. The entries were written in the Judge's tiny but highly legible hand, with hardly a word ever crossed out. Many read like long, leisurely letters to a close friend or relative. They were a real pleasure to read and transcribe, but it was absorbing and time-consuming work. Covering about one year per week, it took me twelve full months to go through the journals of his judicial years. The earlier ones took a few months more. Robert Caro has said that the most valuable piece of advice he ever received, back when he was an investigative reporter, was to "Turn every page." Turning every page of the Coffin journals revealed a rich interior life that will distinguish this biography from that of any other judge.



That is *how* the Judge kept his journals. The more interesting question is: *Why* did he keep them? The novelist-essayist Thomas Mallon has written an insightful book about people and their journals, titled *A Book of One's Own*. He read scores of journals kept by a wide variety of people in many different eras, and then devised a typology of journalizing styles. I think that two of his categories help explain why Frank Coffin devoted so much time and effort to his journals. The journal-keepers Mallon calls "Chroniclers" wish, for many different reasons, to create a record of their life and times. In the Judge's case, I think the compulsion to chronicle had its roots in his need to hold himself accountable. Keeping a journal was a way of answering *for* himself *to* himself. His daily record of events provided assurance that he was not wasting precious time, that his days were filled with productive and worthwhile activities. For Frank Coffin, using time wisely and well was always very important. Douglas has told me about his father's "twenty-minute rule," his insistence that twenty minutes was plenty of time to accomplish *something*. According to Douglas, much of his father's wood sculpting was done this way, on the fly.

The Judge's urge to chronicle events was also connected to his desire to *experience* those events to the utmost. As he once explained: "I try to keep at this, feeling that some record of feelings and events is a way of extending life – once in the thought and reflection that go into the writing and again in the later rereading and reflection. It's clearing the deck for the next few weeks of life."

Still, he did sometimes ask himself whether the end justified the means. "Is it worth two to three hours every two weeks to record my doings – and a few thinkings and feelings?" Admitting that he was not sure, he added: "I would stack it against two to three hours watching sports on TV."

In addition to being a chronicle of events, the Coffin journals also fit neatly into a second Mallon category: those kept by "Pilgrims" who "set out in their books to discover who they really are . . . to realize their full potential, spiritual and otherwise." Mallon considers Pilgrims "a breed apart" from Chroniclers, but in Frank Coffin's case, I see the two impulses as complementary. His record keeping was not an end in itself, but a way of gauging his progress toward fulfilling his potential. He kept track so he could take stock. From time to time he would chide himself for cluttering up his pages with too much "trivia" and vow to make his entries sparer but more substantive. But while his writing did grow leaner over time, he never really succeeded in eliminating the minutiae because that was the raw material out of which he would shape more profound reflections. As I read through the journals extracting quotable passages, I created a category I called "Deep Thoughts," the Judge's musings on various aspects of his life. That file adds up to 45,000 words, and it does not include another 10,000 words he devoted exclusively to his thoughts on religion, and easily another 10,000 or so consisting of shorter takes on a wide range of subjects, from aging to eating to leadership to self-confidence to Vietnam to, well, you name it.

Many of the deepest of the Judge's "Deep Thoughts" were inspired by calendar milestones like the beginning of a new year, or a birthday, or a significant anniversary. On one of the last days of 1952, as he was in the process of transferring

his law practice from Lewiston to Portland, he noted that he was giving up most of his leadership positions in his home town – the Elks, the Chamber of Commerce, the Community Chest – without having any clear idea about what would take their place. In a passage that reflects a certain weakness for metaphors that he later overcame, he wrote:

A well defined rut is abandoned for a trek across a trackless meadow. What the next rut will look like is not at all clear at the moment. We are living in something approaching a vacuum. We are not so much a part of Lewiston and we are in no way a part of Portland. The solitariness is still delightful because this community, like all small communities, was becoming too possessive. And there is the inescapable fact that the Law is a jealous mistress and life was in danger of being a condition of almost complete servitude.

Because Frank Coffin never had a long-term game plan, he had no inkling that the “vacuum” he talked about would soon be filled by politics. Before long he and Ed Muskie would be taking their first tentative steps toward bringing the Maine Democratic party to life. Over time, he expressed both the satisfactions and the frustrations of that project as “Deep Thoughts.” Let’s fast forward now to New Year’s Day 1959, when Congressman Coffin was about to start his second term. He thought the year would be of “momentous significance.”

It will be the end of 4 decades of living for me. Life has been full and rich – yet I still feel I am just beginning. But the exhilaration of apprenticeship is tempered by the haunting question: what is to be my contribution to my times? I still do not know.

Five years later, as he finished what had been a mostly frustrating experience in the executive branch, Coffin *still* did not know what that contribution would be. But he was about to find out, as his hard-won appointment as a federal circuit judge turned out to be a close-to-perfect fit for his talents, energies, and ambitions. Even then Frank Coffin, the relentless self-improver, could not help thinking that he might be doing even more with his life. He wrote this after his first few months on the bench:

As I face the new year, my mind is in a muddle. I am a creature of desires that outrun my energies. I desire to be a better judge than merely a good judge. That may be both arrogant & a contradiction of terms, for is not “the good judge” a sufficient goal? I desire to be creative, both in painting and in writing (and here both in prose & poetry). I desire to play a role in stirring the national will to support aid (a mammoth aspiration). I desire to sharpen my appreciation of this world’s wonders. I desire to be a better husband, father, son, companion. I desire to deepen my feeling for – for lack of a better expression – sources of spiritual peace and power.

As this passage makes clear, Frank Coffin’s pilgrimage always had an inner as well as an outer dimension. While he wanted to become a *better* judge, he never wanted to be *only* a judge. He aspired to live a balanced life, not to define himself solely in terms of his professional activities. He once wrote of reaching

the rarified level where I might gain new insights, new serenity, new philosophical

concepts, perhaps even new religious commitments. All these levels of striving are my ways of trying to become a whole person, to fulfill (what a pretentious phrase) my potential as a human being, to discover myself.

Where religion was concerned, he never stopped being a seeker, moving gradually over the years from conventional Christianity to something more like open-minded secular humanism.

The Judge often wrote about “savoring,” which he defined as “doing certain things slowly, deliberately, thoughtfully, in reflecting on the doing; and often in putting the reflection into words oral or written.” It pleases me to report that as he got older, he got better and better at “savoring.” His journal entries are more likely to express his contentment with his life than the need to be doing more with it. Here is one such passage written in his late seventies:

In a sense I am a pure hedonist these days. Everything (except the virus) is a treat. I am truly living in a garden of delights. I, who have usually been accompanied by a persistent Puritan work ethic conscience, have at last put some distance between me and that nagging voice. I suspect that if a job appeared that needed to be done and that I could do very well, I might yield. But I am content to let sleeping jobs lie.

At the time, Frank Coffin was not only an active senior judge, but he was anything but idle off the bench. He was working closely with the Governance Institute, the organization he and Robert Katzmann had founded to improve relations between the judicial and legislative branches. Closer to home, he was providing vigorous leadership to the Justice Action Group to increase access to legal services for the poor; and he was working with Chief Justice Wathen on the Dirigo Project to promote citizen involvement in Maine’s courts. But for him that was still a relatively low gear, leaving plenty of time to record moments of savoring such as the following:

First, a reflection on what has become a precious time of day for me, a half hour or so in the wingback chair by the bay window, when it is still light, savoring a drink, reading “Victor Hugo,” listening to a venerable record, feeling luxuriantly relaxed after exercising, and occasionally looking out at a grey, pink sky with a few small clouds, and then a silver moon rising over Cushing. A trawler, homeward bound, passes the mid-channel buoy; Portland Head is blinking; and white surf breaks on a black shore, with faded grey and cream house forms in the background. I made a note of this ritual; I call it “Anteroom to Heaven.”

I cannot leave the subject of “savoring” without adding a few words, or a few of the Judge’s words, about his wife, Ruth. If there was one blessing that he did not find hard to stop and appreciate, it was Ruth. She loomed just as large in his journal as she did in his life. The Coffin children have told me that their father was not especially demonstrative, but in his journal he often rhapsodized about what Ruth meant to him. Once, when she was hospitalized for a few days, he was moved to write:

Occasionally during this time I found myself wondering how life would be if I didn’t have Ruth. I realized, with a sense of acute shock, that I would have a very hard time in finding life worthwhile. I cannot imagine continuing to work away at cases

or doing anything else I love to do.

Once, after writing a detailed account of a beach holiday in Puerto Rico, he added this postscript:

As I reflect, I realize that I have not treated the heart and soul of this blissful adventure – Ruth. She is so much a part of me that I never describe her. She is not an “external.” Yet she is a part of every event and scene I have described. On our morning walks she strides ahead of me, sloppy hat sitting squarely on her head, shoulders square, arms swinging determinedly. Her enthusiasm and laugh of triumph as she once more finds a diminishing Venus in the brightening sky are infectious. I am glad that we shared this, as everything else, so completely.

Of the scores of passages about Ruth I could quote to you, here is just one more, written when Frank Coffin was eighty-eight and no longer an active judge:

So the day was busy. And I realize it is a new role for me – being a replacement for much of Ruth’s sight. She does so well – poring over the mail with a magnifying glass, teasing out crossword puzzles, puzzling over handwritten directions for pancake mix, occasionally missing a receptacle in pouring coffee (dark liquid and dark counter top). And I rejoice when she says, ‘You are so good to me.’ It is a blessing to be able to help – and to have her still with me.

In Frank Coffin’s personal journals, one finds many of the same qualities that characterize his judicial opinions. Diligence and discipline, acute self-awareness, scrupulous attention to details, fidelity to facts, and devotion to clear writing – these are all hallmarks of both his journals and his opinions. And just as his journals were more than cryptic summaries of daily events, his judicial opinions were never simply statements of a result; rather, they would explain in detail how the court, or at least how he, had reached the decision. Professor Mel Zarr of the University of Maine Law School has made this point very well:

A Judge Coffin opinion is a pleasure to read because its hallmark is that he will confront the difficulties. He will not sweep them under the rug or conceal them in any way. He will tell you that it doesn’t all come out neatly, that there were some loose ends and some difficulties in the case, and he will deal with them honestly. Instead of someone trying to justify a result, you can witness the workings of an active mind trying fairly to reach a just result, a legal result.

In sum, I see the Judge’s journals are windows through which his essential character can be closely examined. By combining rich description and thoughtful reflection, they illustrate his extraordinary capacity to link the real and the ideal, the material and the metaphysical. Perhaps this helps explain his talent for sculpting in both wood and words. Frank Coffin clearly had what psychologists call an integrated personality, a harmonious combination of abilities, interests, goals, and behaviors. The personal virtues he cultivated over a lifetime -- honesty, authenticity, self-knowledge, emotional intelligence – were embedded in everything he did, including, most importantly, his judging.

I’ll close by addressing three questions I have frequently been asked since beginning this project. The first question, “When will it be finished?” I now answer

the way my hero, Robert Caro, does: “Truth takes time.”

The second question is, “Will this be a warts-and-all biography?” No, because Frank Coffin did not have warts. I know this because he would record the results of each semi-annual physical in the same detail he used in recording everything else. He would end each organ recital with an incantation of gratitude for his continuing good health. I particularly liked this one: “And to cap my blessings, he did not explore my prostate! I was beatific!”

Of course, the Judge, like all of us, had weaknesses, limitations, foibles, and blind spots – though, I have to say, far fewer than many of us. A challenge for any biographer is to deal candidly with such issues without giving them more weight than they deserve. Too often, I think, the exception to the rule gets more attention than the rule itself. The book will contain some surprises, but no one should expect any shameful secrets: no illicit wartime romances, no second families living in the DC suburbs. Frank Coffin *did* have a “Rosebud,” though, a childhood artifact like the toy sled in *Citizen Kane* that symbolizes a lifelong quest by its owner. No, it was not that fossilized sultana roll. Finding it required no super sleuthing on my part either, because the Judge revealed it himself in the first volume of his memoir:

In writing this, I went up to the attic and exhumed my own Boy Scout Handbook, printed in December, 1930. I still touch it lovingly. I was wondering if something I thought I remembered was there. It was. On page 31 was the ‘Oath of the Athenian Young Man.’ In it the oath taker promises to ‘fight for the ideals and Sacred Things of the city both alone and with the many’ and to ‘strive unceasingly to quicken the public’s sense of civic duty’ [and] to ‘transmit this city, not only, not less, but greater, better, and more beautiful than it was transmitted to us.’ Somehow this simple thought stuck and became part of my creed. Simple creed from a simple age? Perhaps. But I can’t change my past. And I wouldn’t want to.

This Frank Coffin’s own origin story of his lifelong commitment to public service. There is no single passage in all of his writing that speaks more simply or more powerfully to a life well examined, well understood, and well lived.

And finally, here is the most important question of all: Why should I read your book? I apologize for having no pithy, one-sentence response, but if you can bear with me for just another two minutes, I’ll give you my answer and then sit down.

Appellate judges have perhaps the hardest job in American public life. We, the people, have always been conflicted, and are often confused, about what we want from them. We want them to apply laws consistently and fairly, of course, and even at times to decide what those laws really *mean*. But we have also given judges the power *not* to apply laws if they find them to be at odds with a command or prohibition in our *basic* law, our constitution. Judicial review is democracy’s way of covering its bet. Whenever such decisions involve major policy questions, as today they usually do, it is inevitable that around half of the public will be unhappy with the outcome, and that discontent will lead to accusations of “judicial despotism” and denunciations of judges as “politicians in robes.” The following week, the other half may be saying the same thing. Not a pretty picture, but an unavoidable feature of life in a constitutional democracy.

Frank Coffin understood this tricky terrain and navigated it as well as any judge

ever has. Not only could he navigate it, he drew roadmaps for others to follow. His written opinions, with their unusual clarity and candor, were guides for deciding individual cases. His books are comprehensive descriptions and explanations of the work of appellate judges. They also serve as instruction manuals for his fellow judges; they are still required reading in training seminars for new state and federal judges. Refuting myths about judicial supremacy on the one hand and judicial impotence on the other, Judge Coffin drew a realistic picture of what judges do, and how and why they do it. He wrote those books in the sincere belief that better understanding of what judging is and is not would increase public acceptance and support of judicial decisions, even unpopular ones. A chapter in my book which deals with Coffin's time in the House of Representatives is titled "Textbook Congressman." Remarkably enough, that same man was also a "Textbook Judge." In fact, he wrote one of the textbooks.

In essence, my book is an examination of how Frank Coffin developed and then deployed his understanding of the unique demands and challenges of judging. One of its key ingredients was his extensive background in government at all levels -- local, state, national, and international. Before becoming a judge, Coffin never shrank from calling himself a politician. He regarded politics as a worthy enterprise, sometimes even a noble one. The record shows that he was very good at it. After donning his judicial robes, he scrupulously avoided partisan politics but continued to put his political skills and sensibilities to good use. During his 11 years as chief judge of the First Circuit, those qualities contributed to his court's high levels of both productivity and collegiality.

But Judge Coffin was more than simply a gifted group leader. He understood macro as well as micropolitics. He was acutely aware that the judiciary is one part of a complex political organism. Although he was never results-oriented in the conventional and pejorative sense, he was always results-conscious. He thought long and hard about how his decisions would play out in the real world, with school boards, draft boards, prison officials, prosecutors, and police. Out of that thinking grew the concept he called "workability." Unlike some judges who deal with real-world political pressures by becoming restrained to the point of paralysis, Judge Coffin did not hesitate to take a directive role when he thought it was appropriate. But whenever he imposed new duties on public officials, or insisted that existing duties be more faithfully executed, he always strove for clarity and, indeed, transparency. He would explain precisely and in detail what interests were being protected, and why. And without compromising on any basic principles, he would take pains to ensure that government officials were not so hamstrung by red tape that they could not do their jobs properly. He wanted his decisions to be *workable*. He believed that judges should demonstrate, in Bill Kelly's words "a level of modesty and respect for the demands on other institutions that is neither dismissive nor blindly deferential." Judge Coffin's sure feel for American politics made him especially mindful of the role of the judiciary as the balance wheel of our system. He knew that it was the institution we rely on to oversee boundary disputes among the branches and between state and national government, and to check government's excesses while also ensuring its capacity to perform essential functions.

Today, public confidence in the judiciary is low and getting lower. And no wonder. The selection of our judges has been reduced to the political equivalent of “Let’s Make a Deal,” or maybe “The Apprentice.” Many Americans seem to be giving up on the possibility of finding people well qualified by intellect, experience, and character to assume the challenges of judging. I hope *my* Frank Coffin story will be read it as an antidote to such cynicism and hopelessness, as a salutary reminder of what a judge can do and can be. The world may not be teeming with Judge Frank Coffins, but he still can serve as a guide, model, and inspiration for sitting judges, for those who might become judges, and for the rest of us who depend on judges. I hope my book will be read as the story of an exemplary, an ideal, indeed *the* ideal American judge.