

MYRA

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by

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Characters:

Myra Bradwell Apprenticed in the law; early 40s. She was the plaintiff in *Bradwell v. Illinois*, 16 Wall 130 (April 15, 1873), in which she unsuccessfully challenged in the United States Supreme Court the State of Illinois' refusal to admit her to the bar in order to practice law.

Joseph Bradley United States Supreme Court Justice; early 50s. He was a Justice on the Court at the time the *Bradwell* case was decided, and wrote a concurring opinion explaining why he thought the Illinois law was constitutional.

Time & Place: Late Summer, 1873; Chicago

PRODUCTION HISTORY

Myra premiered as a staged reading at Spokane Civic Theatre's Firth J. Chew Studio Theatre on June 8, 2012, directed by Susan Hardie.

At rise: An empty parlor in the home of James & Myra Bradwell. A bell *jingles*, off.

MYRA

(Off.)

James, would you get the door.

(A beat, then another *jingle*.)

James?! Are you here?

(MYRA BRADWELL enters hurriedly drying her hands on the apron she is wearing. There is a *knocking* at the front door as she opens it.)

BRADLEY

Oh! Hello.

MYRA

Yes?

BRADLEY

Good morning. I wonder if I might - -

MYRA

(Starting to shut door.)

No solicitors, sorry.

BRADLEY

I'm not – I'm, I'm with the court.

MYRA

(Opening door.)

The court?

BRADLEY

Yes. I'm Joseph Bradley. I'm in town for the day from Washington.

MYRA

Washing- the United States Supreme Court?

(BRADLEY nods.)

Mr. Justice Bradley?

BRADLEY

Yes.

MYRA

My goodness.

(A beat.)

BRADLEY

May I come in?

MYRA

Oh, yes. Of course. Please.
(BRADLEY enters.)

I'm so sorry.

BRADLEY

No, no, you wouldn't know me from Adam. No one in Washington recognizes me without my robe, let alone Chicago. I'm the one barging in here unannounced. Please accept my apology.

MYRA

Please, have a seat. I'm afraid you've caught me finishing up the breakfast...
(Removing apron.)

Would you like a cup of tea? Or I could make some coffee.

BRADLEY

No, thank you. I have a carriage waiting. I just wanted...ah, you are Mrs. Myra Bradwell?

MYRA

Oh, yes! Yes. In the flesh, more or less. And you are Associate Justice Joseph Bradley, who concurred specially in *Bradwell v. State of Illinois*.

BRADLEY

That would be me.

MYRA

Well, it's a...a pleasure meeting you, your honor. Are you sure I couldn't get you –

BRADLEY

No, thank you.
(An awkward silence.)

MYRA

What brings you to Chicago?

BRADLEY

Court business. As you may know, each justice rides circuit –

MYRA

Ah, yes, this is your circuit.

BRADLEY

We try to touch base before the Fall Term of the Court. Administrative duties.

MYRA

My husband James is a lawyer member of the local committee. Oh, you're looking for James! He just left for his office.

BRADLEY

No, actually, I wanted to meet you, Mrs. Bradwell. Pay my respects.

MYRA

Oh?

BRADLEY

I know it's a bit unorthodox. We don't often have occasion to meet a litigant. I should say, a *former* litigant. Your case is quite over now, and I was in the neighborhood. It might surprise you to know I'm an admirer of your work, as editor of the *Chicago Legal Times*. I'm told the local bench and bar consider it indispensable...in, ah, keeping up with recent developments.

MYRA

Thank you.

BRADLEY

I find I don't always agree with your editorial slant, but it's often thought provoking. We all need to be challenged, don't you think?

(No response.)

Our point of view? In any event, splendid work.

(Another silence.)

You're not practicing, then?

MYRA

Law? Why Mr. Justice Bradley, you said I couldn't.

BRADLEY

Madam, the *law* said you couldn't. More precisely, Illinois said you couldn't.

MYRA

Sir, the court could have set Illinois straight, told it that it's law was wrong.

BRADLEY

What do you mean? Well before we decided your case, the Illinois legislature had changed the law – allowing women to practice. You got what you wanted, Mrs. Bradwell. But you persisted with your appeal. May I ask why?

MYRA

What relevance does that have to your decision? I don't recall any mention of that in the opinion.

BRADLEY

No, you're right. Just a matter of curiosity, *post hoc*. The State had obviously capitulated, that's all I'm saying.

MYRA

Should I have let the State of Illinois portray itself as magnanimous, been grateful for its largess? The new law was a rank political maneuver. The State knew it wouldn't affect a handful of women.

BRADLEY

Ah. And your insistence on going forward with the case, that was *not* a rank political maneuver?

MYRA

All citizens, Justice Bradley, including women, are entitled to the full protection of the Constitution. There are 37 states in the Union, most of which are much less enlightened than Illinois. The court could have put an end to this nonsense in one fell swoop, ruled the former law and all others like it unenforceable.

BRADLEY

Madam, you expect too much of the court. It is not your *deus ex machina*. It is an institution grounded in restraint. It must view with caution issues born of public clamor and hysteria. We are not philosopher-kings.

MYRA

On that, I'm sure we can agree. With all due respect, I fail to see even an ounce of restraint in the ruling, particularly your opinion. Restraint would have been for the court to say that since Illinois had changed the law, the issue was moot. That Mrs. Bradwell could now pursue her chosen profession, so there was nothing to decide. That is not what the court did. Instead, you held women had no such right because in the eyes of the law we are considered chattel. Or should I say cattle.

(Another silence.)

Are you sure I couldn't get you anything?

BRADLEY

I could use a whiskey.

MYRA

(Somewhat taken aback.)

Ah...I think we have-

BRADLEY

I'm just kidding, Mrs. Bradwell. I never drink before Saturday. It was probably wise of you to have Mr. Carpenter present your case to us, instead of appearing *pro se*. You might have burst into flames.

MYRA

Justice Bradley, why are you here?

BRADLEY

As I said, court business. And, I was curious to see if you had landed on your feet.

MYRA

I never left my feet, sir.

BRADLEY

Yes, I'm sure you didn't.

(Fumbling.)

Perhaps there is more. I guess I wanted to say to you, Mrs. Bradwell - without the robe - that jurists take an oath to decide cases based on the law and not their personal preferences or sympathies, whatever they may be.

MYRA

Why Justice Bradley, is that an apology?

BRADLEY

You're free to treat it as an apology, if you must. It's merely an explanation. One that persons not schooled in the law don't seem capable of comprehending. One that I thought at least you would understand.

MYRA

I accept neither your apology, nor your explanation. If you were the least bit conflicted you would have signed the fairly innocuous main opinion, or perhaps Justice Chase's dissent. Instead you concurred and wrote separately. Lectured us all on the role of women being dictated by the *divine ordinances* of the Creator, confined to domestic matters due to our, our - and I quote - "natural and proper timidity and delicacy." Hogwash!

BRADLEY

The Natural Law is not hogwash, Mrs. Bradwell. It has long been a useful resource for the courts.

MYRA

When it suits you. That's not my God.

BRADLEY

At least I dealt with the real issue underneath your contretemps. This was never about your right to a chosen profession. It was about your purported right to wear breeches.

(A beat.)
Suffrage.

MYRA

You make it sound like the plague.

BRADLEY

I, I must go.

(Rises to leave.)

You should consider standing for the bar, Mrs. Bradwell. You would be a formidable advocate. Again, I apologize...for the intrusion. It was thoughtless.

MYRA

Apology accepted. I hope that helps.

BRADLEY

Pardon?

MYRA

I received many letters after the opinion was announced. One of them, as I recall, was from a Mary Bradley. Would you know her? She didn't mention who she was, but it seemed very personal.

BRADLEY

Mary is my wife. Mrs. Bradley has not been herself for some time. Out of sorts, you might say. Confused by life.

MYRA

Oh, she seemed very clear in the letter.

BRADLEY

It started with the war. We lost our eldest son at Appomattox. The other children are on their own now. The house is too big, the days too long.

MYRA

I believe I still have it. The letter. Would you like to see it? To be sure?

BRADLEY

No. Yes. If it wouldn't be too much trouble.

MYRA

Not at all. Please excuse me for a moment.

(MYRA exits. BRADLEY slumps in a chair. After several beats, MYRA returns with an envelope.)

Mary Bradley. Posted at Chesapeake.

(Handing Bradley the envelope.)

BRADLEY

Yes, that is her script.

(BRADLEY holds the envelope, uncertain what to do with it.)

MYRA

Keep it.

(He does.)

Do you live in Chesapeake?

BRADLEY

Ah, no. She's there visiting her sister.

MYRA

Ahh. I hear it's perfect this time of year.

BRADLEY

So I'm told.

MYRA

I find the lovely, or awful, thing about a court opinion is it's so public, so permanent. But you, sir, can always reexamine your views.

(Referring to the envelope.)

It does appear she...misses you. God knows why.

(BRADLEY fights a smile.)

BRADLEY

(Saying his goodbyes.)

Mrs. Bradwell.

MYRA

Myra.

BRADLEY

Yes, Myra. Thank you. Goodbye.

(BRADLEY exits. MYRA picks up her apron and examines it as the lights fade to black.)

END OF PLAY

(6/19/12)