

Miriam Naveira Merly Examining Board v. Flores (1976)



Miriam Naveira Merly as a child, Courtesy of Dr. Miriam Rodon-Naveira

Miriam Naveira Merly was born on July 28, 1934, in San Juan, Puerto Rico. She is the daughter of Maria "Matilde" Merly and Arturo Naveira Ramos. Miriam also had two brothers, Arturo "Turi" and William "Billy." Her father valued good, advanced education, so he worked to pay for his sisters and later his children to attend college. Miriam went to St. John's School because her father recognized the American-Puerto Rican future of society. Still, she struggled to immerse fully due to what many believed to be dyslexia. Still, she overcame this by teaching herself reading strategies. Miriam attended boarding school and college in the United States and returned to Puerto Rico to complete her education. Initially, she skillfully studied philosophy, history, and Spanish, but a professor encouraged her to pursue law. Even though it was a male-dominated field, she mastered it and never gave up despite the challenges she faced. While serving as Solicitor General of Puerto Rico, Miriam became the first woman of Puerto Rican descent to argue before the Supreme Court of the United States. She represented the government in *Examining Board of Engineers v. Flores de Otero* (1976). Although she lost the case, it opened the door for other women in law and made the "impossible" seem possible. She became the first female Associate Justice and later the first female Chief Justice of the Supreme Court of Puerto Rico, proving the role wasn't limited to one gender. Miriam retired in July 2004, as required by statute, but continued taking cases and consulting for the Inter-American University. Today, she is remembered as a remarkable woman with independent thought, strong values, and someone who not only spoke—but listened.

"[Miriam's] life has been and is a masterful lesson of a beautiful and formidable convergence of soul, heart, and mind in the service of her people."

—Dr. Eneid Routte



Miriam Naveira Merly, Courtesy of Dr. Miriam Rodon-Naveira

ACHIEVEMENTS AND IMPACT

A lover of learning, Naveira achieved great milestones:

- She graduated from Mount St. Vincent School in New York with degrees in Chemistry and French
- She earned her law degree from University of Puerto Rico
- After passing the bar, she was invited to clerk for Associate Justice Lino Saldaña and then Chief Justice Luis Negrón Fernández of the Puerto Rican Supreme Court
- While working and parenting, she returned to New York and earned a Master of Laws from Columbia University
- Finally, Miriam earned a doctorate in Antitrust Law from Leiden University in the Netherlands.

Her exceptional education and dedication to her career earned her numerous prestigious job opportunities.

Miriam Naveira was a monumental figure in Puerto Rico's judicial history, whose impact during her time continues to shape Puerto Rico's legal world. She broke through many barriers as the first woman to serve as

- Assistant Secretary of Justice in Antitrust Affairs
- Solicitor General of Puerto Rico
- Associate Justice of the Puerto Rican Supreme Court
- Chief Justice of the Puerto Rico Supreme Court

Her leadership brought a shift towards gender equality within the justice system, including the formation of a commission to study gender discrimination in the courts. Naveira also played a big part in judicial reforms such as the implementation of the Judiciary Act, the creation of the Judicial Academy, and the development of new court regulations that still remains to this day.

"She opened the door for systemic transformation and, in my opinion, most importantly, marked the starting point of all the efforts of a movement aimed at changing the relationship between men and women in society."

—The Honorable Carmen Hilda Carlos

"For the principle of equality to come to life, it is essential that it be realized socially, and for that, the most determined energies from all sectors, both governmental and private, must be put at its service."

— Miriam Naveira Merly

CONTRIBUTION TO EXAM. BOARD V. FLORES.

The case *Examining Board v. Flores de Otero* (1976) was brought by two legal residents of Puerto Rico, who were not U.S. citizens, and wanted the right to obtain civil engineering licenses in Puerto Rico. Miriam Naveira played a crucial role as the Solicitor General of Puerto Rico, leading the legal team on behalf of the government. She argued that the regulation was necessary to ensure public safety and professional accountability. She also stated that the Puerto Rican courts should have had original jurisdiction to resolve the dispute locally. Her arguments detailed the issues these cases were causing for Puerto Rico, including juries awarding significant financial compensation to plaintiffs. Additionally, she gave several compelling reasons to require civil engineering applicants to be United States citizens. Although the Supreme Court of the United States ultimately ruled that the law was unconstitutional because it discriminated against non-citizens, Naveira's involvement in the case demonstrated her knowledge of difficult constitutional matters. Her participation in this litigation helped mark the start of her historic achievement as the first woman of Puerto Rican descent to argue before the Supreme Court of the United States.



Chief Justice Miriam Naveira Merly
Courtesy of Dr. Miriam Rodon-Naveira

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