

# Ruth Bader Ginsburg

Ruth Bader Ginsburg, née Joan Ruth Bader, (born March 15, 1933, Brooklyn, New York, U.S.—died September 18, 2020, Washington, D.C.), associate justice of the Supreme Court of the United States from 1993 to 2020. She was the second woman to serve on the Supreme Court.

Joan Ruth Bader was the younger of the two children of Nathan Bader, a merchant, and Celia Bader. Her elder sister, Marilyn, died of meningitis at the age of six, when Joan was 14 months old. Outside her family, Ginsburg began to go by the name “Ruth” in kindergarten to help her teachers distinguish her from other students named Joan. The Baders were an observant Jewish family, and Ruth attended synagogue and participated in Jewish traditions as a child. She excelled in school, where she was heavily involved in student activities and earned excellent grades.

At about the time when Ruth started high school, Celia was diagnosed with cancer. She died of the disease four years later, just days before Ruth’s scheduled graduation ceremony, which Ruth could not attend.

Ruth entered Cornell University on a full scholarship. During her first semester, she met her future husband, Martin (“Marty”) Ginsburg, who was also a student at Cornell. Martin, who eventually became a nationally prominent tax attorney, exerted an important influence on Ruth through his strong and sustained interest in her intellectual pursuits. She was also influenced by two other people—both professors—whom she met at Cornell: the author Vladimir Nabokov, who shaped her thinking about writing, and the constitutional lawyer Robert Cushman, who inspired her to pursue a legal career. Martin and Ruth were married in June 1954, nine days after she graduated from Cornell.

After Martin was drafted into the U.S. Army, the Ginsburgs spent two years in Oklahoma, where he was stationed. Their daughter, Jane, their first child, was born during this time. The Ginsburgs then moved to Massachusetts, where Martin resumed—and Ruth began—studies at Harvard Law School. While Ruth completed her coursework and served on the editorial staff of the Harvard Law Review (she was the first woman to do so), she acted as caregiver not only to Jane but also to Martin, who had been diagnosed with testicular cancer. After his recovery, Martin graduated and accepted a job with a law firm in New York City. Ruth completed her legal education at Columbia Law School, serving on the law review and graduating in a tie for first place in her class in 1959.

Despite her excellent credentials, she struggled to find employment as a lawyer, because of her gender and the fact that she was a mother. At the time, only a very small percentage of lawyers in the United States were women, and only two women had ever served as federal judges. However, one of her Columbia law professors advocated on her behalf and helped to convince Judge Edmund Palmieri of the U.S. District Court for the Southern District of New York to offer Ginsburg a clerkship (1959–61). As associate director of the Columbia Law School’s Project on International Procedure (1962–63), she studied Swedish civil procedure; her research was eventually published in a book, *Civil Procedure in Sweden* (1965), cowritten with Anders Bruzelius.

Hired by the Rutgers School of Law as an assistant professor in 1963, she was asked by the dean of the school to accept a low salary because of her husband’s well-paying job. After she became pregnant with the couple’s second child—a son, James, born in 1965—Ginsburg wore oversized clothes for fear that her contract would not be renewed. She earned tenure at Rutgers in 1969.

In 1970 Ginsburg became professionally involved in the issue of gender equality when she was asked to introduce and moderate a law student panel discussion on the topic of “women’s liberation.” In 1971 she published two law review articles on the subject and taught a seminar on gender discrimination. As a part of the course, Ginsburg partnered with the American Civil

Liberties Union (ACLU) to draft briefs in two federal cases. The first (originally brought to her attention by her husband) involved a provision of the federal tax code that denied single men a tax deduction for serving as caregivers to their families. The second involved an Idaho state law that expressly preferred men to women in determining who should administer the estates of people who die without a will (see intestate succession). The U.S. Supreme Court's decision in the latter case, *Reed v. Reed* (1971), was the first in which a gender-based statute was struck down on the basis of the equal protection clause.

During the remainder of the 1970s, Ginsburg was a leading figure in gender-discrimination litigation. In 1972 she became founding counsel of the ACLU's Women's Rights Project and coauthored a law-school casebook on gender discrimination. In the same year, she became the first tenured female faculty member at Columbia Law School. She authored dozens of law review articles and drafted or contributed to many Supreme Court briefs on the issue of gender discrimination. During the decade, she argued before the Supreme Court six times, winning five cases.

In 1980 Democratic U.S. Pres. Jimmy Carter appointed Ginsburg to the U.S. Court of Appeals for the District of Columbia Circuit in Washington, D.C. While serving as a judge on the D.C. Circuit, Ginsburg developed a reputation as a pragmatic liberal with a keen attention to detail. She enjoyed cordial professional relationships with two well-known conservative judges on the court, Robert Bork and Antonin Scalia, and often voted with them. In 1993 she delivered the Madison Lecture at New York University Law School, offering a critique of the reasoning—though not the ultimate holding—of *Roe v. Wade* (1973), the famous case in which the Supreme Court found a constitutional right of women to choose to have an abortion. Ginsburg argued that the Court should have issued a more limited decision, which would have left more room for state legislatures to address specific details. Such an approach, she claimed, “might have served to reduce rather than to fuel controversy.”

On June 14, 1993, Democratic U.S. Pres. Bill Clinton announced his nomination of Ginsburg to the Supreme Court to replace retiring Justice Byron White. Her confirmation hearings were quick and relatively uncontroversial. She was endorsed unanimously by the Senate Judiciary Committee and confirmed by the full Senate on August 3 by a vote of 96–3.

On the Court, Ginsburg became known for her active participation in oral arguments and her habit of wearing jabots, or collars, with her judicial robes, some of which expressed a symbolic meaning. She identified, for example, both a majority-opinion collar and a dissent collar. Early in her tenure on the Court, Ginsburg wrote the majority's opinion in *United States v. Virginia* (1996), which held that the men-only admission policy of a state-run university, the Virginia Military Institute (VMI), violated the equal protection clause. Rejecting VMI's contention that its program of military-focused education was unsuitable for women, Ginsburg noted that the program was in fact unsuitable for the vast majority of Virginia college students regardless of gender. “[G]eneralizations about ‘the way women are,’ estimates of what is appropriate for most women, no longer justify denying opportunity to women whose talent and capacity place them outside the average description,” she wrote.

Although Ginsburg tended to vote with other liberal justices on the Court, she got along well with most of the conservative justices who had been appointed before her. She enjoyed a special connection with Justice Sandra Day O'Connor, a moderate conservative and the first woman appointed to the Supreme Court, and she and conservative Justice Antonin Scalia famously bonded over their shared love of opera (indeed, the American composer-lyricist Derrick Wang wrote a successful comic opera, *Scalia/Ginsburg*, celebrating their relationship). She praised the work of the first chief justice with whom she served, William Rehnquist, another conservative. Ginsburg had less in common with most of the justices appointed by Republican U.S. Presidents George W. Bush and Donald J. Trump, however.

Ginsburg attracted attention for several strongly worded dissenting opinions and publicly read some of her dissents from the bench to emphasize the importance of the case. Two such decisions in 2007 concerned women's rights. The first, *Gonzales v. Carhart*, upheld the federal Partial-Birth Abortion Ban Act on a 5–4 vote. Ginsburg decried the judgment as “alarming,” arguing that it “cannot be understood as anything other than an effort to chip away at a right [the

right of women to choose to have an abortion] declared again and again by this Court.” Similarly, in *Ledbetter v. Goodyear Tire*, another 5–4 decision, Ginsburg criticized the majority’s holding that a woman could not bring a federal civil suit against her employer for having paid her less than it had paid men (the plaintiff did not become aware of her right to file suit until after the filing period had passed). Ginsburg argued that the majority’s reasoning was inconsistent with the will of the U.S. Congress—a view that was somewhat vindicated when Congress passed the Lilly Ledbetter Fair Pay Act of 2009, the first bill that Democratic U.S. Pres. Barack Obama signed into law.

With the retirements of Justices David Souter in 2009 and John Paul Stevens in 2010, Ginsburg became the most senior justice within the liberal bloc. She wrote dissents articulating liberal perspectives in several more prominent and politically charged cases. Her partial dissent in the Affordable Care Act cases (2012), which posed a constitutional challenge to the Patient Protection and Affordable Care Act (also known as “Obamacare”), criticized her five conservative colleagues for concluding—in her view contrary to decades of judicial precedent—that the commerce clause did not empower Congress to require most Americans to obtain health insurance or pay a fine. In *Shelby County v. Holder* (2013), the Court’s conservative majority struck down as unconstitutional Section 4 of the Voting Rights Act (VRA) of 1965, which had required certain states and local jurisdictions to obtain prior approval (“preclearance”) from the federal Justice Department of any proposed changes to voting laws or procedures. Ginsburg, in dissent, criticized the “hubris” of the majority’s “demolition of the VRA” and declared that “throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet.” Ginsburg was likewise highly critical of the majority’s opinion in *Burwell v. Hobby Lobby Stores, Inc.* (2014), a decision that recognized the right of for-profit corporations to refuse on religious grounds to comply with the Affordable Care Act’s requirement that employers pay for coverage of certain contraceptive drugs and devices in their employees’ health insurance plans. Ginsburg wrote that the majority opinion “falters at each step of its analysis” and expressed concern that the Court had “ventured into a minefield” by holding “that commercial enterprises...can opt out of any law (saving only tax laws) they judge incompatible with their sincerely held religious beliefs.” Throughout her career Ginsburg concluded her dissents with the phrase “I dissent,” rather than the conventional and more common “I respectfully dissent,” which she considered an unnecessary (and slightly disingenuous) nicety.

In part because of her increasing outspokenness, Ginsburg became, during the Obama administration (2009–17), a progressive and feminist folk hero. Inspired by some of her dissents, a second-year law student at New York University created a Tumblr blog entitled “Notorious R.B.G.”—a play on “Notorious B.I.G.,” the stage name of the American rapper Christopher Wallace—which became a popular nickname for Ginsburg among her admirers. Nevertheless, some liberals, citing Ginsburg’s advanced age and concerns about her health (she was twice a cancer survivor) and apparent frailty, argued that she should retire in order to allow Obama to nominate a liberal replacement. Others, however, pointed to her vigorous exercise routine and the fact that she had never missed an oral argument to urge that she should remain on the Court for as long as possible. For her own part, Ginsburg expressed her intention to continue for as long as she was able to perform her job “full steam.” On the day after Martin Ginsburg died in 2010, she went to work at the Court as usual because, she said, it was what he would have wanted.

In an interview in 2016 Ginsburg expressed dismay at the possibility that Republican candidate Donald Trump would be elected president—a statement that was widely criticized as not in keeping with the Court’s tradition of staying out of politics. (Ginsburg later said that she regretted the remark.) Trump’s electoral victory renewed criticism of Ginsburg for not having retired while Obama was president. She remained on the Court as its oldest justice, publicly mindful of John Paul Stevens’s service until the age of 90.

# How to honor RBG by supporting her favorite causes

(CNN)Supreme Court Justice Ruth Bader Ginsburg forged a trailblazing legal career championing gender equality and civil rights. Outside of the courtroom, there were several causes close to her heart.

In 2019, the Berggruen Institute, an independent think tank, awarded Ginsburg its annual \$1 million prize for Philosophy and Culture, praising her as "a constant voice for justice, equal and accessible to all." She donated the winnings to dozens of nonprofits, including the organizations below.

Long before she became known as the "Notorious RBG," Ginsburg was an excellent student. The daughter of an immigrant father, Ginsburg credited her luck to growing up in America where she had the chance to go to school and succeed.

But around the world, forces like war, poverty and discrimination prevent more than 130 million girls from getting an education. The Malala Fund, founded by Nobel Prize winner Malala Yousafzai, advocates for girls' stable access to free, safe and quality schooling.

Ginsburg, the first female Jewish justice on the Supreme Court, dedicated her life's work to inclusion and equality. So does Hand in Hand, a network of integrated public schools where Jewish and Arab children in Israel learn together -- and from each another -- with the hopes of fostering peace, respect and understanding.

Ginsburg looked to future generations for faith in a better future. In accepting the Berggruen Prize, the great-grandmother said, "One of the things that makes me an optimist is young people."

Even after finishing at the top of her Columbia Law School class, Ginsburg remained a lifelong scholar of the law. Prior to joining the Supreme Court, she served as secretary and on the executive committee of the American Bar Foundation (ABF), a preeminent legal research institute. The justice became a fellow of the ABF in 1978.

"As a former board member and Patron Fellow, Justice Ginsburg has played a key role in making the ABF the institution it is today," said ABF Executive Director Ajay K. Mehrotra in a statement.

Cancer touched Ginsburg and also her two closest champions. Her mother, Celia, died from cervical cancer the day before Ginsburg's high school graduation. Ginsburg's husband, Martin, successfully battled testicular cancer during law school while Ginsburg attended classes for him. They were married for 56 years before he passed away from metastatic cancer in 2010.

Ginsburg herself had colon cancer surgery in 1999 and later received treatment for lung and pancreatic cancer at Memorial Sloan Kettering Cancer Center.

Through it all, the justice said her job kept her going. "The work is really what saved me," she told NPR, "because I had to concentrate on reading the briefs, doing a draft of an opinion, and I knew it had to get done. So I had to get past whatever my aches and pains were just to do the job."

Ginsburg was a devoted opera fan. She could often be found in the audience on opening nights of shows around Washington, DC, including the two seasonal productions each year at the Washington Concert Opera.

Ginsburg made her Washington National Opera debut in "The Daughter of the Regiment" in a spoken -- not sung -- cameo role. "While I have a passion for music," she told Opera News, "I have no talent as a performer."

## Ruth Bader Ginsburg

Ruth Bader Ginsburg spent a lifetime flourishing in the face of adversity before being appointed a Supreme Court justice, where she successfully fought against gender discrimination and unified the liberal block of the court. She was born Joan Ruth Bader on March 15, 1933 in Brooklyn, New York. Her father was a furrier in the height of the Great Depression, and her mother worked in a garment factory. Ginsburg's mother instilled a love of education in Ginsburg through her dedication to her brother; foregoing her own education to finance her brother's college expenses. Her mother heavily influenced her early life and watched Ginsburg excel at James Madison High School, but was diagnosed with cancer and died the day before Ginsburg's high school graduation. Ginsburg's success in academia continued throughout her years at Cornell University, where she graduated at the top of her class in 1954. That same year, Ruth Bader became Ruth Bader Ginsburg after marrying her husband Martin. After graduation, she put her education on hold to start a family. She had her first child in 1955, shortly after her husband was drafted for two years of military service. Upon her husband's return from his service, Ginsburg enrolled at Harvard Law.

Ginsburg's personal struggles neither decreased in intensity nor deterred her in any way from reaching and exceeding her academic goals, even when her husband was diagnosed with testicular cancer in 1956, during her first year of law school. Ginsburg took on the challenge of keeping her sick husband up-to-date with his studies while maintaining her own position at the top of the class. At Harvard, Ginsburg tackled the challenges of motherhood and of a male-dominated school where she was one of nine females in a 500-person class. She faced gender-based discrimination from even the highest authorities there, who chastised her for taking a man's spot at Harvard Law. She served as the first female member of the Harvard Law Review. Her husband recovered from cancer, graduated from Harvard, and moved to New York City to accept a position at a law firm there. Ruth Bader Ginsburg had one more year of law school left, so she transferred to Columbia Law School and served on their law review as well. She graduated first in her class at Columbia Law in 1959.

Even her exceptional academic record was not enough to shield her from the gender-based discrimination women faced in the workplace in the 1960s. She had difficulties finding a job until a favorite Columbia professor explicitly refused to recommend any other graduates before U.S. District Judge Edmund L. Palmieri hired Ginsburg as a clerk. Ginsburg clerked under Judge Palmieri for two years. After this, she was offered some jobs at law firms, but always at a much lower salary than her male counterparts. She instead took some time to pursue her other legal passion, civil procedure, choosing to join the Columbia Project on International Civil Procedure. This project fully immersed her in Swedish culture, where she lived abroad to do research for her book on Swedish Civil Procedure practices. Upon her return to the States, she accepted a job as a professor at Rutgers University Law School in 1963, a position she held until accepting an offer to teach at Columbia in 1972. There, she became the first female professor at Columbia to earn tenure. Ginsburg also directed the influential Women's Rights Project of the American Civil Liberties Union during the 1970s. In this position, she led the fight against gender discrimination and successfully argued six landmark cases before the U.S. Supreme Court. Ginsburg took a broad look at gender discrimination, fighting not just for the women left behind, but for the men who were discriminated against as well. Ginsburg experienced her share of gender discrimination, even going so far as to hide her pregnancy from her Rutgers colleagues. Ginsburg accepted Jimmy Carter's appointment to the U.S. Court of Appeals for the District of Columbia in 1980. She served on the court for thirteen years until 1993, when Bill Clinton appointed her to the Supreme Court of the United States.

Ruth Bader Ginsburg began her career as a justice where she left off as an advocate, fighting for women's rights. In 1996, Ginsburg wrote the majority opinion in *United States v. Virginia*, holding that qualified women could not be denied admission to Virginia Military Institute. Her style in advocating from the bench matches her style from her time at the ACLU: slow but steady, and calculated. Instead of creating sweeping limitations on gender discrimination, she attacked specific areas of discrimination and violations of women's rights one at a time, so as to send a message to the legislatures on what they can and cannot do. Her attitude is that major social change should not come from the courts, but from Congress and other legislatures. This method allows for social change to remain in Congress' power while also receiving guidance from the court. Ginsburg does not shy away from giving pointed guidance when she feels the need. She dissented in *Ledbetter v. Goodyear Tire & Rubber Co.* where the plaintiff, a female worker being paid significantly less than males with her same qualifications, sued under Title VII but was denied relief under a statute of limitations issue. The facts of this case mixed her passion of federal procedure and gender discrimination. She broke with tradition and wrote a highly colloquial version of her dissent to read from the bench. She also called for Congress to undo this improper interpretation of the law in her dissent, and then worked with President Obama to pass the very first piece of legislation he signed, the Lilly Ledbetter Fair Pay Act of 2009, a copy of which hangs proudly in her office.

Until her death on September 18, 2020, Ginsburg worked with a personal trainer in the Supreme Court's exercise room, and for many years could lift more than both Justices Breyer and Kagan. Until the 2018 term, Ginsburg had not missed a day of oral arguments, not even when she was undergoing chemotherapy for pancreatic cancer, after surgery for colon cancer, or the day after her husband passed away in 2010. Justice Ginsburg proved time and again that she was a force to be reckoned with, and those who doubted her capacity to effectively complete her judicial duties needed only to look at her record in oral arguments, where she was, until her death, among the most avid questioners on the bench. The Supreme Court issued a press release on September 19, 2020, regarding her death.

Justia has compiled a complete list of all the opinions Justice Ginsburg authored, including majority (and plurality) opinions, concurring opinions, dissenting opinions, and other types of opinions.

**SOURCE 1 (Website)****TITLE:** Ruth Bader Ginsburg**DATE OF PUBLICATION:** September 22, 2020**AUTHOR:** Brian P. Smentkowski**WEBSITE:** Britannica**URL:** <https://www.britannica.com/biography/Ruth-Bader-Ginsburg>**SOURCE 2 (Website)****TITLE:** How to honor RBG by supporting her favorite causes**DATE OF PUBLICATION:** September 19, 2020**AUTHOR:** Julia M. Chan**WEBSITE:** CNN**URL:**<https://www.cnn.com/2020/09/19/us/ruth-bader-ginsburg-rbg-favorite-causes-charity-iw/index.html>

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