

A More Equal World

by Kailey Wong

As a Jewish girl born to a low-income family in Brooklyn during the Great Depression, no one could have imagined what Ruth Bader Ginsburg would accomplish. Throughout her life, Ginsburg has repeatedly overcome odds immeasurably stacked against her. Early in her career, Ginsburg frequently encountered the repercussions of misogyny. As such, she saw no alternative except fighting discrimination relentlessly. The goal of correcting the inequities that had oppressed her became the driving force behind all of her actions. As a result of Ginsburg's hard work, advocacy, and outspokenness for gender equality, she has reshaped and initiated long-lasting reform in the justice community.

When Ginsburg was a girl, gender inequality and stereotypes were widespread across the country. By the time Ginsburg attended Harvard Law School, she was one of only nine females in a five-hundred-person class. One of Ginsburg's most vivid memories is the scrutiny she was placed under when the dean inquired why she was taking the place of a male ("Ruth Bader Ginsburg"). Ginsburg knew she would face ridicule if she admitted her hope to become a law clerk, so, instead, she forced herself to fit into the meek and submissive stereotype the men at Harvard held. From the start of her journey, Ginsburg was up against a society and a federal government that naturally assumed women would be dependents (Camron & Khiznik 49). It was almost unheard of for a female to be the breadwinner in a family, but Ginsburg didn't let any of this stop her. She proceeded to break through barriers, attending both Harvard and Columbia Law Schools. Ginsburg earned a spot as a writer in the prestigious law review, or scholarly journal, of both schools, demonstrating the tenacity the future would demand of her.

Following graduation, Ginsburg emerged into the working world ready to put her education to use, but gender discrimination proved to be a considerable obstacle. Despite graduating at the top of her class with an exceptional academic record, Ginsburg was unable to find a job (Houck & Smentkowski). This failure was simply because she was a female and a mother. It took a Columbia law professor insisting on Ginsburg's hire for her to obtain a clerkship at a U.S. District Court. After working for two years, Ginsburg was offered jobs at law firms, but she continued to struggle to find a job that would treat her as an equivalent to her male counterparts ("Ruth Bader Ginsburg"). At this point, Ginsburg refused to accept a position that would not treat her as an equal to men. Instead, she opted to concentrate on researching topics she was passionate about, which would aid her in her future endeavors.

When Ginsburg experienced injustice in the workplace, she would readily correct it. This pattern began in 1963, when she obtained a teaching job at Rutgers. However, Ginsburg quickly discovered she was not being paid as much as her male colleagues, prompting her to join a campaign with the goal of obtaining higher pay ("The Legacy of Ruth Bader Ginsburg"). Ginsburg's research regarding women's status in law enlightened and inspired her to speak out for females and give a voice to those who didn't have one. Emboldened by her revelation, Ginsburg helped female professors file a federal class-action pay-discrimination claim against the university and won (Camron & Knizhnik 49). Although this was a small act, it was one of Ginsburg's first successes. She was always quick to advocate for change where she deemed necessary and never hesitated to help others for a justified cause. At the time, it was nearly impossible for pregnant women to be successful. Due to gender stereotypes, pregnancy was seen as a disability that meant women would be unable to complete their jobs properly. Ginsburg altered this stereotype by setting an example and being a persistent advocate. While pregnant

with her first child, Ginsburg persevered and even hid signs of her pregnancy to ensure her contract would be renewed (Greenspan) so she could be successful in the future. By the time Ginsburg started teaching as a professor at Columbia Law School, she had made a name for herself: “the women at Columbia had been waiting for her. Almost immediately, they began contacting her to air grievances” (Camron & Knizhnik 61). Ginsburg’s progress had empowered and motivated the women at Columbia to demand reform similar to what she was seeking. Similar to her efforts at Rutgers, Ginsburg filed a class-action lawsuit on behalf of female faculty members at the university (Camron & Knizhnik 61). Ginsburg’s success in obtaining pay raises encompassed all women she was representing and empowered her to continue fighting for women’s rights.

Ginsburg made substantial progress toward gender equality in federal law through arguing cases as part of the Women’s Rights Project. While teaching as a professor, Ginsburg had also joined the American Civil Liberties Union (ACLU). Under this program, Ginsburg commenced her mission to convince the federal government that gender inequality existed in the law. One of the first cases Ginsburg argued was *Reed v. Reed*, an equal protection case that turned out to be a major milestone; it was an unprecedented decision for the Supreme Court to rule against a law where men and women were not treated as equals (Camron & Knizhnik 58). This small victory launched Ginsburg’s work as an advocate for gender equality. She utilized the ACLU as a platform, co-founding the Women’s Rights Project (WRP) in 1972. In the following years, Ginsburg argued six major Supreme Court cases, each specifically targeted toward exposing gender discriminatory laws. Another one of Ginsburg’s notable cases was *Frontiero v. Richardson*, where the Supreme Court ruled that a woman’s work could not be treated less important than her husband's (Camron & Knizhnik 59-60). This ruling was an outstanding

victory, considering it was the first case Ginsburg had argued by herself. However, deeply-rooted stereotypes served as an obstacle to Ginsburg, assuming that as a female, she would not have the means, or the intelligence to get an education that would allow her to stand before the court and argue a case. To expand her progress in federal law, Ginsburg took the case *Weinberger v. Wiesenfeld* to prove that discrimination exists against both genders. In this case, Wiesenfeld was a widower who had been denied Social Security child support benefits. A woman would have received these benefits in the same situation (“Ruth Bader Ginsburg Biography”). Convinced by Ginsburg’s arguments, the Supreme Court unanimously ruled that gender-based discrimination concerning social security benefits was “illogical” (“Weinberger v. Wiesenfeld”). Ginsburg’s success in the case made her more determined than ever to initiate a transformation by convincing the Supreme Court that gender discrimination was unconstitutional. Ginsburg began to earn “a national reputation as a leading advocate for the equal citizenship status of men and women” (“Ruth Bader Ginsburg Biography”). Ginsburg’s philosophy was to attack specific areas of discrimination one at a time, and it was working, slowly but surely. One of Ginsburg’s most significant accomplishments, the Pregnancy Discrimination Act, arose from the case *General Electric Company v. Gilbert*. After the Supreme Court ruled employers had the right to exclude pregnancy from disability plans (“General Electric Company v. Gilbert”), Ginsburg immediately went to work to overturn the decision. Although the result of *General Electric Company v. Gilbert* worked against women, Ginsburg did not let this deter her. Finally, two years later, Ginsburg’s hard work paid off when Congress passed the Pregnancy Discrimination Act, which stated that employers were obligated to treat pregnant women as temporarily handicapped employees, or they would be discriminating against these workers (Camron & Kizhnik 69). Ginsburg’s hard work and persistence led to the act’s passing, which gave pregnant women rights

they had previously been denied. Overall, the WRP was effective in allowing Ginsburg to “[lead] the ACLU in a host of important legal battles...that established the foundation for the current legal prohibitions against sex discrimination in [the U.S.] and helped lay the groundwork for future women's rights advocacy” (“A Driving Force for Change”).

The lasting effects of Ginsburg’s works are evident in the magnitude of people that have been positively affected by the results of her works. Despite her departure from the WRP, Ginsburg continued to advocate for gender equality and women’s rights in the District of Columbia Circuit and eventually the Supreme Court. All of Ginsburg’s achievements prompted President Jimmy Carter to nominate her to be a judge on the District of Columbia Circuit in 1980. In 1993, Ginsburg was appointed to the Supreme Court by President George Bush, where she currently works today. Among many cases Ginsburg has ruled during her time as a justice, *United States v. Virginia* is one of the most monumental. Ginsburg wrote the majority opinion for the case, where the court ruled that all qualified females must be granted admission to Virginia Military Institute (VMI) (“Ruth Bader Ginsburg”). In her time on the Supreme Court, Ginsburg’s opinion for *United States v. Virginia* is one of the most well-known and preeminent she has ever written. Steve Vladeck, a Supreme Court analyst and professor of law at the University of Texas School of Law, commented that “[*United States v. Virginia*], more than any other [case], epitomized the justices' effort to establish true sex equality as a fundamental constitutional norm, and its effects are continuing to reverberate today" (Vogue). Today, at VMI, many young women are grateful for Ginsburg’s work in *United States v. Virginia*, which has given them an opportunity they might not have had otherwise. As of 2018, there were 194 female cadets at VMI (Vogue). Among these young women was cadet Makayla Diamond, who acknowledged, "I'm very thankful because without Ruth Bader Ginsburg I might not be here [VMI]...She allowed all

these women to not only come here but to succeed in whatever they wanted to do.” In 2006, Ginsburg dissented against the majority opinion of *Ledbetter v. Goodyear Tire & Rubber Co.*, a case that has had long-lasting effects. Breaking from tradition, Ginsburg read her dissent, an appeal for equal pay, from the bench. Subsequently, one of Ginsburg’s proudest accomplishments, the Lilly Ledbetter Fair Pay Act, was introduced to Congress in 2007. Finally, in 2009, the act was passed, becoming the first piece of legislature President Barack Obama signed. The act has had a profound impact on the workplace today. Now, workers have gained awareness of pay disparities and are able to challenge and correct unequal pay practices. Ginsburg’s actions regarding this case demonstrate her willingness to persevere to obtain justice in gender discrimination.

Through her accomplishments, Ginsburg has equipped others to fight for and create social change in the world. Despite her outspoken advocacy, Ginsburg understands the importance of stepping back and preparing others before implementing radical reforms as well. This effect is most clearly seen through the monumental progress of the WRP. Once Ginsburg co-founded the project, an unstoppable tidal wave of change swept through the law world. “By 1974, the Women's Rights Project and ACLU affiliates had participated in over 300 sex discrimination cases; between 1969 and 1980, the ACLU participated in 66 percent of gender discrimination cases decided by the Supreme Court” (“A Driving Force”). Due to Ginsburg’s work and guidance, the other members of the WRP were well-equipped to handle cases and develop progress in the women's rights movement. Through founding the program, Ginsburg inspired more women to join the cause of women's rights and provided a secure platform for them to speak out. In this manner, former WRP Director Isabelle Katz Pinzler reflected that although the work was difficult without Ginsburg, the women of the WRP were still able to

achieve victories and follow in Ginsburg's footsteps ("The Legacy of Ruth Bader Ginsburg"). As Ginsburg serves as a United States Supreme Court Justice, she has also allowed Congress and other legislatures to retain the ability to produce social change. Although Ginsburg has taken a step back, she is never afraid to provide advice or dissent as needed in order to steer a case in the direction she views as best.

Ginsburg has inspired many to share her story and, in turn, inspire and encourage others to advocate for change. Through her outspokenness, Ginsburg has reached a large audience. She has never been one to stick to the rules. Instead, she established her own rules and even broke from tradition when she deemed it appropriate. Ginsburg is widely recognized for breaking from tradition and reading aloud her blunt dissent in cases such as *United States v. Virginia*. In doing so, Ginsburg has caught the attention of many, inspiring and prompting them to learn about her story. One such person, Shana Knizhnik, a young law student, took notice of Justice Ginsburg's outspoken dissents and created a Tumblr account dedicated to Ginsburg titled "Notorious R.B.G" (Lussenhop). The account quickly gained popularity, introducing Ginsburg to a rising generation of young women. Ginsburg serves as a role model by being an outspoken feminist before the movement gained traction. After viewing the success of the Tumblr account, Knizhnik co-authored a best-selling book by the same name. Without a doubt, many have been inspired and become interested in Ginsburg's narrative. Atypical of most Supreme Court Justices, Ginsburg has gained fame for her hard work and advocacy in the world of law.

Ruth Bader Ginsburg has constituted enduring change simply by being an advocate for herself. Through her journey in obtaining an education and a successful career, she also paved the way for many women to come after her. Ginsburg felt that she had no choice but to overcome the injustice in the law community, so she did everything in her power to guarantee the possibility of

achieving her goals. All of Ginsburg's trials were for a greater purpose, eventually allowing her to rise to a position of power that would allow her to rectify the gender bias she herself had faced. Ultimately, Ginsburg beat the odds to earn her standing today and continues to use her power as a Supreme Court justice to be an advocate for those without a voice. The legacy of Ruth Bader Ginsburg's accomplishments will continue to reverberate in those whose lives her journey has influenced and inspired.

Works Cited

- "ACLU History: A Driving Force for Change: The ACLU Women's Rights Project." *American Civil Liberties Union, Aclu*,
www.aclu.org/other/aclu-history-driving-force-change-aclu-womens-rights-project.
- Carmon, Irin, and Shana Knizhnik. *Notorious RBG : the Life and Times of Ruth Bader Ginsburg*. Dey St., an Imprint of William Morrow Publishers, 2015.
- "Five Years After the Lilly Ledbetter Fair Pay Act - Honoring a Law That Has Worked." *NWLC*, 19 Oct. 2015,
nwlc.org/blog/five-years-after-lilly-ledbetter-fair-pay-act-honoring-law-has-worked/.
- "General Electric Company v. Gilbert." *Oyez*, 9 Mar. 2019, www.oyez.org/cases/1975/74-1589
- Greenspan, Rachel E. "The True Story Behind the Movie 'On the Basis of Sex.'" *Time*, Time, 23 Dec. 2018, time.com/5478411/on-the-basis-of-sex-true-story/.
- Houck, Aaron M., and Brian P. Smentkowski. "Ruth Bader Ginsburg." *Encyclopædia Britannica*, 14 Jan. 2019, www.britannica.com/biography/Ruth-Bader-Ginsburg. Accessed 18 Feb. 2019.
- Kelley, Lauren. "How Ruth Bader Ginsburg Became the 'Notorious RBG.'" *Rolling Stone*, Rolling Stone, 25 June 2018,
www.rollingstone.com/culture/culture-features/how-ruth-bader-ginsburg-became-the-notorious-rbg-50388/.
- Lepore, Jill. "Ruth Bader Ginsburg's Unlikely Path to the Supreme Court." *The New Yorker*, The New Yorker, 8 Oct. 2018,
www.newyorker.com/magazine/2018/10/08/ruth-bader-ginsburgs-unlikely-path-to-the-supreme-court.

Lussenhop, Jessica. "Ruth Bader Ginsburg: Liberal America Panics When She Falls Ill." *BBC News*, BBC, 21 Dec. 2018, www.bbc.com/news/world-us-canada-46145777.

Macaluso, Beth Anne. "15 Things You Should Know About Ruth Bader Ginsburg." *Mental Floss*, Mental Floss, 25 Dec. 2018, mentalfloss.com/article/76804/15-things-you-should-know-about-ruth-bader-ginsburg.

"Ruth Bader Ginsburg." *Oyez*, 17 Feb. 2019, www.oyez.org/justices/ruth_bader_ginsburg.

"Ruth Bader Ginsburg Biography — Academy of Achievement." *Academy of Achievement*, www.achievement.org/achiever/ruth-bader-ginsburg/.

"Tribute: The Legacy of Ruth Bader Ginsburg and WRP Staff." *American Civil Liberties Union*, Aclu, www.aclu.org/other/tribute-legacy-ruth-bader-ginsburg-and-wrp-staff.

Vogue, Ariane de. "At VMI, Ruth Bader Ginsburg Reflects on a Monumental Ruling." *CNN*, Cable News Network, 13 Aug. 2018, www.cnn.com/2017/02/02/politics/ruth-bader-ginsburg-vmi/index.html.

"Weinberger v. Wiesenfeld." *Oyez*, 9 Mar. 2019, www.oyez.org/cases/1974/73-1892.