

LEVELED Book • P

Women of the Supreme Court



Written by Cynthia Kennedy Henzel

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Elena Kagan takes her oath at the Supreme Court. She is sworn in by Chief Justice John Roberts.

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Men and Women Are Equal

For Ruth Bader Ginsburg, 1971 was an important year. She was a lawyer for a **case** going to the U.S. Supreme Court. The Supreme Court protects our **rights** by deciding whether laws follow the guidelines created by the U.S. **Constitution**. In Ruth's case, the Court would decide if women were equal to men under the law. This important case was called *Reed v. Reed*.



Word Wise

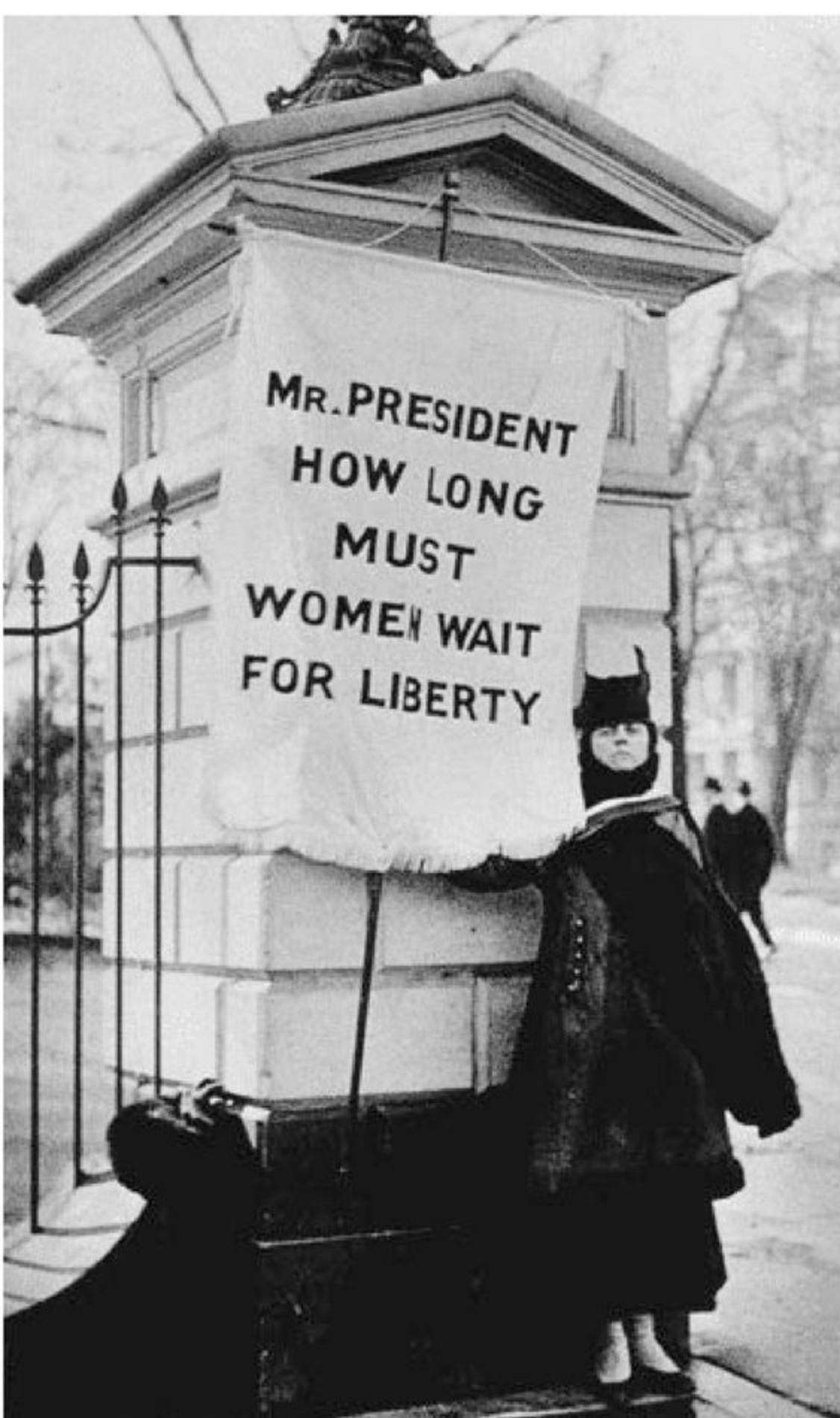
Cases are named for the two opposing sides. The *v.* stands for *versus*, which means "against." The whole word *versus* is spoken when reading the name of the case. In the case of *Reed v. Reed*, a husband and wife went to court against each other. That's why in this case, both opponents have the same name.



Ruth Bader Ginsburg with her family in Washington, D.C.

At that time, few women were let into law schools. Because Ruth had a young daughter, she had lost a chance to be a law clerk on the Supreme Court. At a new job, her pay was reduced because she was pregnant. Yet men did not lose jobs or pay if they had children. Ruth believed that women and men should be treated equally in school, at work, and under the law.

In *Reed v. Reed*, Ruth and others talked about the Fourteenth Amendment. That **amendment** was added to the Constitution in 1868 to protect the rights of former slaves after the U.S. Civil War. At that time, few people cared about the rights of women.



A century ago, women struggled for the right to vote. This woman holds a banner outside the White House.

Ruth argued in *Reed v. Reed* that the Fourteenth Amendment to the Constitution also protected women from **discrimination**. Since an Idaho law favored men over women, Ruth argued that the state law was illegal.



Women rallied for an Equal Rights Amendment (ERA) in 1980. They wanted to be paid the same as men for doing the same work.

The Supreme Court agreed with Ruth. For the first time, they decided that the Fourteenth Amendment did, indeed, protect women's rights. After this decision, other laws that discriminated against women were also fought and also changed. No longer could women be denied education and jobs because they were women.

A Cowgirl for Justice

Since the start of the Supreme Court in 1790, its **justices** had always been men. Ten years after *Reed v. Reed*, Sandra Day O'Connor became the Court's first female justice.

Sandra grew up on a ranch in Arizona. She rode horses and was treated like one of the boys. After going to law school, though, she found that no one would hire a female lawyer. So Sandra opened her own law office.



Sandra Day O'Connor (right) with her family at their Arizona ranch, Easter 1940



Born 1930

in Texas

Law School:
Stanford, 1952

Supreme
Court Justice
1981–2006

*"The appointment
of a woman to the
Supreme Court of
the United States
opened many doors
to young women all
across the country."*

—Sandra Day
O'Connor

Sandra Day O'Connor

In 1981, the president **ominated** Sandra for the Supreme Court because she agreed with many of his ideas. But Sandra had a mind of her own.

Sandra was one of nine justices serving on the Court. Sometimes four justices voted one way and four voted the other. Sandra's tie-breaking votes helped protect the rights of women and the right to privacy.



Born 1933
in New York
Law School:
Columbia, 1959
Supreme
Court Justice
1993–present

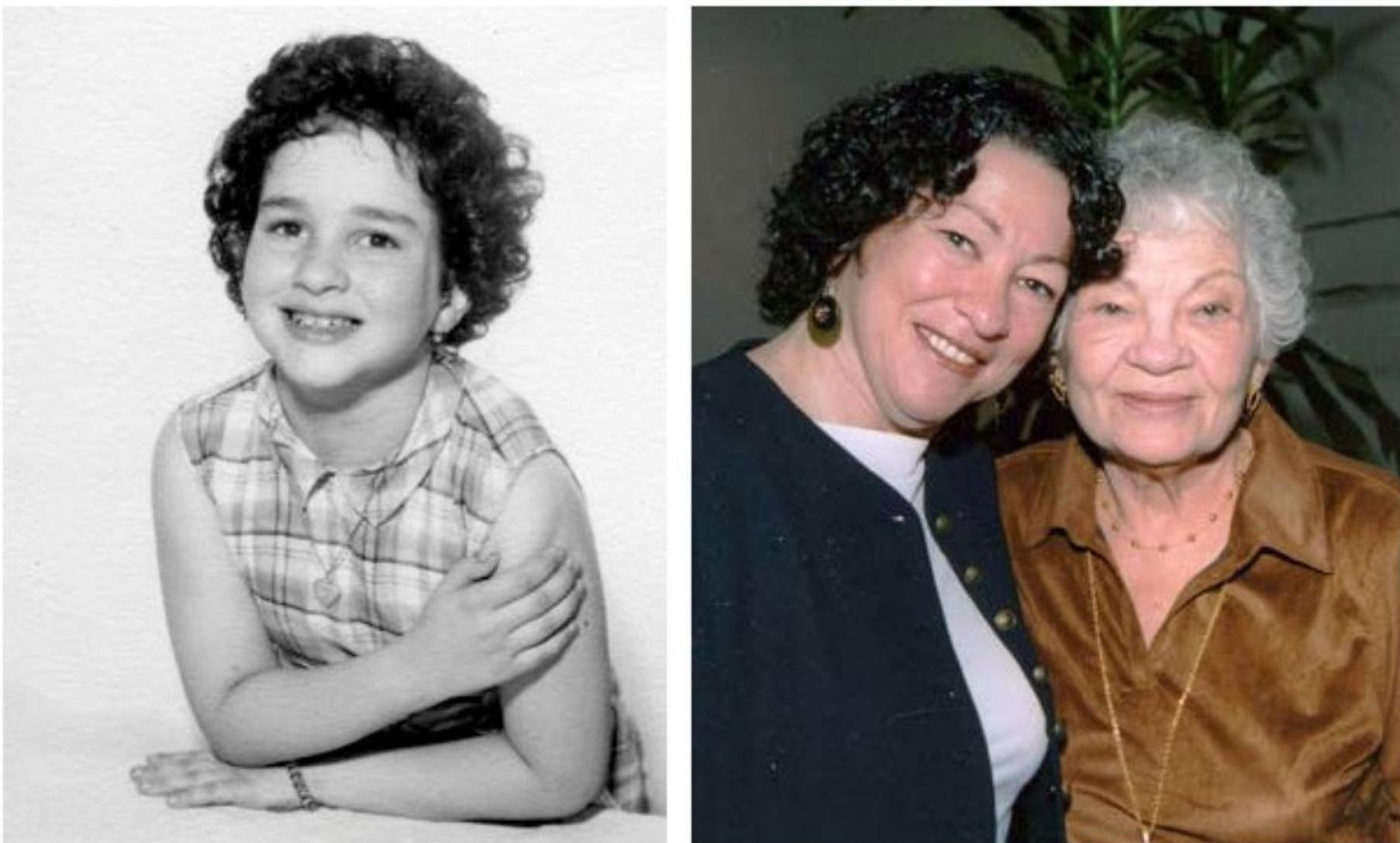
"It is crucial to have more than one woman so that people don't think that women are all identical in thought and approach."

—Ruth Bader
Ginsburg

Ruth Joins Sandra

At times, Sandra was lonely because she was the only woman on the Court. She was glad when the president nominated Ruth Bader Ginsburg to the Court in 1993.

As she had done in *Reed v. Reed*, Ruth continued to protect the rights of minorities and women. For example, she wrote the Court's explanation of why women cannot be denied entrance to any public school.



Sonia Sotomayor as a child and with her mother, Celina

An American Story

Sandra retired in 2006. She hoped a woman would replace her, but a man did instead. President Barack Obama nominated the next female justice, Sonia Sotomayor, in 2009.

Sonia's parents came from Puerto Rico. Her father died when she was nine. Her mother worked hard so Sonia could get a good education. Sonia worked hard at school to get scholarships to go to college. After law school, Sonia worked as a lawyer and then a judge.



Born 1954
in New York
Law School:
Yale, 1979
Supreme
Court Justice
2009–present

"Although I grew up in very modest and challenging circumstances, I consider my life to be immeasurably rich."

—Sonia Sotomayor

When President Obama nominated Sonia for the Supreme Court, he hoped that a **majority** of the 100 U.S. senators would confirm, or agree to, his choice for a justice. When a majority disagrees, the president has to choose someone else.

Thirty-one senators voted against Sonia becoming a justice. Because sixty-eight senators voted “yes,” she became the first **Latina** and the third woman on the Court.



Elena Kagan
(holding
gavel)
with high
school
classmates,
1977

A Very Smart Lawyer

In 2010, President Obama nominated Elena Kagan to be the next justice.

Elena had been a law clerk for the first African American justice to serve on the Court. In time, she became the top lawyer in the U.S. government for cases brought to the Supreme Court. She was the first woman in that role.

Do You Know?

Congress requires the Supreme Court to have nine justices. The justices are appointed for life. The only time a president nominates a new justice is after one has retired or died.



Born 1960
in New York

Law School:
Harvard, 1986

Supreme
Court Justice
2010–present

"It was a very cool thing to be a smart girl, as opposed to some other, different kind. And I think that made a great deal of difference to me growing up and in my life afterward."

—Elena Kagan

Some senators said Elena should not be on the Court because she had never been a judge. They voted against her.

However, many of the 111 people who had served on the Supreme Court before Elena hadn't been judges either. Plus, most senators agreed that Elena knew the law very well. After 63 senators voted "yes," she became the fourth female justice in the Court's history.

The Court Today

The four women of the Supreme Court come from different ethnic groups and backgrounds. They are Catholic, Jewish, and Protestant. Two have children and two do not. Some have worked as teachers, while others have worked as judges. They don't always agree on the law, but they all agree that women, like men, can make wise decisions.



The Supreme Court building in Washington, D.C., has been remodeled to include a bathroom for the female justices.

Glossary

amendment (<i>n.</i>)	a change or addition to a document or law (p. 6)
case (<i>n.</i>)	a disagreement settled by a court of law (p. 4)
Constitution (<i>n.</i>)	the written rules that govern the United States (p. 4)
discrimination (<i>n.</i>)	the unfair treatment of a person or group based on gender, race, age, religion, or other differences (p. 6)
justices (<i>n.</i>)	judges (p. 8)
Latina (<i>n.</i>)	a woman who comes, or whose ancestors come, from a Latin American country (p. 12)
majority (<i>n.</i>)	more than half of something (p. 12)
ominated (<i>v.</i>)	named someone for a job, award, or honor (p. 9)
rights (<i>n.</i>)	freedoms or powers that people can justly claim (p. 4)

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