

Ruth Bader Ginsburg: Razing Barriers in Gender

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Historical Paper

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“As women achieve power, the barriers will fall. As society sees what women can do, as women see what women can do, there will be more women out there doing things, and we'll all be better off for it.”¹

America was founded on the principles of inalienable rights: life, liberty, and the pursuit of happiness -- the belief that “all men are created equal.” Yet this particular wording divisively excluded half of the country’s population: women. At a time when the United States was racing to space, shooting for the stars, and landing on the moon, women were still not considered equal to their male counterparts and subjected routinely to gender discrimination because of it.² American history is largely founded upon the Constitution -- including making necessary alterations to extend rights and protections to previously excluded groups of people, such as women.³ Through her founding of the Women’s Rights Project at the American Civil Liberties Union (ACLU), her trailblazing arguments in court against sex-based discrimination, and continued service protecting women’s rights as a Supreme Court justice, Ruth Bader Ginsburg has demolished barriers in gender -- effectuating ineffable impact on furthering equality as a modern women’s movement catalyst.

On March 15, 1933, Joan “Ruth” Bader was born to her parents, Celia and Nathan Bader, in Brooklyn, New York.⁴ As a child, she was inquisitive and astute -- qualities that would foreshadow her brilliant career in law and justice. In her school paper, *The Highway Herald*,

¹Ginsburg, Ruth Bader, et al. *My Own Words*. Simon & Schuster, 2016. 178.

²“Women were second-class citizens, essentially the property of their husbands, unable even to vote until 1920, when the 19th Amendment was passed and ratified” (“The Bills of Rights: A Brief History”).

³“About the ACLU.” *American Civil Liberties Union*, www.aclu.org/about-aclu.

⁴Hirshman, Linda R. *Sisters in Law: How Sandra Day O'Connor and Ruth Bader Ginsburg Went to the Supreme Court and Changed the World*. Harper Perennial, 2016. 10-11.

Ruth Bader wrote her own column discussing the Magna Carta, Bill of Rights, Constitution, and Declaration of Independence -- a distinct variation from the lighthearted articles by her peers on school events like plays and sports matches.⁵ Ginsburg had an appetite for knowledge and prowess for writing at a young age; more importantly, her talent for written and spoken rhetoric grew to make her unparalleled in persuasion when gracing the courtroom. Her mother was passionate about Ruth doing well in school -- encouraging independence and educational refinement. Ginsburg graduated top of her high school class, earning an academic scholarship to college and law school where she did the same. Lamentably, her mother never witnessed the culmination of Ginsburg's successes; she died of cancer the day before Ruth's high school graduation.⁶ As Ginsburg remarked,

My mother told me two things constantly. One was to be a lady, and the other was to be independent. The study of law was unusual for women of my generation. For most girls growing up in the '40s, the most important degree was not your B.A., but your M.R.S.⁷

Ruth's mother served as an inspiration for pursuing higher education with a career in law; the loss of her presence is one of the many hardships that defined the strength of character Ginsburg developed.

In the early 1940s and 1950s, most of America was still operating on the moderate principles of Republican Motherhood -- the idea that women should solely be able to receive an education because "to have educated children, we must have educated mothers."⁸ Ruth Bader

⁵ Ginsburg, Ruth Bader, et al. *My Own Words*. Simon & Schuster, 2016. 9-10.

⁶ *Ibid.* 5, 18-20.

⁷ "Tribute: The Legacy of Ruth Bader Ginsburg and WRP Staff." *American Civil Liberties Union*, www.aclu.org/other/tribute-legacy-ruth-bader-ginsburg-and-wrp-staff#end.

⁸ Galanes, Philip. "Ruth Bader Ginsburg and Gloria Steinem on the Unending Fight for Women's Rights." *The New York Times*, 14 Nov. 2015, <https://www.nytimes.com/2015/11/15/fashion/ruth-bader-ginsburg-and-gloria-steinem-on-the-unending-fight-for-womens-rights.html>.

Ginsburg explained in an interview for the *New York Times* with Gloria Steinem that Cornell University, where she received her B.A. with high honors in government,⁹ was “the school for parents who wanted to make sure their girl would find a man. Four guys for every woman.”¹⁰ Marriage and childbirth were regarded as higher callings for women than the working world. While Ruth did meet and marry her college sweetheart from Cornell, Martin Ginsburg, he was not blinded by this stereotype of women as homemakers -- valuing Ruth’s intellect and encouraging her to follow him to Harvard Law School.¹¹

Although Ada H. Kepley became the first woman to graduate from law school in the United States via Northwestern University back in 1869,¹² substantial numbers of women only achieved the opportunity to be admitted to law schools decades later.¹³ Even then, litigation threats due to the passage of Title VII, the Civil Rights Act of 1964, were the driving force behind these allowances -- not a legitimate shift in the social climate to be more accepting of women in the legal field. When Ruth Bader Ginsburg and nine other women made it into Harvard Law School in 1956, they were a pronounced minority in the class of over 500.¹⁴ Unfortunately, these bright individuals faced harsh criticism for their achievement from older,

⁹ Galanes, Philip. “Ruth Bader Ginsburg and Gloria Steinem on the Unending Fight for Women’s Rights.” *The New York Times*, 14 Nov. 2015, <https://www.nytimes.com/2015/11/15/fashion/ruth-bader-ginsburg-and-gloria-steinem-on-the-unending-fight-for-womens-rights.html>.

¹⁰ Ibid.

¹¹ “U.S. Supreme Court Justice Ruth Bader Ginsburg.” *The Library of Congress*, www.loc.gov/events/2019/item/n50029918/ruth-bader-ginsburg/.

¹² “Ada H. Kepley.” *Women's Legal History*, wlh.law.stanford.edu/biography_search/biopage/?woman_lawyer_id=10499.

¹³ “Ruth Bader Ginsburg: Rejected by the Firm.” MAKERS, 12 June 2012, <https://www.youtube.com/watch?v=ldFUmU-OZ1U>.

¹⁴ “Ruth Bader Ginsburg.” *Academy of Achievement*, 3 Jan. 2019, www.achievement.org/achiever/ruth-bader-ginsburg/.

sexist faculty members. Infamously, the dean of law overtly insulted the women by asking them to justify taking places at the school that could have been occupied by men.¹⁵

Nevertheless, Ruth Bader Ginsburg successfully got both herself and her husband through law school while Martin was fighting testicular cancer. As if that feat was not already impressive enough, Ginsburg was also single-handedly raising their 14-month-old daughter, Jane. She embraced these challenges, managing to keep her family together while Martin Ginsburg made a full recovery, and in 1957, even became the first woman to ever make Harvard Law Review during the process.¹⁶ When Martin graduated and got a job in New York, Ruth followed and transferred to Columbia where she got her LL.B. -- first in her class yet again.¹⁷

While it was arduous for women to get into law school, if they did graduate, they had to contend with the even greater difficulty of seeking employment at legal firms. Regardless of her academic distinction, Ruth Bader Ginsburg was rejected and spurned by the law firms of New York.¹⁸ It seemed impossible to find a job where she could be paid merely a fraction of men's wages:

There were many firms who put up sign-up sheets that said, "Men Only." And I had three strikes against me. First, I was Jewish, and the Wall Street firms were just beginning to accept Jews. Then I was a woman. But the killer was my daughter Jane, who was four by then.¹⁹

¹⁵ Ginsburg, Ruth Bader, et al. *My Own Words*. Simon & Schuster, 2016. 48.

¹⁶ "Ruth Bader Ginsburg." *Academy of Achievement*, 3 Jan. 2019, www.achievement.org/achiever/ruth-bader-ginsburg/.

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

¹⁸ "Ruth Bader Ginsburg: Rejected by the Firm." MAKERS, 12 June 2012, <https://www.youtube.com/watch?v=ldFUmU-OZ1U>.

¹⁹ Galanes, Philip. "Ruth Bader Ginsburg and Gloria Steinem on the Unending Fight for Women's Rights." *The New York Times*, 14 Nov. 2015, <https://www.nytimes.com/2015/11/15/fashion/ruth-bader-ginsburg-and-gloria-steinem-on-the-unending-fight-for-womens-rights.html>.

Ginsburg eventually turned to teaching legal academia at Rutgers University from 1963-1972.²⁰ As a professor for Rutgers School of Law, Ginsburg educated the next wave of women in the legal field about sex-based discrimination.

Ruth Bader Ginsburg broke the barriers of gender inequality and discrimination through her work with the American Civil Liberties Union (ACLU). The ACLU is an organization committed to providing legal representation for groups and individuals whose civil liberties and constitutional rights have been violated by the government.²¹ Motivated by her own experiences with inequity and exclusion due to gender, Ginsburg began handling complaints about discrimination for the New Jersey chapter of the ACLU.²² Her first case of that nature, directed to Ruth by her husband, was for Charles E. Moritz, an unmarried man who was taking care of his dependent mother. Moritz got denied a \$600 care deduction because only women were able to obtain deductions as caretakers at the time.²³ The Moritz appeal, which challenged the Internal Revenue Code, was unique because it showed that gender discrimination also negatively impacted the lives of men. Both Martin and Ruth argued *pro bono* for Mr. Moritz, and the case was a success.²⁴ Not only were they able to win Mr. Moritz his rightful deduction, the *Moritz v. Commissioner of Internal Revenue* case provided Ruth with a stepping stone to fighting gender discrimination on an even larger scale through the courts.

²⁰ “Justice Ruth Bader Ginsburg.” *The Supreme Court Historical Society - Timeline of the Court - Justice Ruth Bader Ginsburg*, www.supremecourthistory.org/history-of-the-court/the-current-court/justice-ruth-bader-ginsburg/.

²¹ ACLU founder Roger Baldwin stated, “So long as we have enough people in this country willing to fight for their rights, we’ll be called a democracy.” (“About the ACLU”).

²² “Tribute: The Legacy of Ruth Bader Ginsburg and WRP Staff.” *American Civil Liberties Union*, www.aclu.org/other/tribute-legacy-ruth-bader-ginsburg-and-wrp-staff#end.

²³ Ginsburg, Ruth Bader, et al. *My Own Words*. Simon & Schuster, 2016. 126-129.

²⁴ *Ibid.* 131.

A few months later, the ACLU had its first sex discrimination case in the Supreme Court, *Reed v. Reed*, which was decided on November 22, 1971. Idaho law determined that men were preferred to women to administrate the estates of deceased familial relations, but Sally Reed, the mother of a succumbed teenage boy, challenged the validity of this statute under the Equal Protection Clause.²⁵ Ruth Bader Ginsburg put her written eloquence to work as the principal author of the case brief for the ACLU. She proved her litigation skill yet again, impressing ACLU legal director Mel Wulf and the Supreme Court, who moved to invalidate Idaho's discriminatory law -- a landmark decision.²⁶

Weeks later, Ginsburg founded the Women's Rights Project (WRP) set to begin in the spring of 1972.²⁷ This division of the ALCU was made specifically to address sex discrimination, and Ruth served as the ACLU's general counsel from 1973-1980.²⁸ She was committed to "ending the closed-door era"²⁹ women faced in society by endeavoring to extend greater opportunity.

There was a surge in female admittance to law school after Title VII was more thoroughly enforced, with numbers increasing from 3.7% in 1963-64, to 8.6% in 1970-71, and skyrocketing to 34% in 1980-81.³⁰ Additionally, female employment also rose to new heights³¹

²⁵ Ginsburg, Ruth Bader, et al. *My Own Words*. Simon & Schuster, 2016. 114-115.

²⁶ *Ibid.* 114, 128.

²⁷ "Tribute: The Legacy of Ruth Bader Ginsburg and WRP Staff." *American Civil Liberties Union*, www.aclu.org/other/tribute-legacy-ruth-bader-ginsburg-and-wrp-staff#end.

²⁸ "U.S. Supreme Court Justice Ruth Bader Ginsburg." *The Library of Congress*, www.loc.gov/events/2019/item/n50029918/ruth-bader-ginsburg/.

²⁹ Carmon, Irin. "Exclusive Justice Ruth Bader Ginsburg Interview: Full Transcript." *MSNBC*, NBCUniversal News Group, 17 Feb. 2015, www.msnbc.com/msnbc/exclusive-justice-ruth-bader-ginsburg-interview-full-transcript.

³⁰ Morgan, Rick, and Kurt Snyder. *Official American Bar Association Guide to Approved Law Schools*. IDG Books Worldwide, 2000.

³¹ See Appendix A.

as Ginsburg's work at the American Civil Liberties Union began to win court cases that eliminated sex-based discrimination one law at a time.

Overall, Ruth Bader Ginsburg argued over 300 cases condemning sex-based discrimination, including six cases where she personally argued before the Supreme Court.³² Ginsburg's six Supreme Court cases were *Frontiero v. Richardson* (1972), *Kahn v. Shevin* (1973), *Edwards v. Healy* (1974), *Weinberger v. Wiesenfeld* (1974), *Califano v. Goldfarb* (1976), and *Duren v. Missouri* (1978).³³

Ruth Bader Ginsburg's first case before the Supreme Court was *Frontiero v. Richardson*. Sharron Frontiero was a lieutenant in the United States Air Force who wanted her husband to be granted a dependant's allowance. It was argued that the "equality of rights under the law for all persons, male or female, is so basic to democracy and its commitment to the ultimate value of the individual that it must be reflected in the fundamental law of the land."³⁴

Weinberger v. Wiesenfeld (1974) was another of Ginsburg's most impactful cases. Ginsburg successfully won the case for widower Stephen Wiesenfeld who "had been denied the Social Security child support benefits that a woman would have received in the same situation."³⁵ In the process, she argued that the Social Security Act was discriminating against men by preventing them from individually caring for a child. Additionally, Ginsburg pointed out that Social Security simultaneously discriminated against women by neglecting to offer benefits to

³² "Justice Ruth Bader Ginsburg." *Oyez*, www.oyez.org/justices/ruth_bader_ginsburg.

³³ "Justice Ruth Bader Ginsburg." *Oyez*, www.oyez.org/justices/ruth_bader_ginsburg.

³⁴ Ginsburg, Ruth Bader, et al. *My Own Words*. Simon & Schuster, 2016. 133.

³⁵ "Ruth Bader Ginsburg." *Academy of Achievement*, 3 Jan. 2019, www.achievement.org/achiever/ruth-bader-ginsburg/.

their spouses. As a result, the Social Security Act failed to recognize women as breadwinners for their families.³⁶

Duren v. Missouri was the last case in which Ginsburg appeared before the Supreme Court to contend for equal gender rights. This 1978 court case was against the state of Missouri, which had made jury duty compulsory for men while women were able to opt out. Thus, juries did not provide a fair and accurate cross-section of citizens from the community.³⁷ Ruth Bader Ginsburg argued that this “devalued women’s contributions as citizens.”³⁸ Moreover, Ginsburg articulated in her oral argument, “Men and women are people of equal dignity, and they should count equally before the law.”³⁹ Ginsburg thoroughly established herself as an advocate for gender equality through these cases and positively altered the lives of many other American citizens consequently.

Despite her hallmark victories as a lawyer on cases arraigning sex-based discrimination, Ruth Bader Ginsburg continues to advocate for legal measures to ensure genuine gender equality. She expresses disappointment that she can currently show her granddaughters proof of their rights to freedom of speech, but she cannot “point to anything that explicitly says men and women are people of equal stature.”⁴⁰

An Equal Rights Amendment was first introduced in 1923 by Alice Paul, but an actual attempt was made to pass this Equal Rights Amendment (ERA) in 1972.⁴¹ It stipulated:

³⁶ “Tribute: The Legacy of Ruth Bader Ginsburg and WRP Staff.” *American Civil Liberties Union*, www.aclu.org/other/tribute-legacy-ruth-bader-ginsburg-and-wrp-staff#end.

³⁷ “Ruth Bader Ginsburg: A Reading List: Arguments before the Supreme Court.” *Washington and Lee University LibGuides*, libguides.wlu.edu/c.php?g=601727&p=4166850.

³⁸ “Ruth Bader Ginsburg.” *Academy of Achievement*, 3 Jan. 2019, www.achievement.org/achiever/ruth-bader-ginsburg/.

³⁹ *Duren v. Missouri*. *Oyez*, www.oyez.org/cases/1978/77-6067.

⁴⁰ Swoyer, Alex. “Ginsburg Touts Adding an Equal Rights Amendment to the Constitution.” *The Washington Times*, <https://www.washingtontimes.com/news/2019/sep/12/justice-ginsburg-touts-adding-equal-rights-amendme/>.

⁴¹ “The Equal Rights Amendment.” *Ushistory.org*, Independence Hall Association, www.ushistory.org/us/57c.asp.

“Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.”⁴²

Ginsburg has always been vocally supportive of the Equal Rights Amendment (ERA) -- writing in the *American Bar Association Journal* that it advocates “a legal system in which each person will be judged on individual merit and not on the basis of an unalterable trait of birth that has no necessary relationship to need or ability.”⁴³

In contrast, Phyllis Schlafly,⁴⁴ a devout conservative and harsh opponent of feminism and equal gender rights, argued that the ERA would be a ruinous step-down.⁴⁵ Gender heteronormatives in society are favorable and offer privilege to women.⁴⁶ The “Stop-ERA” campaign led by Schlafly served a major blow to ratification efforts since it stoked the fires of archaic traditionalism, especially in the south. Schlafly hung signs on baby girls reading “Don’t Draft Me!”⁴⁷ and denounced feminism as “the primrose path -- a dead-end road that leads to bitterness and loneliness.”⁴⁸ The number of states started trickling in support, and of the 38 states required to pass the Equal Rights Act by 1982, only 35 came through -- three shy of the necessary total.⁴⁹ Thus, the battle for Equal Rights Amendment did not pit men and women against each other; instead, it pitted progressivism against long-withstanding, sexist traditionalism.

⁴² Ginsburg, Ruth Bader. “The Need for the Equal Rights Amendment.” *American Bar Association Journal*, Sept. 1973, pp. 1015–1018.

⁴³ Ginsburg, Ruth Bader. “The Need for the Equal Rights Amendment.” *American Bar Association Journal*, Sept. 1973, pp. 1015–1018.

⁴⁴ See Appendix C.

⁴⁵ “Phyllis Schlafly on Women’s Role in Society” *MPR Archive*, October 3, 1972, <https://archive.mpr.org/stories/1972/10/03/phyllis-schlafly-womens-role-society>.

⁴⁶ Schlafly commented, “Women should not be equal to men; under our present system in the United States, women enjoy a very wonderful status that is better than equality. . . . it would be taking a step downward” (Ibid.).

⁴⁷ “The Equal Rights Amendment.” *Ushistory.org*, Independence Hall Association, www.ushistory.org/us/57c.asp.

⁴⁸ Schlafly, Phyllis. *Feminist Fantasies*. Spence Pub. Co., 2003. 32-33.

⁴⁹ “The Equal Rights Amendment.” *Ushistory.org*, Independence Hall Association, www.ushistory.org/us/57c.asp.

Ruth Bader Ginsburg and Phyllis Schlafly are perfect foils to one another. While Schlafly argued that the most fulfilling aspect of life was family and motherhood,⁵⁰ Ginsburg shows it is possible to have a family, a career, and a strong sense of beliefs about equality. She raised two children, Jane and James, had a fulfilling marriage, and on August 10, 1993, President Bill Clinton appointed Ginsburg to the Supreme Court⁵¹ where she continues to serve the American people by protecting the rights of women and minorities.⁵² Where Schlafly was outspoken in her criticisms, Ginsburg worked behind the scenes to promote her equality ideals through the courts. Although there is no official Equal Rights Amendment in the Constitution, 25 states have created their own Equal Rights Acts to cement women as tantamount in liberties and protections to men.

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Not only is Ruth Bader Ginsburg a role model for young women, she has also become a pop culture icon. While speaking at the University at Buffalo, Ginsburg remarked,

If I am notorious, it is because I had the good fortune to be alive and a lawyer in the late 1960s, then, and continuing on through the 1970s. For the first time in history, it became possible to urge before courts successfully that equal justice under law requires all arms of government to regard women as persons equal in stature to men.⁵⁴

In contrast to her impressive achievements and compelling dissension on the bench of the Supreme Court, Justice Ruth Bader Ginsburg remains humble. Yet powerful appreciation for

⁵⁰ “Phyllis Schlafly on Women’s Role in Society” *MPR Archive*, October 3, 1972, <https://archive.mpr.org/stories/1972/10/03/phyllis-schlafly-womens-role-society>.

⁵¹ See Appendix B.

⁵² “Justice Ruth Bader Ginsburg.” *Oyez*, www.oyez.org/justices/ruth_bader_ginsburg.

⁵³ 25 states have their own Equal Rights Acts or protections. Nevada (2017), Illinois (2018), and Virginia (2020) have moved to become the three additional states needed to ratify the ERA, but the original deadline has passed (“Equal Rights Amendment”).

⁵⁴ “Ruth Bader Ginsburg Speaks About Being Called ‘The Notorious R.B.G.’.” *NBCNews.com*, NBCUniversal News Group, 26 Aug. 2019, www.nbcnews.com/video/ruth-bader-ginsburg-speaks-about-being-called-the-notorious-r-b-g-67471429889.

Ruth Bader Ginsburg's revolutionary work must be held by all women in the modern age. The rights and opportunities available today are due to her efforts of extending gender equality. Ginsburg remarked that she would simply like to be remembered as "someone who did the best she could"⁵⁵ and "who used whatever talent she had to do her work to the very best of her ability. And to help repair tears in her society, to make things a little better through the use of whatever ability she has."⁵⁶ However, for all the lives Ginsburg changes as an advocate for equality, a feminist icon, and the epitome of moral courage, Ruth Bader Ginsburg will be commemorated as even more. She is the woman whose name is emblazoned on the axe of sharp, intelligent arguments that raze barriers in gender -- ushering in an era where merit and character take true precedence.

⁵⁵ Biskupic, Joan. "The Making of a Judicial Phenomenon: Ruth Bader Ginsburg Marks 25 Years on the Bench." *CNN*, Cable News Network, 13 Aug. 2018, www.cnn.com/2018/08/10/politics/ruth-bader-ginsburg-25th-anniversary-supreme-court-notorious-rbg/index.html.

⁵⁶ Carmon, Irin. "Exclusive Justice Ruth Bader Ginsburg Interview: Full Transcript." *MSNBC*, NBCUniversal News Group, 17 Feb. 2015, www.msnbc.com/msnbc/exclusive-justice-ruth-bader-ginsburg-interview-full-transcript.

Appendix A

Series Id: LNU02000002
Not Seasonally Adjusted
Series title: (Unadj) Employment Level - Women
Labor force status: Employed
Type of data: Number in thousands
Age: 16 years and over
Sex: Women

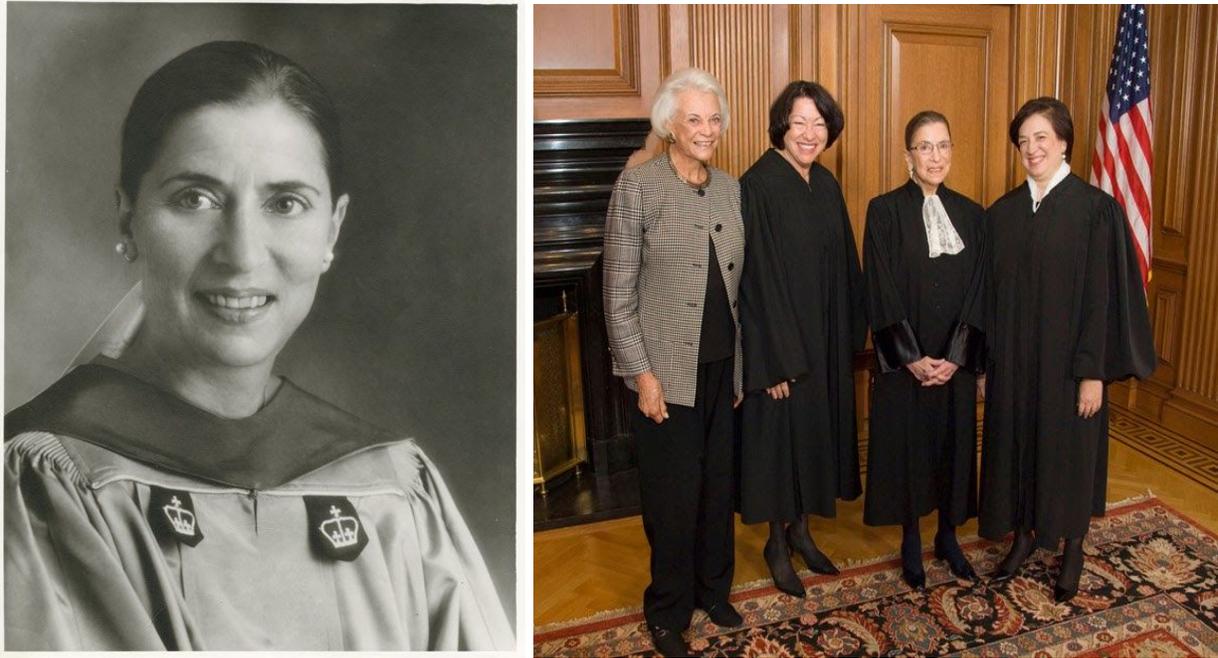


After the Civil Rights Act of 1964 in Title VII, more women began entering the work field and becoming employed. In 1950, only an estimated 17,000 women had jobs in the United States. In 2020, that number has increased to approximately 75,000 women. The efforts undertaken to fight sex-based discrimination opened doors for women in the workplace.

“Women's Employment from 1950 to 2020.” *U.S. Bureau of Labor Statistics*, U.S. Bureau of Labor Statistics,

www.bls.gov/data/#employment.

Appendix B



“Columbia Law Professor Ruth Bader Ginsburg, photographed in the spring of 1980 shortly after President Carter nominated her for the U.S. Court of Appeals for the District of Columbia Circuit. (Left) Ginsburg photographed with all of the women appointed to the Supreme Court: Sandra Day O’Connor, Sonia Sotomayor, and Elena Kagan (Right)”

Ginsburg, Ruth Bader, et al. *My Own Words*. Simon & Schuster, 2016. 211.

Appendix C



The Phyllis Schlafly Report



VOL. 5, NO. 7

Box 618, ALTON, ILLINOIS 62002

FEBRUARY, 1972

What's Wrong With "Equal Rights" for Women?

Of all the classes of people who ever lived, the American woman is the most privileged. We have the most rights and rewards, and the fewest duties. Our unique status is the result of a fortunate combination of circumstances.

1. We have the immense good fortune to live in a civilization which respects the family as the basic unit of society. This respect is part and parcel of our laws and our customs. It is based on the fact of life - which no legislation or agitation can erase - that women have babies and men don't.

If you don't like this fundamental difference, you will have to take up your complaint with God because He created us this way. The fact that women, not men, have babies is not the fault of selfish and domineering men, or of the establishment, or of any clique of conspirators who want to oppress women. It's simply the way God made us.

Our Judeo-Christian civilization has developed the law and custom that, since women must bear the physical consequences of the sex act, men must be required to bear the other consequences and pay in other ways. These laws and customs decree that a man must carry his share by physical protection and financial support of his children and of the woman who bears his children, and also by a code of behavior which benefits and protects both the woman and the children.

The Greatest Achievement of Women's Rights

This is accomplished by the institution of the family. Our respect for the family as the basic unit of society, which is ingrained in the laws and customs of our Judeo-Christian civilization, is the greatest single achievement in the entire history of women's rights. It assures a woman the most precious and important right of all - the right to keep her own baby and to be supported and protected in the enjoyment of watching her baby grow and develop.

The institution of the family is advantageous for women for many reasons. After all, what do we want out of life? To love and be loved? Mankind has not discovered a better nest for a lifetime of reciprocal love. A sense of achievement? A man may search 30 to 40 years for accomplishment in his profession. A woman can enjoy real achievement when she is young

- by having a baby. She can have the satisfaction of doing a job well - and being recognized for it.

Do we want financial security? We are fortunate to have the great legacy of Moses, the Ten Commandments, especially this one: "Honor thy father and thy mother that thy days may be long upon the land." Children are a woman's best social security - her best guarantee of social benefits such as old age pension, unemployment compensation, workman's compensation, and sick leave. The family gives a woman the physical, financial and emotional security of the home - for all her life.

The Financial Benefits of Chivalry

2. The second reason why American women are a privileged group is that we are the beneficiaries of a tradition of special respect for women which dates from the Christian Age of Chivalry. The honor and respect paid to Mary, the Mother of Christ, resulted in all women, in effect, being put on a pedestal.

This respect for women is not just the lip service that politicians pay to "God, Motherhood, and the Flag." It is not - as some youthful agitators seem to think - just a matter of opening doors for women, seeing that they are seated first, carrying their bundles, and helping them in and out of automobiles. Such good manners are merely the superficial evidences of a total attitude toward women which expresses itself in many more tangible ways, such as money.

In other civilizations, such as the African and the American Indian, the men strut around wearing feathers and beads and hunting and fishing (great sport for men!), while the women do all the hard, tiresome drudgery including the tilling of the soil (if any is done), the hewing of wood, the making of fires, the carrying of water, as well as the cooking, sewing and caring for babies.

This is not the American way because we were lucky enough to inherit the traditions of the Age of Chivalry. In America, a man's first significant purchase is a diamond for his bride, and the largest financial investment of his life is a home for her to live in. American husbands work hours of overtime to buy a fur piece or other finery to keep their wives in fashion, and to pay premiums on their life insurance policies to provide for her comfort when she is a widow (benefits

Despite her law degree, which she considered a hobby outside her primary role as a mother, Schlafly (pictured left) glorified the traditional roles of American women. She heckled feminists by opening her speaking engagements with quips like "I'd like to thank my husband for letting me be here tonight." Schlafly argued that the ERA would bring many undesirable changes to American women and attack the 'American family.'

Schlafly, Phyllis. "What's Wrong With 'Equal Rights' for Women?" • Eagle Forum." *Eagle Forum*, Feb. 1972,

eagleforum.org/publications/psr/feb1972.html.

Annotated Bibliography

Primary Sources

Carmon, Irin. "Exclusive Justice Ruth Bader Ginsburg Interview: Full Transcript." *MSNBC*, NBCUniversal News Group, 17 Feb. 2015, www.msnbc.com/msnbc/exclusive-justice-ruth-bader-ginsburg-interview-full-transcript.

Irin Carmon's interview with Ruth Bader Ginsburg was an important addition to my writing because it gave me quotes from Ginsburg about her goals. Additionally, it provided insight into her past achievements. This information was useful in my paper to broaden the evidence and establish further credibility.

Galanes, Philip. "Ruth Bader Ginsburg and Gloria Steinem on the Unending Fight for Women's Rights." *The New York Times*, 14 Nov. 2015, <https://www.nytimes.com/2015/11/15/fashion/ruth-bader-ginsburg-and-gloria-steinem-on-the-unending-fight-for-womens-rights.html>.

This article from *The New York Times* features a joint interview with Gloria Steinem and Ruth Bader Ginsburg. In this interview, both women discuss the gender stereotypes they faced in college and the workplace. Ruth Bader Ginsburg recounted the Harvard dean of law embarrassing her greatly when he asked, "How do you justify taking a spot from a

qualified man?" These firsthand accounts detailed how difficult it was to combat gender bias in the '50s -- providing exemplification that solidified and further nurtured my understanding of the culture.

Ginsburg, Ruth Bader. "The Need for the Equal Rights Amendment."

American Bar Association Journal, Sept. 1973, pp. 1015–1018.

Ruth Bader Ginsburg's publication in the *American Bar Association Journal* illuminates her position on the Equal Rights Amendment. I was able to understand her beliefs and contrast them with opponents like Phyllis Schlafly. This source was important for my paper because it provided Ginsburg's personal opinions and viewpoints on a subject she has worked diligently to achieve.

Ginsburg, Ruth Bader, et al. *My Own Words*. Simon & Schuster, 2016.

This autobiography by Ruth Bader Ginsburg was a vital source in my research because it describes her life growing up, becoming a lawyer, arguing cases on gender discrimination, and becoming a judge. Ginsburg's compelling and articulate writing provided a wealth of knowledge in first-hand accounts about her experience in court as a judge and lawyer were very insightful. Having explanations to explain her thinking on speeches or nuances behind the wording helped me better understand Justice Ginsburg, her origins, and ultimately how she broke barriers and made history in women's rights.

“Justice Ruth Bader Ginsburg.” *Oyez*, www.oyez.org/justices/ruth_bader_ginsburg.

Oyez is a database with Ruth Bader Ginsburg’s original court audio files and case briefs. This website was integral to my paper because of its synthesization of the information, legal arguments, and accomplishments surrounding Ginsburg. The copious detail and description that this source provided strengthened my paper as a whole. Hearing the recordings of Ruth Bader Ginsburg’s arguments was extremely inspirational. Her articulate poise and verbatim arguments resonated with me on a personal level. As an individual who has benefitted from Ginsburg’s work and champions the same beliefs, I knew I had chosen the right topic for my paper.

Morgan, Rick, and Kurt Snyder. *Official American Bar Association Guide to Approved Law Schools*. IDG Books Worldwide, 2000.

This book from the *American Bar Association* provided statistical figures of the percentage of female students in law school from the 1960s to the 1980s. I cited these numbers to support my line of reasoning that Ruth Bader Ginsburg’s work created opportunity and that additional women in the legal sphere worked to change the climate.

“Phyllis Schlafly on Women’s Role in Society” *MPR Archive*, October 3, 1972,

<https://archive.mpr.org/stories/1972/10/03/phyllis-schlafly-womens-role-society>.

Phyllis Schlafly was a staunch critic of the Equal Rights Amendment. Her interview with Bob Potter for Minnesota Public Radio (MPR) attacked gender equity -- providing my essay with a unique opposition faced by Ruth Bader Ginsburg and others supporting gender equality. Schlafly describes equality as a step down for women because she argues that traditional gender norms in society are favorable and offer privilege to women. This source was integral in discussing conflicting opinions and new perspectives in my paper.

“Ruth Bader Ginsburg: Rejected by the Firm.” MAKERS, 12 June 2012,

<https://www.youtube.com/watch?v=ldFUmU-OZ1U>.

In this brief video interview, Ruth Bader Ginsburg describes facing rejection from the law firms she applied to because of her status as a woman and a mother.

Additionally, Ginsburg discusses how this led her to start teaching and later to becoming a women’s rights lawyer for the ACLU. This firsthand account of her experience enriched my knowledge about the hardships Ruth Bader Ginsburg faced; moreover, it also enriched the content and quality of my paper.

“Ruth Bader Ginsburg Speaks About Being Called 'The Notorious R.B.G.'” *NBCNews.com*,
NBCUniversal News Group, 26 Aug. 2019,
www.nbcnews.com/video/ruth-bader-ginsburg-speaks-about-being-called-the-notorious-r-b-g-67471429889.

In this video, Ruth Bader Ginsburg gives a speech at the University at Buffalo where she encourages students to fight for their beliefs. She comments on her nickname ‘Notorious R.B.G.’ and explains that she had the unique opportunity and position to make arguments for women’s equality before the court. This source ties the conclusion of my paper together because Ginsburg humbly acknowledges her influence on gender equality and in ending sex-based discrimination.

Schlafly, Phyllis. *Feminist Fantasies*. Spence Pub. Co., 2003.

Phyllis Schlafly gives her firsthand account of opposing the Equal Rights Act with Stop ERA in her book *Feminist Fantasies*. This source was critical in my paper because of the opposing viewpoints it offers on gender equality, feminism, and the principles Ruth Bader Ginsburg has fought for over the course of her life. Moreover, by helping me understand Schlafly’s traditional background, I was better able to comprehend her arguments against ERA and equality in other sources such as her interviews with Bob Potter for MPR and on C-SPAN.

Schlafly, Phyllis. "What's Wrong With 'Equal Rights' for Women? • Eagle Forum." *Eagle Forum*, Feb. 1972, eagleforum.org/publications/psr/feb1972.html.

Schlafly's written argumentation against the Equal Rights Amendment was an important addition to my Appendix to show different opinions on an important historical issue. It provides detail on a lesser-known figure in history.

Swoyer, Alex. "Ginsburg Touts Adding an Equal Rights Amendment to the Constitution."

The Washington Times,

<https://www.washingtontimes.com/news/2019/sep/12/justice-ginsburg-touts-adding-equal-rights-amendme/>.

This article from *The Washington Times* features an interview with Ruth Bader Ginsburg. I cited Ginsburg's quote about the shame and disappointment she felt that there is still no wording in the Constitution that justify women's equality. Understanding that Ginsburg supported the Equal Rights Act as far back as 1973 with her writings in "The Need for the Equal Rights Amendment" and has continued to advocate for it in 2019, 46 years later, showed yet again how determined she is. The article supports the conviction Ruth Bader Ginsburg has for gender equality, which is the foundation of my paper.

“Women's Employment from 1950 to 2020.” *U.S. Bureau of Labor Statistics*, U.S. Bureau of Labor Statistics, www.bls.gov/data/#employment.

This graph showed the drastic spike in employment following the Civil Rights Act of 1964 with Title VII and the efforts of Ruth Bader Ginsburg to address gender disparity in the court. *The U.S. Bureau of Labor Statistics* provided a great visual of women’s employment that was a relevant and useful addition to my Appendix.

Secondary Sources

“About the ACLU.” *American Civil Liberties Union*, www.aclu.org/about-aclu.

This article describes the mission statement and purpose of the *American Civil Liberties Union*. It was an important source for my essay to learn how Ruth Bader Ginsburg became involved and so that I could explain the organization’s goals for clarity.

“Ada H. Kepley.” *Women's Legal History*,

wlh.law.stanford.edu/biography_search/biopage/?woman_lawyer_id=10499.

To understand Ruth Bader Ginsburg’s journey to becoming the most reputable female lawyer in sex-based discrimination cases, I needed to first understand how women were able to break through in the legal profession to begin changing the climate of the field. Ada H. Kepley was the first female to graduate from law school in the United States in 1896. Because this biographical article from *Women’s Legal History* illuminated the foundation of American women in law, I achieved better comprehension of the women’s legal movement and how the seeds Kepley planted were able to blossom with women in the 1960s, 1970s, 1980s, and beyond with people like Ruth Bader Ginsburg.

Biskupic, Joan. "The Making of a Judicial Phenomenon: Ruth Bader Ginsburg Marks 25 Years on the Bench." *CNN, Cable News Network*, 13 Aug. 2018, www.cnn.com/2018/08/10/politics/ruth-bader-ginsburg-25th-anniversary-supreme-court-notorious-rbg/index.html.

Joan Biskupic's *CNN* article recounts Ruth Bader Ginsburg's time as a member of the Supreme Court, her history in law and life, and how she impacted lives through her work arguing cases against sex discrimination. This source supported the main message of my paper that Ruth Bader Ginsburg shattered stereotypes and rewrote the rules to make women equals.

"Equal Rights Amendment." *Equal Rights Amendment*, www.equalrightsamendment.org/.

This website was integral in my knowledge and understanding of the Equal Rights Amendment. It documents all the states that voted to ratify the ERA and details the history of the amendment - including all the attempts to pass it. Not only that, this source explains why the ERA is so important - explaining the rights and protections it would extend. The only right guaranteed to men and women equally in the Constitution is the right to vote! Moreover, this website gives a history on Alice Paul and why the ERA was created. Thus, this source provided a contextualization of the proposed amendment, where it is now, and why it is important - supporting my paper with this knowledge.

Ginsburg, Ruth Bader. Encyclopedia Britannica, 2006. ProQuest,

<http://proxy.sclد.org/login?name=ProQuest&url=?url=https://search-proquest-com.proxy.sclد.org/docview/2267106844?accountid=1631>.

The Encyclopedia Britannica's timeline of Ruth Bader Ginsburg's life gave a list of specific dates for her landmark achievements and work. This source helped me contextualize my essay with the correct time periods and dates organized into a list.

Hirshman, Linda R. *Sisters in Law: How Sandra Day O'Connor and Ruth Bader Ginsburg Went to the Supreme Court and Changed the World*. Harper Perennial, 2016.

Hirshman's book is a dual-biography of Justice Sandra Day O'Connor and Justice Ruth Bader Ginsburg that portrays both women's history and achievements. This source was important in learning and understanding Ginsburg's youth and how she came to be a lawyer.

“Justice Ruth Bader Ginsburg.” *The Supreme Court Historical Society - Timeline of the Court -*

Justice Ruth Bader Ginsburg,

www.supremecourthistory.org/history-of-the-court/the-current-court/justice-ruth-bader-ginsburg/.

This timeline from the Supreme Court marked the dates of Ruth Bader Ginsburg’s important legal contributions, a vital resource for cross checking my information about the integral events in her life and career.

“Ruth Bader Ginsburg.” *Academy of Achievement*, 3 Jan. 2019,

www.achievement.org/achiever/ruth-bader-ginsburg/.

This article gave a detailed history on Ruth Bader Ginsburg’s legal and academic achievements. Not only did it provide information on her early childhood, it also followed her career and important court cases that helped provide evidence for commentary in my paper.

“Ruth Bader Ginsburg: A Reading List: Arguments before the Supreme Court.” *Washington and*

Lee University LibGuides, libguides.wlu.edu/c.php?g=601727&p=4166850.

This database describes each of Ruth Bader Ginsburg’s cases argued before the Supreme

Court. Having access to all of this information was essential in understanding how Ginsburg broke barriers and what she did to do it successfully.

“The Equal Rights Amendment.” *Ushistory.org*, Independence Hall Association,
www.ushistory.org/us/57c.asp.

The article on *Ushistory.org*, “The Equal Rights Amendment” provides a detailed, objective history of what the ERA was, who Phyllis Schlafly and Stop-ERA were, what the goals of the amendment were, and how the addition to the Constitution failed to pass. While I had sources from both Ginsburg and Schlafly that were very opinionated, this article was purely factual and useful in my writing.

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

This article from the *American Civil Liberties Union* describes Ruth Bader Ginsburg’s work and contributions to the ACLU. It details how she started the WRP and what led to its foundation through the *Moritz* appeal and *Reed v. Reed*. Thus, it provided useful content and information for my section on Ginsburg’s work within the ACLU.

“U.S. Supreme Court Justice Ruth Bader Ginsburg.” *The Library of Congress*,

www.loc.gov/events/2019/item/n50029918/ruth-bader-ginsburg/.

This biographical article of Ruth Bader Ginsburg’s life included her collegiate and legal history. In addition, it also specified her achievements. The informative history of her career and education was useful to understand how Ruth Bader Ginsburg became a lawyer and why she did it.