

Ruth Bader Ginsburg

(1933–2020)

US Supreme Court justice, champion of equity, environment, democracy.

The life's work of US Supreme Court justice Ruth Bader Ginsburg – as evidenced in the political battle over her successor – had implications far beyond the country's shores, relevant to scientists and research on many fronts. Ginsburg secured landmark decisions that advanced the rights of women and Black people, environmental protection, health care, disability rights and the independence of US government research agencies such as the Centers for Disease Control, Food and Drug Administration and Environmental Protection Agency. She helped to build a fairer society, a more inclusive education system and better governance on issues such as climate change and clean air and water.

The role of the US Supreme Court is both political and cultural: its decisions change not just laws but lives, public opinion, social norms and values. Yet justices themselves have rarely – if ever – enjoyed the popularity and status accorded to 'RBG' (beyond biopics and Halloween costumes, there's even a praying mantis named in her honour, *Ilomantis ginsburgae*). The seismic impact of her death has for many been as deeply personal as it is hotly political.

Often described as the legal architect of the women's liberation movement, and until recently the most senior and longest serving Supreme Court justice, Ginsburg fought and won cases for more than half a century to eliminate discrimination in employment, welfare, property ownership, medicine, social security, taxation, privacy, bodily autonomy and voting rights. Her successful challenges to hundreds of state laws enabled women to gain basic entitlements from equal pay to owning a credit card in their name.

Born to first- and second-generation Jewish immigrant parents in 1933, Ginsburg grew up in Brooklyn, New York. She attended Cornell University in Ithaca, New York, from 1950 to 1954, and was the top female student in her class. She married fellow lawyer Marty Ginsburg after graduation; their first child was born in 1955. A year later, aged 22, Ginsburg entered Harvard Law School in Cambridge, Massachusetts, as one of only 9 women alongside 500 men. She transferred to Columbia Law School in New York City, graduating in 1959 in the joint-first position in her class.

Ginsburg was initially unable to secure an appointment within the judiciary, despite her



law-school triumphs (she was the first woman ever to serve on two law reviews, at Harvard and Columbia). Following a brief stint as a law clerk on the New York District Court circuit, she took a professorship at Rutgers Law School in Newark, New Jersey, in 1963. In 1972, she moved to Columbia University, becoming its first tenured female law professor and beginning her long campaign for equal rights for all before the law.

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As the co-founder of the first law journal to focus on women's rights and as the general counsel for the Women's Rights Project of the American Civil Liberties Union, Ginsburg quickly proved herself a formidable opponent: she won five out of the six cases she argued before the Supreme Court between 1973 and 1976. She had a genius for the long game – taking on 'wedge' suits on men's rights to crack apart, brick by brick, the barriers that women faced.

In 1980, president Jimmy Carter nominated Ginsburg to the US Court of Appeals in Washington DC, a seat she held until 1993 when she

became only the second woman to be appointed to the US Supreme Court. During her confirmation hearings, she quoted the liberal jurist Learned Hand, promising to defend on behalf of “a community where the least shall be heard and considered side-by-side with the greatest”.

It was a crucial point in US politics: in the same year, Ronald Reagan was elected president, and his alliance with UK prime minister Margaret Thatcher fuelled an era of right-wing conservatism. Over the next 27 years, Ginsburg's agile intellect and commitment to social progress came under frequent fire. More often with dissenting opinions than victorious ones, she perfected a sharp-elbowed style of legal-opinion writing that was conservative in advocating interventions and impeccably reasoned when something needed putting right.

One of her most noteworthy dissents came in mid-December 2000, when she argued against the decision to block Florida's recount of its presidential-election ballots. That decision effectively installed George W. Bush as president. She wrote that no credible interpretation of the US constitution could use impracticality as a basis for over-ruling the Florida Supreme Court's decision to block the recount of votes. “Such an untested prophecy,” she argued, “should not decide the Presidency of the United States.”

This lowpoint in American jurisprudence was seen by many as a challenge to the very basis of democracy. The reputation of the Supreme Court, long burnished by its association with ending segregation, promoting greater equality and countering the excesses of state legislatures, began to wane. Amid the isolationism of the Bush era, Ginsburg became an increasingly iconic public figure, standing up – in her measured way – for the core values of the constitution and the least heard. This position served her well in the bonfire of checks and balances that has been the Trump administration.

These achievements, secured with modesty, humour, integrity and tenacity made her a hero across generations. The grief and fear that so palpably marked her passing are the measure of how much she meant to so many. The debt we owe her is to continue the heavy lifting on the path ahead.

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