

# Bathroom Reader

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## HER MOTHER'S DAUGHTER

In the early hours of June 14, 1993, then-Judge Ruth Bader Ginsburg began drafting a speech accepting her nomination to the U.S. Supreme Court. Ginsburg, who would be introduced to the nation that very day, was notified of her nomination by President Clinton only shortly before midnight. So, why the last-minute nomination?

For one, the President's administration had a hard time settling on the "Notorious R.B.G." An internal administration memo noted her "[d]isdain for [the] confirmation process." She felt that nominees should be themselves, preserve their dignity, and promote their independence, rather than attempt to please the Senate during the process.

Being anything but true to herself would undoubtedly run contrary to what Ginsburg's mother had taught her. Her mother passed away the day before her high school graduation but had a great influence on the future Justice. In her speech, Ginsburg described her mother as the "bravest and strongest person" she had known and prayed that she may be "all that [her mother] would have been had she lived in an age when women could aspire and achieve and daughters are cherished as much as sons."

## SISTERS IN LAW

Raised on a Western ranch in Arizona and a lifelong Republican, the F.W.O.T.S.C.—First Woman on the Supreme Court, a moniker that Justice Sandra Day O'Connor chose for herself—was confirmed by the Senate in 1981. Twelve years later, a Democrat, Ginsburg, born and raised in Brooklyn, the daughter of a Russian-Jewish

immigrant, joined O'Connor on the highest court in the land.

As different as their political views and backgrounds were, when it came to women's rights, they were allies. Ginsburg wrote the majority opinion in *United States v. Virginia* which declared that the Virginia Military Institute (VMI), then an all-male school since before the Civil War, must now admit women. While reading her opinion from the bench, Ginsburg looked across at her colleague as she quoted from O'Connor's opinion from 14 years earlier on the sex-segregated universities. As the senior justice in the majority, O'Connor got to assign the opinion. On making the assignment, O'Connor said, "This should be Ruth's."

*Adapted from Sisters In Law by Linda Hirshman.*



*Justices Ginsburg and O'Connor*

## THE MAKING OF THE NOTORIOUS R.B.G.

Since "you gon' be here for a while," have you ever wondered about the origin of the Notorious R.B.G. persona? Most people "couldn't picture" the 5' 1" Justice "up in a limousine sippin' champagne when she's thirsty," so how did Notorious R.B.G. get "in the limelight?" It turns

out she is another internet star.

"It was all a dream" started up by NYU student Shana Knizhnik through a Tumblr account launched in 2013. Ginsburg's dissents began to change from her normal, mild-mannered style in 2007 with her dissent in *Gonzalez v. Carhart*; several "far from timid" opinions followed. After Ginsburg read her dissent in *Burwell v. Hobby Lobby* from the bench, the internet did the rest. "So if you don't know [how Notorious R.B.G. got her start,] now you know." (Ed.—Text in quotes adapted from various Biggie songs.)

## I'M RUTH, NOT SANDRA

As the second woman to ever serve on the U.S. Supreme Court, Ginsburg has been a powerful advocate for gender equality. In interviews, when asked how many female justices would be "enough" on the Supreme Court, Ginsburg's answer? "When there are nine."

During the years Ginsburg and O'Connor served on the bench together, lawyers appearing before the Court often mixed up the two. They couldn't tell who was who, even though the Justices had different views and looked and talked very differently. At one point, the National Association of Women Judges had t-shirts made for the Justices reading, "I'm Sandra, not Ruth," and "I'm Ruth, not Sandra."

O'Connor retired in 2006. But, last year, during argument, a lawyer addressed Ginsburg as "Justice O'Connor," to which Ginsburg retorted, "That hasn't happened in quite some time." The lawyer apologized profusely. From the transcript: "I am very, very, very sorry. (Laughter.)" Sounds like she needs to get out her t-shirt again.