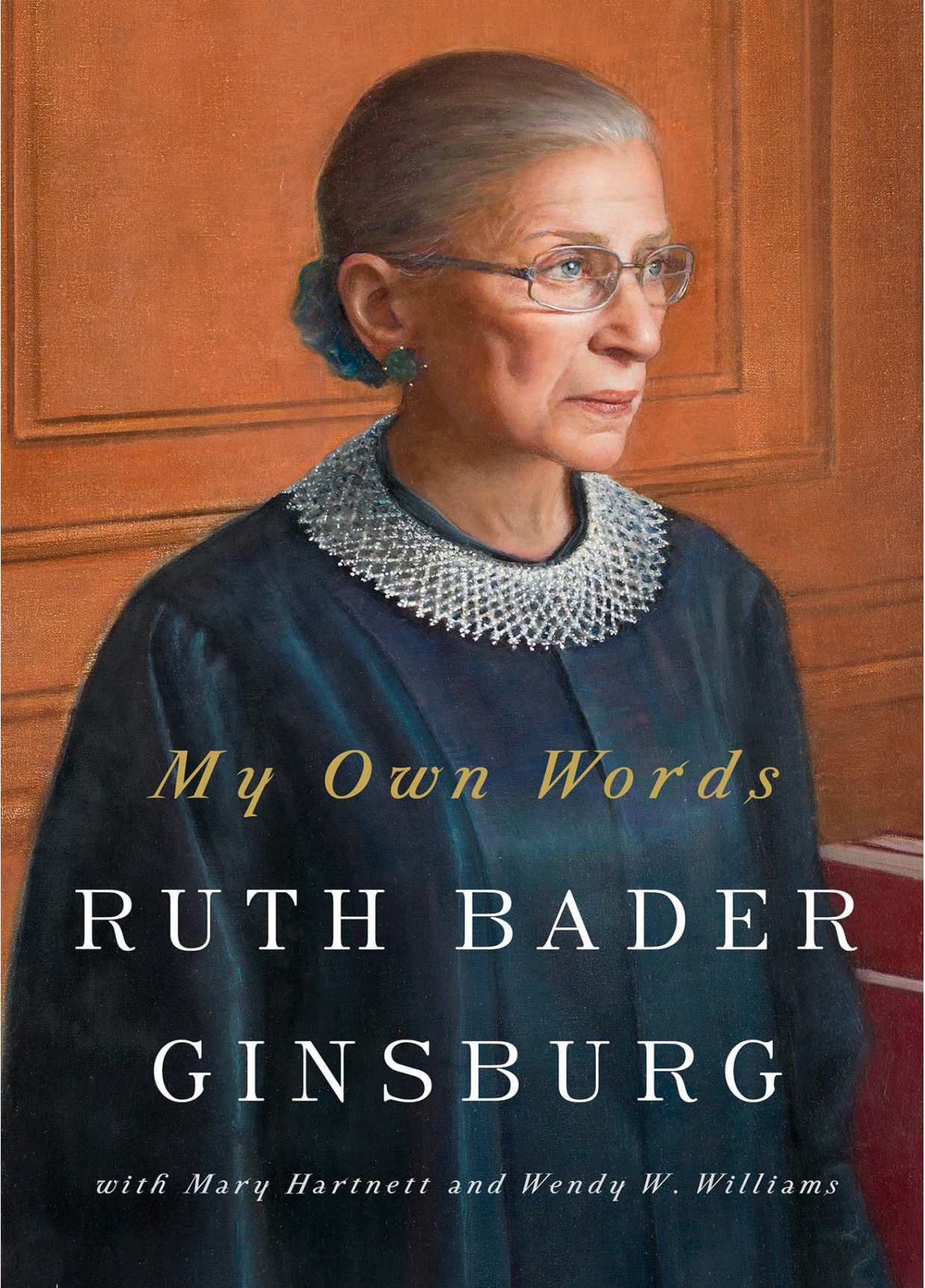


My Own Words

RUTH BADER
GINSBURG

with Mary Hartnett and Wendy W. Williams



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*Justice Ginsburg speaks at the Conference of Court Public Information Officers in the West
Conference Room at
the Supreme Court on August 8, 2011.*

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MY OWN WORDS



Ruth Bader Ginsburg

With Mary Hartnett and Wendy W. Williams

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To Marty, dear partner in life and constant lifter

A Note on Sources

MY OWN WORDS includes a variety of materials, including speeches that have no citations, and legal briefs and law review articles that are rife with citations. Our publisher recommended that instead of including the full citations in the print edition of the book, it would benefit the environment and most of our readers to instead house the majority of the legal citations from briefs and articles on the book's website

MyOwnWordsBook.com. We have retained notes from the introductory text and the *Scalia/Ginsburg* opera excerpt in the print edition.

Preface



MAY I TELL YOU, good readers, how this book came to be. In the summer of 2003, Wendy Williams and Mary Hartnett visited me in chambers. They had a proposal: “People will write about you, like it or not. We suggest that you name as your official biographers authors you trust. One of us volunteer for that assignment.” Wendy and I were in the same line of business in the 1970s. We were engaged in moving the law in the direction of recognizing women’s equal-citizenship stature. Wendy was a founder of the San Francisco–based Equal Rights Advocates. I was on the opposite coast as cofounder of the American Civil Liberties Union’s Women’s Rights Project. We understood and aided each other’s public education, legislative, and litigation efforts. Wendy and I remained in close touch when she joined the faculty of Georgetown University Law Center. Mary was an adjunct professor at the Law Center, and director of the center’s Women’s Law and Public Policy Fellowship Program. Well traveled, wise, and what the French call *sympathique*, Mary seemed to me a fit partner for Wendy in the biographical venture. Without hesitation, I said yes to their proposal.

My Own Words would follow after publication of the biography, we anticipated. But as my years on the Court mounted, Wendy and Mary thought it best to defer final composition of the biography until my Court years neared completion. So we flipped the projected publication order, releasing first the collection now in your hands.

“Did you always want to be a judge” or, more exorbitantly, “a Supreme Court Justice?” Schoolchildren visiting me at the Court, as they do at least weekly, ask that question more than any other. It is a sign of huge progress made. To today’s youth, judgeship as an aspiration for a girl is not at all outlandish. Contrast the ancient days (the fall of 1956) when I entered law school. Women were less than 3 percent of the legal profession in the United States, and only one woman had ever served on a federal

appellate court. [I](#) Today about half the nation’s law students and more than one-third of our federal judges are women, including three of the nine Justices seated on the U.S. Supreme Court bench. Women hold more than 30 percent of U.S. law school deanships and serve as general counsel to 24 percent of Fortune 500 companies. In my

long life, I have seen great changes![II](#)

How fortunate I was to be alive and a lawyer when, for the first time in U.S. history, it became possible to urge, successfully, before legislatures and courts, the equal-citizenship stature of women and men as a fundamental constitutional principle. Feminists, caring men among them, had urged just that for generations. Until the late

1960s, however, society was not prepared to heed their plea.[III](#)

What enabled me to take part in the effort to free our daughters and sons to achieve whatever their talents equipped them to accomplish, with no artificial barriers blocking their way? First, a mother who, by her example, made reading a delight and counseled me constantly to “be independent,” able to fend for myself, whatever fortune might have in store for me. Second, teachers who influenced or encouraged me in my growing-up years. At Cornell University, professor of European literature Vladimir Nabokov changed the way I read and the way I write. Words could paint pictures, I

learned from him. Choosing the right word, and the right word order, he illustrated, could make an enormous difference in conveying an image or an idea. From constitutional law professor Robert E. Cushman and American Ideals professor Milton Konvitz I learned of our nation's enduring values, how our Congress was straying from them in the Red Scare years of the 1950s, and how lawyers could remind lawmakers that our Constitution shields the right to think, speak, and write without fear of reprisal

from governmental authorities.[IV](#)

At Harvard Law School, Professor Benjamin Kaplan was my first and favorite teacher. He used the Socratic method in his civil procedure class always to stimulate, never to wound. Kaplan was the model I tried to follow in my own law teaching years, 1963–80. At Columbia Law School, professor of constitutional law and federal courts Gerald Gunther was determined to place me in a federal court clerkship, despite what was then viewed as a grave impediment: on graduation, I was the mother of a four-year-old child. After heroic efforts, Gunther succeeded in that mission. In later years, litigating cases in or headed to the Supreme Court, I turned to Gunther for aid in dealing with sticky issues, both substantive and procedural. He never failed to help me find the right path.

Another often-asked question when I speak in public: “Do you have some good advice you might share with us?” Yes, I do. It comes from my savvy mother-in-law, advice she gave me on my wedding day. “In every good marriage,” she counseled, “it helps sometimes to be a little deaf.” I have followed that advice assiduously, and not only at home through fifty-six years of a marital partnership nonpareil. I have employed it as well in every workplace, including the Supreme Court of the United States. When a thoughtless or unkind word is spoken, best tune out. Reacting in anger or annoyance will not advance one's ability to persuade.

Advice from my father-in-law has also served me well. He gave it during my gap years, 1954–56, when husband Marty was fulfilling his obligation to the Army as an artillery officer at Fort Sill, Oklahoma. By the end of 1954, my pregnancy was confirmed. We looked forward to becoming three in July 1955, but I worried about starting law school the next year with an infant to care for. Father’s advice: “Ruth, if you don’t want to start law school, you have a good reason to resist the undertaking. No one will think the less of you if you make that choice. But if you really want to study law, you will stop worrying and find a way to manage child and school.” And so Marty and I did, by engaging a nanny on school days from 8:00 a.m. until 4:00 p.m. Many times after, when the road was rocky, I thought back to Father’s wisdom, spent no time fretting, and found a way to do what I thought important to get done.

Work-life balance was a term not yet coined in the years my children were young; it is aptly descriptive of the time distribution I experienced. My success in law school, I have no doubt, was due in large measure to baby Jane. I attended classes and studied diligently until four in the afternoon; the next hours were Jane’s time, spent at the park, playing silly games or singing funny songs, reading picture books and A. A. Milne poems, and bathing and feeding her. After Jane’s bedtime, I returned to the law books with renewed will. Each part of my life provided respite from the other and gave me a sense of proportion that classmates trained only on law studies lacked.

I have had more than a little bit of luck in life, but nothing equals in magnitude my marriage to Martin D. Ginsburg. I do not have words adequate to describe my supersmart, exuberant, ever-loving spouse. He speaks for himself in two selections

chosen for this book. [v](#) Read them and you will see what a special fellow he was. Early on in our marriage, it became clear to him that cooking was not my strong suit. To the everlasting appreciation of our food-loving children (we