



# Ruth Bader Ginsburg: Former Rutgers Law Professor Led the Campaign for Gender Equality

She recognized discriminatory laws hurt women—and men—and sought to revamp them one case at a time.

BY ROYA RAFEI

In the late 1960s, a group of Rutgers Law School students in Newark asked their professor, Ruth Bader Ginsburg, to lead a seminar on women and the law. Ginsburg, who was one of only two female law professors at Rutgers and a handful in the country, seemed the right person to teach the class.

*"I surely would not be in this room today without the determined efforts of men and women who kept dreams of equal citizenship alive in days when few would listen. People like Susan B. Anthony, Elizabeth Cady Stanton, and Harriet Tubman come to mind. I stand on the shoulders of those brave people."*

—Ruth Bader Ginsburg, during the 1993 nomination hearings for her seat on the U.S. Supreme Court

**The U.S. Supreme Court Building was completed in 1935, 15 years after women won the right to vote.**

In preparing for the class, Ginsburg, now a U.S. Supreme Court Justice, quickly learned there wasn't much to study on the subject—and in fact, there was a large gap in the law on gender equality. That request from her students began Ginsburg's journey to becoming a pioneer in women's legal rights.

"Rutgers students sparked my interest and aided in charting the course I then pursued," she says in *Our Revolutionary Spirit*, a short film on Rutgers' 250th anniversary. "Less than three years after starting the seminar, I was arguing gender discrimination cases before the Supreme Court."

Around the same time the students sought Ginsburg, the New Jersey chapter of the American Civil Liberties Union (ACLU) was receiving a new set of complaints. It was a few years after the Civil Rights Act became law. Women were reporting discriminatory practices at their workplaces: a school secretary was told she had to leave her job as soon as her pregnancy became apparent; a married factory worker was told the company's family health insurance was only offered to male employees. Even girls in public schools were receiving unfair treatment. A summer engineering program in Princeton for low-income sixth-graders only permitted boys to attend.

The ACLU chapter, based in Newark, turned to Ginsburg to handle the cases.

The turning point for women's equality came in 1971 when Ginsburg was still at Rutgers. In *Reed v. Reed*, the Supreme Court ruled—for

A request by her students at Rutgers Law School sparked Ruth Bader Ginsburg's journey to becoming a pioneer in women's legal rights. This photo was taken at the law school, where she taught from 1963 to 1972.



the first time—that an Idaho statute on estate administration was unconstitutional because it discriminated based on gender. Ginsburg was the principal author of the brief in the landmark decision. Soon after *Reed*, the ACLU created the Women's Rights Project, dedicated to gender discrimination litigation, and named Ginsburg its codirector.

Ginsburg eventually argued six cases before the U.S. Supreme Court and won five of them.

During the 1960s and 1970s, Rutgers Law School, which at the time was known as the School of Law–Newark, was at the forefront of the social justice movement. It was ahead of other schools in admitting women and other minorities and had come to be known affectionately as “People’s Electric Law School,” a term representing the counterculture and a progressive social agenda that was afoot there. Additionally, tuition was affordable (about \$1,500 for the three years), attracting a diverse student population, including women. By 1971, 40 percent of the students entering Rutgers Law School were women, the second highest percentage in the country.

“We had a big influx of women in the ’60s with second careers,” says Professor Frank Askin, a 1966 Rutgers Law School graduate who worked with Ginsburg at the ACLU. “They needed a mentor and she provided that.”

One of those women was Elizabeth Langer, a 1973 Rutgers Law School graduate, who served as the coordinating editor of the *Women’s Rights Law Reporter* from 1972 to 1973. The publication, founded in 1971 by Ann Marie Boylan, was the first law journal in the country to focus exclusively on women’s rights. The struggling journal, which published its first issue in New York before coming to Rutgers, needed a faculty adviser and Ginsburg seemed the logical choice. Ginsburg was already on the advisory board for the first issue but serving as its adviser meant she would have a more significant role in the journal’s content and production.

“I was surprised she was willing to do it,” Langer recalls. “The *Women’s Rights Law Reporter* was nothing. It was dying ... We had no money, no faculty, no backing ... She went where other people wouldn’t go. She took a leap.

“Once she came on board, everything fell into place,” Langer continues. “We felt empowered.”

Ginsburg taught at Rutgers from 1963 to 1972. She left Rutgers for Columbia Law School, becoming the first female professor to earn tenure there.

Diane Crothers, a 1974 Rutgers Law School graduate, who cofounded the *Women’s Rights Law Reporter* with Boylan, says Ginsburg is one of the most analytic and strategic minds she’s ever known. “She had a 20-year and a 50-year plan and did it piece by piece, step by step, to figure out the end game. And she wasn’t ‘justice for women’ only.”

Ginsburg’s strategy was to argue against gender inequality in the law, even when it discriminated against men.

**Ginsburg was appointed to the U.S. Supreme Court in 1993, becoming the second woman to serve.**



In a 1975 case before the U.S. Supreme Court, Ginsburg represented Stephen Wiesenfeld, a New Jersey man whose wife had died during childbirth. Wiesenfeld was denied a Social Security benefit widows received after a spouse's death. The benefit, he was told, was a mother's benefit. Ginsburg won the case in a unanimous decision.

"We wanted to say the law shouldn't pigeon-hole people; that man or woman should be able to do whatever his or her talents made right for that person," she said in a 2015 interview with the National Portrait Gallery.

Ginsburg was appointed to the Supreme Court in 1993 by President Bill Clinton, becoming only the second woman to serve. During the hearings, she foresaw a different court.

"In my lifetime, I expect to see three, four, and perhaps even more women on the High Court bench, women not shaped from the same mold, but of different complexions," she told the senators.

As a justice, Ginsburg has continued to protect the legal rights of not only women but also other minorities.

"She's an amazingly smart, dedicated, and focused legal mind," says Langer. "We see her as a mentor, a heroine, a very strong perseverant figure in the women's rights movement. She had step-by-step strategies to advance the movement."

Though she's known for advancing women's legal rights, Ginsburg repeatedly has said that there were many pioneers before her.

"I surely would not be in this room today," she told the Senate Judiciary Committee in 1993 during her nomination hearings, "without the determined efforts of men and women who kept dreams of equal citizenship alive in days when few would listen. People like Susan B. Anthony, Elizabeth Cady Stanton, and Harriet Tubman come to mind. I stand on the shoulders of those brave people."