

First Place Senior Essay
Bree Faulkner
Norfolk Academy, Mrs. Monaco

Ruth Bader Ginsburg: Trailblazer for All

Ruth Bader Ginsburg had attended Harvard and Columbia Law Schools when she found herself seemingly unhirable. As she was tied for valedictorian of her Columbia Law graduating class, most people would think it natural and assured that jobs would be knocking on Ginsburg's door. So why did it seem her door was sitting across town, down a dark alley, undisturbed? Why was she asked, once she found a job, to receive a lower salary than promised because of her husband's well-paying job? Why did she have to hide her pregnancy with oversized clothes in fear of being fired? The answer to these questions had nothing to do with Ginsburg as a person, employee, or student. The answer came within her being a woman during a time of intense and widely enacted stigmas against women in the workplace. Ginsburg's battle against gender stigmas through her lifetime led her to ask a key question that helped minorities around her. Ginsburg constantly asked herself, "Why is this person or group being treated unfairly, and how can I best even the playing field?"

Through asking herself where unfair treatment was taking place and how to best fix it, Ginsburg greatly aided the LGBTQ+ community. In the 2010 case, *Christian Legal Society vs. Martinez*, a Christian college-student group argued that they should be allowed to bar a student from membership because they are a member of the LGBTQ+ community. Ginsburg, remembering her own falling victim to exclusion based on unchangeable personal features, ruled against the group and in favor of Martinez. Similarly, in the 2020 *Bostock vs. Clayton County* case, Ginsburg ruled it unconstitutional to not hire someone on the basis of sexual orientation or gender identity. Undoubtedly in the back of her mind during this case was her own unjust struggle to find a job based on her gender. Ginsburg used her

own experience of being judged simply because she was a woman, to best understand and rule against the indisputably unjust treatment of people within the LGBTQ+ community.

Ginsburg also questioned the treatment of undocumented immigrants, ultimately helping to even the playing field for them. In 2019, Ginsburg helped to overturn the Trump administration's attempts at terminating the Deferred Action for Childhood Arrivals initiative, also known as the DACA. Having been first instituted in 2012, DACA allowed some immigrants who had come to America as children to apply for a two-year period where they could live without fear of deportation and with the ability to work legally without documentation. Ginsburg saw something she believed unjustly put a minority group at a disadvantage, and fought to bring forth its dismantlement. Additionally, Ginsburg also defended the right of undocumented immigrants to challenge their custody by local and government law enforcement, saying it is both constitutional and a basic human right. Through asking herself what the reasoning is behind unjust treatment of undocumented immigrants, Ginsburg helped to squash their disadvantages within the United States and offered them a fairer path to citizenship, and also to employment, one that was not previously given to her.

Finally, Ginsburg's constant asking of herself how to better the treatment of minority groups allowed her ultimately to vastly better the lives of people with disabilities. In the 1999 case, *Olmstead vs. LC*, Ginsburg ruled that people with a disability should be entitled to a life outside of a mental institution, under certain requirements. She concluded that as long as their doctors agreed with the lifestyle, that the patient did not oppose living outside of a mental facility, and that their local system allowed for it, people with disabilities would legally be entitled to a life "outside" in their community, under close medical monitoring. Ginsburg saw that a group was being treated unfairly for something they could not change, just as she had been for being a woman, and found the best way to improve their situation, as well as how to best prepare local communities to account for the needs of disabled people. Seeing how her ruling inadvertently caused long waiting lists for mentally disabled people to rejoin their

community based on low funding, Ginsburg helped to enact the Money Follows the Person program. This program gave large funding to state governments to provide help for people with mental disabilities, who met the criteria decided upon in the Olmstead case, to return to their community quickly. Once again, Ginsburg asked herself where there was a discrepancy between the treatment of those in the majority and those in the minority. Ginsburg's critical thinking about why unjust treatment was occurring and how to best overcome it led her to vastly improve the lives of people with disabilities.

As only the second female Supreme Court justice, Ruth Bader Ginsburg was largely seen as a trailblazer for the women of her generation, and an inspiration for women who came after her. However, Ruth Bader Ginsburg's reputation as a fierce feminist should be altered to include all that she did for the betterment of countless different minority groups. Ginsburg never forgot how she was treated differently simply on the basis of her being a woman. She saw how groups around her were similarly being unjustly treated, and never hesitated in doing all she could to even the playing field. Through asking herself, "Why is this person or group being treated unfairly, and how can I best even the playing field?", Ginsburg vastly improved the lives and treatment of people in the LGBTQ+ community, undocumented immigrants, and people with disabilities.

*The first place essay award in the senior category is dedicated to the memory of **Marino Bertini**. Marino taught his daughters about the importance of knowing world history. He encouraged his girls to watch movies about the Holocaust, in an effort to teach them that while humanity often doesn't resemble anything kind, the strength of individuals to overcome evil is **real**.*