

Ruth Bader Ginsburg

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It is customary upon the death of an esteemed friend to say that there will never be another like her. I can't adequately express how passionately I hope that is not true of Ruth Bader Ginsburg.

Ginsburg has been a giant, to be sure but she has helped to create and nurture a groundswell in which young women and others who heretofore haven't felt represented in the halls of power have elected not to wait for 'anointment' but rather to build their own power bases.

As an Associate Justice of the Supreme Court, Ginsburg built an astonishing record of opinions and (frequently) dissents founded on brilliant legal analysis, ferocious passion and perhaps most important, unstinting compassion. In so doing, she has served as an inspiration and model not only for our daughters but perhaps even more for our sons, who will now grow up in a world in which her incredible scholarship and leadership are undeniably as important and reliable as those of any man. In her own words, "Generalizations about 'the way women are,' estimates of what is appropriate for most women, no longer justify denying opportunity to women whose talent and capacity place them outside the average description." And she applied the same ethical framework to all those whose petitions came within her judicial reach.

I think of the reason and clarity of her recorded thoughts as to how we should structure our world under our constitution. In *Olmstead v L.C.* (1999), she wrote the majority finding affirming the right of Lois Curtis and other persons living with disabilities to be part of the larger community, rather than being presumptively shuttered away.

One of my all-time favorite quotes comes through *Arizona State Legislature v Arizona State Redistricting Commission* (2015) which spoke to the need to prevent wholesale gerrymandering by state legislatures. Ginsburg said, "Arizona voters sought to restore the core principle that voters should choose their representatives, not the other way around." Beautiful!

But given the makeup of the court during most of her tenure, many of her most important opinions were framed as dissents. Not Jeremiads exactly, because her writings were about nothing if not hope that future decisions would correct the wrongs from which she dissented. But always passionate, blunt and (in my opinion) convincing.

Her dissent to *Ledbetter v Goodyear* (2007) inspired legislation aimed at providing women equal pay for equal work.

She also famously spoke out against weakening of the Voting Rights Act in *Shelby County V Holder* (2013).

I could create a list here but I'm neither a Constitutional scholar nor your civics teacher. I will simply restate my observation as shared in earlier missives – that one who wants to see where the Court is likely to go in future should read dissents. In hers, Ginsburg has left behind some very rich soil to nurture the continuing growth and health of our democracy.

A friend has passed but we didn't lose her. She has left behind the tools we can use to help our garden grow. If we're as committed to democratic principles of governance as we claim to be, we will honor her not by wringing hands at her departure but by reaching out to nurture the next Ruth.