

Ruth Bader Ginsburg on the Frontier of Gender Roles in America

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Senior Division Historical Paper, National History Day 2023 Competition

A PIONEER FOR WOMEN'S RIGHTS and a prominent pop culture icon in a striking white collar, Ruth Bader Ginsburg is best known for her work on the bench; her fiery dissents and scathing arguments are legendary. However, many people are less aware of her work as a lawyer, before her appointment to the Supreme Court. Ginsburg's legal work in the 1970s marked a major advancement for women's rights, driven by the novel legal strategy she developed to systematically dismantle societal gender roles. These successes and legal precedents propelled America across a new social frontier that dramatically expanded the societal roles of both men and women.

As a practicing lawyer in the mid-twentieth century, Ginsburg recognized the American legal precedents which pushed women into caregiver roles and erected roadblocks to the workplace. In 1873, a woman was denied a license to practice law because of her gender. She sued, and *Bradwell v. State of Illinois* went to the Supreme Court. The court ruled against her, and in his infamous concurring opinion, Justice Joseph P. Bradley asserted that it would be "repugnant" for a woman to have a career at all, stating, "The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life" (Bradley 1873, 83). "Delicacy" was a common theme that prevented women from venturing out of their role in the home. Several laws limited the workload of women to preserve this trait. In 1908, *Muller v. Oregon* defended business' rules limiting the working hours of women, claiming that "as healthy mothers are essential to vigorous offspring, the physical wellbeing of women is an object of public interest" (Miller 1908, 208). These early cases were direct challenges to the injustices women faced, but they were presented to a society unwilling to listen. Directly challenging precedent was not yielding results.

Similarly, educational and social norms were structured to encourage women and men to occupy traditional roles. In Ruth Bader Ginsburg's school and across the country, Home Economics was required for girls and Shop for boys (Levy 2019, 34). These classes guided boys to jobs, while they guided girls to kitchens. Such required classes created "artificial barriers to the ability of a person to realize her own potential" (Ginsburg 2019). Women who wanted careers were ridiculed by psychologists and popular writers, and their social lives could suffer ("Women and Work After WWII" n.d.).

Despite legal and societal pressure, some women were able to persevere through the challenges and claim paychecks, although smaller ones than their male counterparts. As one of only nine female students in a Harvard Law class of 500, Ruth Bader Ginsburg was no stranger to inequality in education and in the workplace (Levy 2019, 90).

As a lawyer, Ginsburg decided she would use the court system to fight against the injustices that plagued women, and she would do it in a way no one had thought to try. Ginsburg explained, "our mission in the '70s was to get rid of *all* the overt gender-based classifications" (Ginsburg 2019). She would argue for *all* rights, women's *and* men's, and in doing so, undermine society's perception of "men's work" and "women's work." She would prove that the barriers that kept women from working harmed men, and barriers that kept men from caring for children harmed families. Ginsburg's strategy was to show the unintended negative consequences of strict gender roles in small steps which would expose the Court to these new ideas and move the Justices incrementally toward her goal (Von Drehle 1993).

Ginsburg's project began with Sharron Frontiero, an Air Force lieutenant and breadwinner for her unemployed husband (Levy 2019, 139). The military promised financial benefits to the spouses of service members, but Sharron's first post-wedding paycheck arrived without dependent benefits included. Women had to prove that they provided at least one-half of their husband's monetary support. Although Sharron earned triple what Joseph received, his monthly stipend covered more than half his personal cost of living; thus the benefits were denied (Mayeri 2010, 57). Sharron tried to convince her few female colleagues to sue with her, but they were hesitant to "cause trouble." Men commented that she was fortunate to be allowed in the military at all (Mayeri 2010, 58). In December 1970, the Frontieros filed a complaint and sued in district court, claiming the rule deprived servicewomen of due process. They lost, and the court claimed that since the husband is usually the provider and the wife the dependent, it's administratively easier to grant automatic benefits to men alone (*Frontiero v. Richardson* Majority Opinion 1973,

2-3). On appeal to the Supreme Court, the *Frontieros* crossed paths with attorney Ruth Bader Ginsburg, co-founder of the Women's Rights Project of the American Civil Liberties Union. Ginsburg immediately saw this case as a strategic opportunity (Von Drehle 1993).

Unlike lawyers before her, Ginsburg would reveal how gender discrimination harmed both the wife and husband. Discrimination against the woman meant the man would not receive benefits because of his assumed self-sufficiency. Many feminists hoped that this case would weaken societal beliefs about the roles of men and women and allow them to pursue further progress (Mayeri 2010, 66).

In oral argument, Ginsburg described the effects of the societal structure on working women, explaining the "indignity of being treated differently" (Ginsburg quoted in *Frontiero v. Richardson* Oral 1973, 19). She offered examples of previous relevant Supreme Court rulings, such as *Goesaert v. Cleary* (1948), which completely excluded women from jobs deemed only appropriate for men, and *Hoyt v. Florida* (1961), which restricted women from jury duty, claiming they were too occupied in the home to be bothered with civic responsibilities. Many men believed they were helping women by preserving their dignity and delicacy, but in reality, they were forcing women to contain themselves within the small sphere of work that society desired them to fill; a place purposefully structured to be inherently inferior to that of a man's (*Frontiero v. Richardson* Oral 1973, 20). If Ginsburg could prove that altering the pay of women and not men was unlawful, she could then make the conclusion that the man's sphere of work could also legally be occupied by a woman.

On May 14, 1973, the Justices ruled 8-1 in favor of the *Frontieros*. Ginsburg had established that a man can indeed be a dependent and that a woman could receive equal compensation for a job. By proving that a man could hold the traditional women's role and a woman could hold the traditional men's role, Ginsburg demonstrated that the work of women and men is equal.

Going forward, Ginsburg and her allies used the precedent of the *Frontiero* decision in a series of cases to undermine long-held assumptions regarding breadwinners and dependents (Mayeri 2010, 82). *Frontiero* had established the concept of a working woman; now Ginsburg would defend the caregiving man.

Weinberger v. Wiesenfeld began with a tragedy. Stephen and Paula Wiesenfeld were joyfully expecting their first child and decided that when the baby was born, Paula would continue her teaching job and Stephen would be the primary caregiver. Paula delivered a healthy baby but died in childbirth, leaving the family without their primary wage earner (Levy 2019, 154). Stephen applied for a special Social Security benefit for single

parents. He was granted benefits for his son, Jason, but his own application was rejected because widowers were ineligible (Brennan 1975, 640-641). This case mirrored *Frontiero*, as Stephen Wiesenfeld did not receive monetary benefits because he was not performing his traditional role, just as Joseph Frontiero was penalized for Sharron not performing hers. Ginsburg explained this concept, but also emphasized who was most hurt by the situation, stating, “Jason Paul, a motherless infant with a father able and willing to provide care for him personally, is treated as an infant not entitled to the personal care of his sole surviving parent” (Ginsburg quoted in Levy 2019, 155). The Justices ruled unanimously in favor of Stephen Wiesenfeld, writing that Wiesenfeld’s situation “is indistinguishable from that invalidated in *Frontiero v. Richardson*” (Brennan 1975, 643).

Wiesenfeld reinforced the idea that men can be dependents and are qualified to be caregivers, and that families suffer when this is not accepted. Gender-role prejudice ran so deep that many people told Stephen to put Jason up for adoption after Paula died (Levy 2019, 154). To them, there was no hope of Jason having proper care without a woman to provide it. *Wiesenfeld* demonstrated that the male is just as qualified to be the caregiver as the female. The precedent of *Frontiero* demonstrated that women were indeed qualified to be wage earners, destabilizing the man’s role. By showing how families suffer when men cannot be caregivers (Ginsburg as quoted in Barnes 2014), Ginsburg broke down the woman’s role as well (Lebovits 2020).

Frontiero and *Wiesenfeld* are two sides of the same coin. Ginsburg brought *Frontiero* to court to show how men suffered when women could not be wage earners, then used *Wiesenfeld* to show how families suffered when men could not be caregivers. If women and men could receive equal compensation for the same role, whether that be as wage earners or caregivers, then women and men are equal in the workplace and at home and should be treated as equals. Together, the *Frontiero* and *Wiesenfeld* cases demonstrate how arbitrary and harmful gender roles are to both men and women. Ginsburg now had the legal support she needed to directly attack statutes more obviously targeted at women (Lebovits 2020).

At the time, most courts exempted women from serving as jurors, a practice reaffirmed in the 1961 case *Hoyt v. Florida*. Fourteen years later, in *Duren v. Missouri*, Billy Duren was convicted of murder and robbery by a jury of twelve men. He sued, claiming that since women were not on the jury, he had not received a fair trial (White 1979, 531).

Ginsburg took the case in 1978. She explained to the court how barring women from this civic duty was not a benefit to women and instead promoted “the notion that women are not really needed, not really wanted for the participation in the democratic processes of government”

(Ginsburg quoted in *Duren v. Missouri* Oral Argument 1978, 13). Just seventeen years after *Hoyt*, the outcome was different. With the precedents of *Frontiero* and *Wiesenfeld* in effect, the court ruled in favor of *Duren*, stating that he had not been subject to a fair trial and granting women the right to serve on a jury. *Duren* was retried by a new jury that included women and was convicted again.

As gender limitations began to dissipate, more women and men ventured out of their traditional roles. In an interview, Patricia Franzen described single fathers she interacted with at work, saying, "...it's really neat to hear a guy say, 'yeah, I made a chicken casserole last night'" (Franzen 1975). The social frontier that Ruth Bader Ginsburg crossed with *Frontiero* and *Wiesenfeld* allowed this man to take care of his children without fear of ridicule.

Not everyone was pleased with the change to the status quo. Phyllis Schlafly, a prominent opponent of the advancement of women's rights, believed that additional rights would bring women more harm than good. When asked whether women and men were equal, she replied, "Women should not be equal to men. I think under our present system in the United States, women enjoy a very wonderful status. I think it's better than equality" (Schlafly 1972). Schlafly refers to the stresses of work and the threat of conscription into the military. Schlafly led a successful movement in the 1970s against the Equal Rights Amendment (ERA), believing it would be detrimental to the status of women. The ERA had failed, but the battles in the courts continued (Law 2020).

As women began to work outside of the home, some men saw their own beliefs change. In an interview, Patricia Franzen described a male coworker who had "said that women belong in a home. And women are mothers and daughters—and that they don't come into the mill. And now we're great friends" (Franzen 1975). This man was born in an age when a working woman or a man raising a child would have been unthinkable. The fact that he was able not only to accept but appreciate Franzen's presence in the workplace shows the extent to which beliefs had changed.

This dissolution of strict gender roles allowed Ruth Bader Ginsburg and other women to sit on the very court that had long denied them the right to practice law. On September 25, 1981, Sandra Day O'Connor was sworn in to the Supreme Court. She took the oath in front of Chief Justice Warren Burger, her husband standing by her side (see **Appendix A**). It was the first time a man had stood and watched as his wife was sworn in as a Supreme Court Justice.

After O'Connor, it was Ruth Bader Ginsburg's turn. After years of arguing gender discrimination cases as a lawyer, she would now sit on the court deciding these cases (Levy 2019, 178). On August 10, 1993, Chief

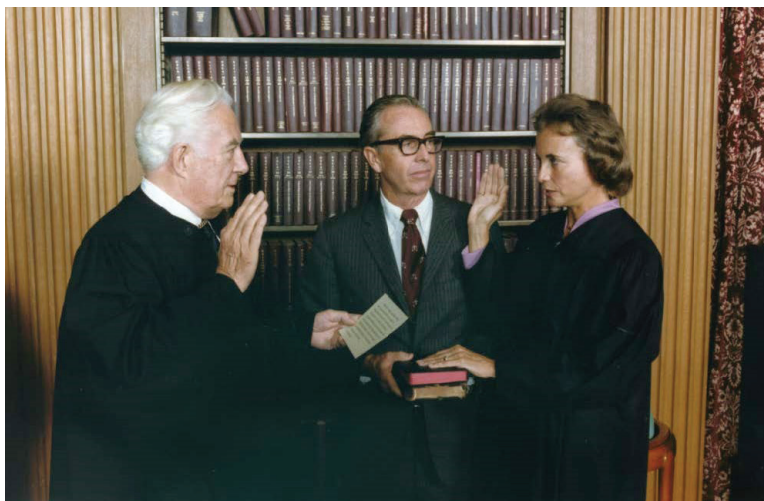
Justice William Rehnquist swore in Ruth Bader Ginsburg as a Supreme Court Justice on the State Floor of the White House (see **Appendix B**). In his speech that day, President Clinton proclaimed:

Throughout her life she [Ginsburg] has repeatedly stood for the individual, the person less well-off, the outsider in society, and has given those people greater hope by telling them that they have a place in our legal system, by giving them a sense that the Constitution and all the laws protect all the American people, not simply the powerful (Clinton quoted in *Becoming RBG* 2019, 180).

Ginsburg's appointment to the Supreme Court was the culmination of decades of legal work to support and strengthen the civil rights of women and men. She reached out to the woman, the "person less well-off," and gave her hope. She showed her that she has a place in society and in the law, and helped her achieve that role.

Ruth Bader Ginsburg's strategy of challenging laws unfair to both men and women and then using those precedents to argue against laws explicitly unfair to women was a novel idea that yielded long overdue results. Ruth Bader Ginsburg defied expectations just by becoming a lawyer, and then she used her position to better the lives of women everywhere. Although the Notorious RBG is most remembered for her fierce dissents in gender equality cases as a Supreme Court Justice, her work began much earlier with *Frontiero* and *Wiesenfeld*. Through her legal genius, Ruth Bader Ginsburg used these cases to weaken societal gender roles, moving the frontier that defines the possible life choices for individual women and men, and allowing society to benefit from the unique abilities and talents of everyone, regardless of gender.

Appendix A



Sandra Day O'Connor Being Sworn In (September 25, 1981)

Appendix B



Judge Ruth Bader Ginsburg Being Sworn in as Associate Supreme Court Justice (August 10, 1993)

Annotated Bibliography

Primary Sources

Bader Ginsburg, Ruth. Interview by Katherine Baicker. University of Chicago, IL. September 9, 2019.

This interview of Ruth Bader Ginsburg conducted by Katherine Baicker was about Ginsburg's relations with colleagues on the Supreme Court, her opinions on women's rights and other social justice movements, and her legal strategies as a lawyer. I used what she said about her own legal strategy to support my paper, as well as her opinions on gender roles.

Bradwell v. State of Illinois, 83 U.S. (Apr. 1873). Accessed February 4, 2023. <https://perma.cc/764L-DNM8>.

The concurring opinion by Justice Joseph P. Bradley in *Bradwell v. State of Illinois* showed an explicit rejection of a woman's right to choose her own profession. In this 1873 case, Myra Bradwell, a married woman, was not allowed to become a lawyer solely on the basis of her gender. This provided a good contrast with the change that Ruth Bader Ginsburg brought to a similar issue in *Frontiero v. Richardson*, as well as showing how impressive it was that Ginsburg managed to become a lawyer in an environment so hostile to that idea.

"*Duren v. Missouri*, 439 U.S. 357 (1979)." 2023. *Justia Law*. <https://supreme.justia.com/cases/federal/us/439/357/>.

Billy Duren, convicted of murder and robbery in a Missouri court in 1975, sued the court for not providing him a fair trial since the jury was only composed of men. This case was used to argue for the inclusion of women in the legal process. This direct approach to women's rights would not have been possible if it were not for the groundwork that Ruth Bader Ginsburg had laid with *Frontiero v. Richardson* and *Weinberger v. Wiesenfeld*.

Frontiero, Sharron A. v. Laird, Melvin R. et al., No. 71-1694 (Jan. 17, 1973). Accessed February 12, 2023. https://www.supremecourt.gov/pdfs/transcripts/1972/71-1694_01-17-1973.pdf.

This transcript recorded the oral arguments of *Frontiero v. Laird* (*Frontiero v. Richardson*) on January 17, 1973. It was Ruth Bader Ginsburg's first time arguing in front of the Supreme Court, and she attempted to convince the Justices that gender roles harmed men and women and put labels on groups that did not define them.

Judge Ruth Bader Ginsburg Being Sworn in as Associate Supreme Court Justice. Photograph. August 10, 1993. <https://www.docsteach.org/documents/document/ginsburg-sworn-in>.

In this image, Ruth Bader Ginsburg is being sworn in on the State Floor of the White House in Washington D.C. by Chief Justice William Rehnquist on August 10, 1993. I chose to include this in my paper because it really showed the culmination of her career as a lawyer and an advocate.

Muller v. Oregon, 208 U.S. (Feb. 24, 1908). Accessed February 4, 2023. <https://supreme.justia.com/cases/federal/us/208/412>.

In this 1908 court case, Curt Muller challenged a statute restricting the working hours of women. He lost, with the Justices claiming that since women had the societal

duty to raise healthy children, their health cannot be compromised by long working hours. I used this in my paper to show what conditions for working women were like in the early twentieth century.

Nation, Lee M., Ruth Bader Ginsburg, and Nanette Laughrey. “*Billy Duren v. Missouri*.” Accessed February 1, 2023. https://www.supremecourt.gov/pdfs/transcripts/1978/77-6067_11-01-1978.pdf.

This transcript of the oral argument for *Duren v. Missouri* from November 1, 1978, contains Ruth Bader Ginsburg’s exact words on the subject of women’s participation in legal proceedings. I used this in my paper to show the precedent that *Frontiero v. Richardson* and *Weinberger v. Wiesenfeld* set in flipping gender roles. This allowed for these other cases to achieve more rights for women and men.

Sandra Day O’Connor Being Sworn In. Photograph. September 25, 1981. <https://www.docsteach.org/documents/document/oconnor-sworn-in>.

This image depicts Chief Justice Warren Burger swearing in the first woman Supreme Court Justice, Sandra Day O’Connor, on September 25, 1981. I used this in my paper to show how far we as a society have come in our attitude towards the gender roles of men and women and the female’s relationship with the law.

Schlafly, Phyllis. “An Audio Clip of Phyllis Schlafly, an Opponent of the Equal Rights Amendment, Speaking About Women’s Role in Society, 1972.” Audio, 5:40. <https://dp.la/primary-source-sets/the-equal-rights-amendment/sources/1211>.

From 1972, this audio clip is a recording of an interview with Phyllis Schlafly, a prominent critic of the Equal Rights Amendment and women’s rights in general. She staunchly believed in the assigned gender roles in America, and I used her views as another perspective on *Frontiero v. Richardson* and *Weinberger v. Wiesenfeld*—after all, not everyone was grateful for the outcomes and the subsequent upheaval of gender roles that these cases caused.

U.S. Information Agency. “American Women and Social Change: Women at Work.” Video, 32:40. <https://catalog.archives.gov/id/50554>.

This video, published in 1975, featured interviews with women who worked outside of the home. It described their experiences as pioneers in a gender-polarized America, the social change that they experienced, and their male coworkers’ eventual acceptance of it after *Frontiero v. Richardson* and *Weinberger v. Wiesenfeld*.

“U.S. Reports: *Frontiero v. Richardson*, 411 U.S. 677 (1973).” 1985. The Library Of Congress. <https://www.loc.gov/item/usrep411677/>.

This series of opinions from the Justices on *Frontiero v. Richardson* was crucial to the writing of this paper. I was able to use the majority opinion to explain the reasoning behind the decision, and the dissenting opinion to show the work that still needed to be done.

Weinberger v. Wiesenfeld, 420 U.S. (Mar. 19, 1975). Accessed February 12, 2023. <https://supreme.justia.com/cases/federal/us/420/636/>.

This website contains the majority opinion of *Weinberger v. Wiesenfeld*, decided on March 19, 1975 and written by Justice Brennan. I learned from the summary of the case written in the opinion that Stephen Wiesenfeld did indeed receive the dependency benefits for Jason, but not for himself. I also learned that *Frontiero*’s precedent was a factor in this decision, strengthening the connection between the two and showing Ginsburg’s careful strategy.

Wiesenfeld, Stephen. "Man at Center of Famed Ginsburg SCOTUS Victory Recalls his Lifelong Friend." *New York Post*, September 19, 2020. Accessed January 8, 2023. <https://nypost.com/2020/09/19/man-at-center-of-famed-scotus-victory-recalls-ruth-bader-ginsburg/>.

This article, written in 2020, was authored by Stephen Wiesenfeld to commemorate his relationship with Ruth Bader Ginsburg just a day after her passing. Wiesenfeld was the father in *Weinberger v. Wiesenfeld* who wanted to stay home and take care of his son after his wife died but was denied benefits. I used this source to learn more about his and Ginsburg's relationship and to think more about all the lives that Ginsburg has touched.

Secondary Sources

Barnes, Robert. "Ginsburg Performs Wedding for Man in 1970s Case She Argued before the Supreme Court." *The Washington Post*, May 25, 2014. Accessed May 13, 2023. https://www.washingtonpost.com/politics/ginsburg-performs-wedding-for-man-in-1970s-case-she-argued-before-the-supreme-court/2014/05/25/a1add474-e114-11e3-9743-bb9b59cde7b9_story.html.

This article from *The Washington Post* detailed the sweet story of Ruth Bader Ginsburg officiating 71-year-old Stephen Wiesenfeld's wedding. He was remarrying decades after his wife Paula died. This article showed that Stephen did not need a woman to raise his son because he remarried long after Jason reached adulthood. I used this source to support my claim that the legally-required male breadwinner harmed families. Ginsburg allowed Stephen to show that he was perfectly capable of raising a child without a woman's help.

Grant Bowman, Cynthia. "Women in the Legal Profession from the 1920s to the 1970s: What Can We Learn from Their Experience about Law and Social Change?" *Maine Law Review* 61, no. 1 (November 2017). Accessed January 27, 2023. <https://digitalcommons.maine.gov/cgi/viewcontent.cgi?article=1261&context=mlr>.

This journal article, written by Cynthia Grant Bowman in 2017, gave a complete overview of the history of women in the law. I used it to explain the specific reasons that law firms used to refuse to hire women.

Law, Tara. "Virginia Just Became the 38th State to Pass the Equal Rights Amendment. Here's What to Know About the History of the ERA." *Time*. Last modified January 15, 2020. Accessed May 16, 2023. <https://time.com/5657997/equal-rights-amendment-history/>.

This article written by Tara Law details the history and ultimate failure of the Equal Rights Amendment, which would have guaranteed equality on the basis of sex. It was a critical part of the historical context of this paper and an important issue of the time period.

Lebovits, Gerald. "The Notorious R.B.G.: Lessons on Legal Writing from the Legendary Ruth Bader Ginsburg." *New York State Bar Association Journal* 92, no. 8 (November 2020).

This section of a legal journal, written by Gerald Lebovits, described Ginsburg's ingenious tactics for writing legal briefs, convincing judges, and planning a long-term strategy. I used this source to support my argument that Ginsburg's strategy was planned ahead of time and specifically intended to eventually benefit women.

Levy, Debbie. *Becoming RBG: Ruth Bader Ginsburg's Journey to Justice*. Illustrated by Whitney Gardner. N.p.: Simon & Schuster, 2019.

This book is the story of Ruth Bader Ginsburg's childhood and career as a lawyer. It was incredibly useful because it can be difficult to find sources from when she was a lawyer since she's more well-known for her work on the Supreme Court. I was able to use the book to find specific examples of discrimination specifically targeted at her, as well as additional details on *Frontiero v. Richardson* and *Weinberger v. Wiesenfeld*.

Mayeri, Serena. "'When the Trouble Started': The Story of *Frontiero v. Richardson*." In *Women and the Law Stories*, by Elizabeth Schneider and Stephanie Wildman, 57-92. Digital file.

This online book, written by Elizabeth Schneider and Stephanie Wildman, has a chapter titled, "'When the Trouble Started': The Story of *Frontiero v. Richardson*," written by Serena Mayeri. This chapter gives an overview as well as specific details about the case and the subsequent cases that were won because of *Frontiero's* precedent, as well as important instances of Ginsburg's involvement and her direct impact on the case.

The New York Times Company. "The Radical Project of Ruth Bader Ginsburg." Video. <https://link.gale.com/apps/doc/CT637032959/UHIC?u=mcps&sid=bookmark-UHIC&xid=0e6840be>.

This video, published a few days after Ruth Bader Ginsburg's death, elaborated on the strategy of Ginsburg as a lawyer. This corroborated with what I had already come across in several other sources, so I could be confident that I was putting together a complete interpretation of Ginsburg's strategy that was supported by multiple sources.

"The 1930s: Women's Shifting Rights And Roles In United States." 2022. *Thoughtco*. <https://www.thoughtco.com/womens-rights-1930s-4141164>.

This article, published in 2020, detailed the victories and setbacks for working women in the early twentieth century. I used this in my background paragraph to show how change never seemed to stay until Ruth Bader Ginsburg got involved.

PBS. "Women and Work After World War II." WGBH Educational Foundation. Accessed February 10, 2023. <https://www.pbs.org/wgbh/americanexperience/features/tupperware-work/>.

This article talked primarily about gender roles during World War II and the time period after. It corroborated with what other sources had said about this time period, but went into more detail, also talking about psychologists, writers, and other professionals' reactions to women's desires to work after the war was over.

Romero, Anthony. 2020. "In Memory Of Justice Ruth Bader Ginsburg (1933-2020) | News & Commentary | American Civil Liberties Union." *American Civil Liberties Union*. <https://www.aclu.org/news/civil-liberties/in-memory-of-justice-ruth-bader-ginsburg-1933-2020>.

This article, written by Anthony Romero, provided details about specific laws put into place that served to safeguard women from manual labor and other types of work. It also described the failed legal strategy of previous lawyers addressing gender discrimination, which I was then able to contrast with Ginsburg's strategy.

Savage, David G. "Ruth Bader Ginsburg, 1933 - 2020." *Los Angeles Times*, September 19, 2020. <https://explore.proquest.com/sirsissuesresearcher/document/2444438677>.

This article, written the day after Ginsburg's death by David Savage, details Ginsburg's journey from law student, to lawyer, to Supreme Court Justice. Although

I did not quote or paraphrase directly from this article, it corroborated with many of my other sources and added to my overall understanding of the topic.

Von Drehle, David. "Redefining Fair with a Simple, Careful Assault." *The Washington Post*, July 19, 1993. Accessed May 13, 2023. <https://www.washingtonpost.com/wp-dyn/content/article/2007/08/23/AR2007082300903.html>.

This *Washington Post* article by David Von Drehle described Ginsburg's long-term legal strategy in detail. I used this article to explain how Ginsburg selected her cases and what purpose they served to her ultimate goal of separating these gender roles from the law.

Weaver, Warren, Jr. "Justices Back Widowers' Equal Rights." *The New York Times*, March 20, 1975. Accessed May 16, 2023. <https://www.nytimes.com/1975/03/20/archives/justices-back-widowers-equal-rights-high-court-backs-equal-benefits.html>.

This article was written by Warren Weaver Jr. and was published in *The New York Times* the day after the Justices ruled in Stephen Wiesenfeld's favor in *Weinberger v. Wiesenfeld*. This newspaper corroborated with other, more recent sources regarding Ginsburg's strategy, and it is very interesting that people were grasping onto her method so early on.

Process Paper

After learning the theme this year, I remembered reading a biography about Ruth Bader Ginsburg shortly after her death. I wanted my project to focus on her career as a lawyer in the 1970s, since the cases she argued broke social frontiers. I knew I would be able to find numerous primary sources while also commemorating the life of an amazing woman. I read the cases she had argued and decided to focus on *Frontiero v. Richardson* and *Weinberger v. Wiesenfeld*. These cases played a major role in Ginsburg's strategy to remove gender distinction in the law. After proving that gender discrimination harmed men as well as women, Ginsburg used those legal precedents to attack statutes targeted at women alone. The successes of this strategy enabled both the laws and the societal attitudes toward women and men to change. Crossing this social frontier allowed women to get jobs and fully participate in society, and allowed men to take care of children and run a home. Ginsburg was a pioneer who used her hard-won position to erode the legal basis of gender roles.

My research included databases, books, news articles, legal journals, interviews, oral arguments, and Supreme Court opinions. I first read tertiary sources to gain general understanding. After progressing to more scholarly sources, I realized the importance of the oral argument transcripts and court opinions. I quoted Ginsburg's exact words to show her rationale for the case and the Justices' reasoning for their ruling.

I wrote notecards for each source and grouped them into time periods. After reviewing my notecards, I identified my main claims based on my supporting evidence. I drafted a thesis while still researching and revised the claims as I learned more information. I argued that Ginsburg's unique legal strategy and the precedents set by *Frontiero v. Richardson* and *Weinberger v. Wiesenfeld* paved the way for future women's rights victories. Examining Ginsburg's career as a lawyer, it is clear these cases were carefully chosen to support cases that would follow and the overall women's rights movement.

The county judges encouraged me to make more references to the frontiers theme in my conclusion. I revised my conclusion to include their suggestion.

The state judges recommended I find a source that corroborated Ginsburg's strategy. Initially, I deduced Ginsburg's strategy independently by gaining knowledge about the time period, Ginsburg's upbringing, and the details of the cases. I found a source to support this, and I also discovered additional sources that would strengthen my thesis, which I included.

Many women and men in America take it for granted that we are, for the most part, able to choose our path in life without fear of gender discrimination holding us back. While issues still exist, the work of Ruth Bader Ginsburg and the chain reaction set off by *Frontiero v. Richardson* and *Weinberger v. Wiesenfeld* triggered enormous gains for women's rights and placed us all, women and men, in better positions to succeed in whichever profession we may choose.



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