

Notorious RBG in Song

PATRICE MICHAELS

THE LONG VIEW: A Portrait of Ruth Bader Ginsburg
in Nine Songs (37:50)

- 1 I. PROLOGUE: Foresight (2:16)
- 2 II. Celia: An Imagined Letter From 1949 (6:35)
- 3 III. Advice from Morris (3:32)
- 4 IV. On Working Together (4:22)
- 5 V. Anita's Story (4:10)
- 6 VI. New York, 1961 (2:15)
- 7 VII. The Elevator Thief (5:02)
- 8 VIII. Dissenter of de Universe:
Five Opinions and a Comment (5:38)
- 9 IX. EPILOGUE:
The Long View, Questions Answered (3:36)

LORI LAITMAN

10 Wider than the Sky (1:57)

VIVIAN FUNG

11 Pot Roast à la RBG (4:23)

STACY GARROP

12 My Dearest Ruth (6:31)

DERRICK WANG

13 You Are Searching in Vain for a Bright-Line
Solution, from *Scalia/Ginsburg* (5:26)

TT: 56:30

World Premiere Recordings except *Anita's Story* and *Wider than the Sky*

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Patrice Michaels and Ruth Bader Ginsburg at the Glimmerglass Festival, 2016

THE POINT OF A DAY IN THE LIFE OF NOTORIOUS RBG

BY PATRICE MICHAELS

As usual, it's a day with many stops on her itinerary, but, as always, only one focal point. When I say goodbye to her in the morning, she's headed to conference with her colleagues on the bench, discussing a dozen or so cases, some deeply consequential; most, less profound. I can guess, based on past observation, that afterward she will have myriad documents to review, many to revise, interruptions to discuss the details of imminent trips hither and yon on which she serves as a representative of the United States judicial system, and heaven knows what else — possibly presiding over a civil marriage ceremony for two of her former clerks or two opera divas. I arrive at the building by late afternoon and get through security in time to slip into a seat in the East Conference Room, where she is receiving a humanitarian award. Today those who wish to honor her happen to be from an organization that provides support to women and children in the Middle East. It's sheer delight to feel the electricity in the room; to hear the beautifully crafted explanation of the mission of this organization and its relationship to the work of the honorable Justice; and afterward, to see her milling amongst the dozens of other bubbies — kindred sisters. She seems to float buoyantly in the sea of tiny, elderly, smiling women, just for a little while. Then she's back to Chambers, answering scheduling questions again, returning a call, looking over another brief brought in by a law clerk who enters silently, smiling shyly, eyes for RBG alone. She checks the point of concern, sends the clerk off with an additional issue to research, makes more corrections, finds the food brought back from the reception uninteresting but a fresh cup of coffee welcome, looks at yet another brief.

Her son (my husband) arrives to join me on the comfortable couch as most of the staff are taking leave for the evening. We three exchange a few moments of light chatter before the gravitational pull of her work resumes. Time passes. “Mother, shall we go?” “Just let me look at this case for next week. It will be a challenge.” Minutes of intense silence ensue, then an eruption of muttering, a flurry of writing, and one more interchange with the last remaining assistant. “Alright, I think we can finish for now.” But she lingers, tilts her head a bit as she scans her mental list and carefully chooses “just a few more things for tonight” to bring with her. And then her delicate hands return to the desk, where she collects and methodically sharpens a sheaf of No. 2 pencils. She places those rejuvenated pencils deliberately, somehow enthusiastically, on her desk, takes a full breath, stretches her diminutive frame upright, wraps a silk scarf around her head, and collects her bag. Ready. Considerate. Laser-focused



on “doing the best I can, every day.” There will always be another important case coming up: one that will significantly affect individuals and groups of people. Justice Ginsburg may witness the ramifications of that next case within her lifetime, but perhaps only later will her contribution affect the discourse of a future Court, for a future society. She always keeps her pencils sharp...

PRODUCER'S NOTE

BY JAMES GINSBURG

Every Cedille Records project I produce is a labor of love, since I love creating great recordings and promoting Chicago's finest classical musicians (Cedille's mission). But *Notorious RBC in Song* is a labor of love on so many levels!

For one thing, I'm delighted that I get to make my own contribution to the legacy of "Notorious RBG" — a meme popularized by NYU law student Shana Knizhnik with the Tumblr site she launched in June 2013. (The moniker is a riff on the name of another famous wordsmith: the decidedly non-diminutive rapper, and fellow Brooklynite, The Notorious B.I.G.) Knizhnik was inspired by my Mom's pointed dissent in *Shelby County v. Holder*, the case in which the Court gutted the Voting Rights Act of 1965. It's amazing to see how much the meme has spread in the last five years as Mom has been propelled from "regular" Supreme Court Justice to pop icon.

Even more gratifying is that this project is truly a family affair. Not only is the subject of the album my mother, but the featured performer and composer of the main work is my wife, Patrice Michaels. I love how her cycle, *THE LONG VIEW*, portrays different members of my mother's family — including her mother, my father, his father, my sister, and me — before moving on to the final two songs about Mom's life and work on the Supreme Court. Particularly close to me are the songs that illustrate my grandfather's amazing wisdom (the advice he gives Ruth as a young mother-to-be in the mid-1950s is truly remarkable), my late father's jovial nature as Mom's biggest booster and, of course, the one immortalizing my own youthful hijinks, in which Mom wins a point for equal rights.

I also love it that the genesis for this whole project was my sister's and my decision to commission songs from three women composers for Mom's 80th birthday. One of these, "Anita's Story," became the fifth song in *THE LONG VIEW*; the other two, by Vivian Fung and Stacy Garrop, appear on this recording following Patrice's cycle. Vivian's song brings to life the hilarious Pot Roast "recipe" my sister created as a 50th birthday tribute to Mom in 1982. (All of the culinary mishaps alluded to in the song are real!) I was with my mother when she discovered her husband's farewell love letter in his hospital room. Stacy's setting could not be more moving. The Lori Laitman song that precedes those here — originally written for her mother-in-law's 75th birthday — was also performed at Mom's 80th birthday celebration and absolutely captures her essence.



Finally, it was such a thrill to see an opera with Mom as one of its subjects — Derrick Wang's *Scalia/Ginsburg* — since Mom has always said her dream would have been to be a great opera diva, had God given her that talent. The aria, "You are Searching in Vain for a Bright-Line Solution" not only represents Mom's Constitutional philosophy perfectly, it also allows Patrice to show off her vocal chops in a wide variety of styles including coloratura, jazz, and gospel.

I hope this labor of love furnishes you with countless hours of listening pleasure!

THE LONG VIEW: A PORTRAIT OF RUTH BADER GINSBURG IN NINE SONGS

NOTES BY PATRICE MICHAELS

I.

Justice William O. Douglas could imagine in 1943 that there might be a place for women clerks in Supreme Court Chambers, but, even years later, top-of-the-law-class Ruth was refused just such a position. She had three strikes against her, according to the prevailing sentiment: in addition to being female, she was Jewish, and a mother. Embedded within this song is the American folk song theme “Pretty Little Girl with the Red Dress On” meant to represent Justice Douglas’s sensibilities, and Justice Ginsburg’s musical motive, D-B-G.

II.

Justice Ginsburg often publicly credits her mother, Celia Amster Bader, as the smartest, most influential woman in her life. Celia’s love of reading, of American values, and of her sole surviving daughter bore fruit in Joan Ruth, the girl who was able to persevere in the face of her mother’s terminal illness, reaching intellectual and professional heights unimaginable by virtually any mother in 1949. It’s particularly unfortunate that there is no extant correspondence or writing of Celia’s. This imagined letter is rooted in factual accounts by RBG, her cousin Beth Hess, and biographer Mary Hartnett. Celia’s theme, C-A-B, provides a haunting motive as she expresses her anxieties and pain between the lines of her letter to “Kiki.”

III.

Morris Ginsburg, Ruth’s father-in-law, is reported to have been a wonderful dancer, full of joie de vivre, and possessing a sense of humor and directness emulated by his son Martin (alas, there is no evidence of terpsichorean prowess passed on to Martin). Justice Ginsburg credits her father-in-law with the loving challenge to stop worrying, and to reach for her academic and professional dreams, impending motherhood notwithstanding. The bass line for this song represents Ruth’s pregnant body and ruminative state of mind, which gives way to Morris’s lilting challenge “Do, do, do.” The song was conceived at the piano in the Ginsburg family home while Justice Ginsburg indulged in one of her famous “Saturday sleep-ins.”

IV.

Martin D. Ginsburg, dubbed “Model Husband” by friends who went so far as to honor him with his very own insignia and lapel button, was exceedingly proud of the accomplishments of his spouse. He took unbounded joy in the confluence of events that allowed them to work together on a case that proved to have major repercussions on issues of gender equality (and very little influence on his own specialty, tax law), ultimately propelling Ruth to prominence that neither of them could have imagined when they began their courtship. His easy-going manner and humorous banter belied a wit equal to his wife’s, all of which is evident in this beautiful address, delivered to its intended audience, although posthumously, by the wife that Marty so adored. Martin’s theme, F-D-G, and the loping 5 beat rhythm with a walking bass line, provide the compositional backbone for his musical portrait.

V.

In 2013, sister and brother Jane and James Ginsburg decided they would like to give their mother an 80th birthday gift of three songs by three women composers. They engaged Stacy Garrop, Vivian Fung, and me. Each of us was presented with a text from Justice Ginsburg’s life, and the resulting songs were premiered at a celebration organized and attended by many

of Justice Ginsburg's 33 years' worth of law clerks. The text I received became the genesis for *THE LONG VIEW*. Many of the essential components of RBC's life are vividly described through Anita's eyes: most compelling for me is the personal transformation and empowerment flamenco dancer turned typist Anita herself experiences, thanks to the work of a little woman with a soft-spoken voice, wearing something wonderful.

VI.

My own mother was a woman who worked outside the home. As a child, I was aware of her pride in being able to provide income to help support our family, her enthusiasm for the professional environment to which she contributed, and her anxiety that her children might be suffering from her absence. This one sentence, uttered by Audrey Maynard's mother at a playdate Jane Ginsburg attended in 1961, perfectly captures the concern of those times. I have surrounded this remark with a piano solo representing the playful sounds of Jane and her friend Audrey, two 6-year-olds growing up to be fearless women.

VII.

Ruth and Marty had a second child, James, in 1965. More than ten years after Jane and Audrey's playdate, schools were still functioning on the assumption that mothers were the caregivers and could be summoned at will, regardless of their other responsibilities. It's possible that "lively" James's behavior actually served to hasten RBC's emancipation from that concept, as the demands of her academic position and burgeoning career litigating gender-based discrimination cases left little time for nonsense. Her creative solution to yet another call from the headmaster served to amuse her husband and flummox the administration, much to the benefit of prankster "Jamesie." My poetic rendition of this family story embellishes only the names of the absent elevator operator and the janitor — the names of James's partners in crime are withheld to protect the innocent (or the daring!).

VIII.

Justice Ginsburg is renowned for her succinct and expressive writing. This song highlights key portions of a few of her most influential dissenting opinions. The second of these, *Ledbetter v. Goodyear*, provided a challenge to elected leaders that yielded new legislation on equal pay for equal work, the first bill signed into law by President Obama. The body of the song features a theme that delineates each case with Justice Ginsburg's corresponding dissenting opinion, followed by a coda in which RBC calmly affirms, in answer to an interviewer, that she will continue to dissent when she feels the Court has veered in the wrong direction.

IX.

Two clarion calls create a frame for this final movement profiling Ruth Bader Ginsburg. They signify her dedication to the principle of law as an essential pillar of American democracy and her abiding enthusiasm for the work of the law. Within this frame, RBC offers candid observations on the requirements of the job, details the challenge of maintaining high-level functioning decade after decade, and even pokes a bit of fun at herself. Her fantasy profession, "grand opera diva," melds with her famous ability to defuse tension and sidestep deliberately provocative questions, as the song and the cycle wing her away on a high note.



"Model Husband Pin" created for Martin D. Ginsburg

WIDER THAN THE SKY

NOTE BY LORI LAITMAN

"Wider Than The Sky," from my short cycle *Two Dickinson Songs*, was composed in 2002 (rev. 2003) as a gift for my mother-in-law, Eleanor Slimp Rosenblum on the occasion of her 75th birthday, and was also dedicated to the wonderful pianist Warren Jones. Soaring vocal lines above a subdued piano texture open the work, allowing Dickinson's verse to shine. Midway through, an unusual modulation and quickening of pace accompany "The Brain is just the weight of God." The song concludes with an air of mystery, as the piano reiterates this melody over somewhat dissonant harmonies.

POT ROAST À LA RBG

NOTE BY VIVIAN FUNG

Commissioned by Jane and James Ginsburg in celebration of Ruth Bader Ginsburg's 80th birthday

Justice Ginsburg has been a wonderful role model on many fronts, and her values, strength, and reputed love for and knowledge of music all fit well with my views and beliefs. When I received the call from her son Jim about this project (songs by three different women composers), I could not say "no" to the opportunity to contribute to such a wonderful birthday present! The challenge was the nature of the text, a most unusual request in the form of a tongue-in-cheek "recipe" created by RBG's daughter Jane (who also happened to be one of my husband's most beloved law school professors). The recipe included not only dubious instructions for making a pot roast, but also whimsical and often humorous side anecdotes and life lessons that a busy mother would undoubtedly have. I decided to highlight the pitter-

patter of the text, as well as the busy life that the recipe implied with lines such as "drink some black coffee, read some advance sheets, and tell one of your children to do his or her homework—for the third time." The tempo marking indicated is "Lively like a busy chef," and the piano accompaniment strives to keep the rhythm strong and active — at times march-like, other times more waltz-like. There are moments of reflection, e.g., encrustation as "the best part"; and moments of declamation, e.g., "no fat must contaminate the Pot Roast." Ultimately, the song ends on a high note as the pot roast reaches its completion. Pure fun!

MY DEAREST RUTH

NOTE BY JAMES GINSBURG

Commissioned by Jane and James Ginsburg in celebration of Ruth Bader Ginsburg's 80th birthday

The letter on which "My Dearest Ruth" is based was my father's last written statement. My parents celebrated their 56th wedding anniversary in my father's room at Johns Hopkins Hospital in Baltimore on Wednesday, June 23, 2010. The following day, my mother called to say Dad had taken a turn for the worse. I flew to Baltimore the next morning (Friday) and met Mom at Dad's room. The doctors came in and told us there was nothing more they could do — the cancer had progressed too far. All this time, Dad kept repeating one word: "Home." So we made arrangements to bring him back to our apartment in Washington, D.C. While collecting his belongings from the hospital room, Mom pulled open the drawer next to Dad's bed and discovered a yellow legal pad on which Dad had written the letter a week earlier. My sister, Jane, and I commissioned Stacy Garrop to adapt the letter and set it to music as one of three songs by different women composers to be presented in 2013 as an 80th birthday tribute to our mother, U.S. Supreme Court Justice Ruth Bader Ginsburg. Soprano Patrice Michaels sang the premiere at the Supreme Court with pianist Dana Brown on Saturday, April 6, 2013.

YOU ARE SEARCHING IN VAIN FOR A BRIGHT-LINE SOLUTION

NOTE BY DERRICK WANG

Scalia/Ginsburg is a one-act comic opera about the power of friendship in a divided world. The plot, in brief: When U.S. Supreme Court Justices Ginsburg and Scalia are visited by a Higher Power, they must defend their differing opinions — and unexpected friendship — to win their freedom. True to its subject, the style of *Scalia/Ginsburg* can be described as “operatic precedent”: just as a court opinion refers to previous cases to develop a new decision, the words of *Scalia/Ginsburg* refer to actual Supreme Court opinions of the eponymous Justices, while the score refers to landmark operatic styles — transforming these sources into new commentaries on both music and law. Fittingly, in the virtuosic aria “You are Searching in Vain for a Bright-Line Solution,” the character of Justice Ginsburg expresses her judicial perspective in a manner ranging from 19th-century opera to 20th-century jazz and beyond — an evolving style to match her view of an evolving Constitution. It is my hope that *Scalia/Ginsburg* inspires listeners to follow the Justices’ example and find common ground with those with whom they disagree — for, in the words of the opera’s central duet, “We are different, we are one.”

Justices Ginsburg and Scalia
appearing in Washington National
Opera’s 1994 production of Richard
Strauss’s *Ariadne auf Naxos*



PATRICE MICHAELS

Patrice Michaels is distinguished by her eclectic musical personality and her vocal virtuosity. Her live and recorded performances rank her as “a formidable interpretative talent” (*The New Yorker*), possessing “a voice that is light, rich and flexible” (*Opera News*). Concert and operatic engagements include appearances with the Shanghai, Czech National, St. Louis, Atlanta, and Minnesota orchestras, as well as New York’s Concert Royal and Chicago’s Music of the Baroque. Patrice debuted with the Cleveland Opera as Marzelline in *Fidelio*, sang in *Candide* at Lyric Opera of Chicago, and recorded the role of Monica in Menotti’s *The Medium* (Chicago Opera Theater on Cedille Records). Patrice has received consistent critical acclaim for her many recordings (Albany, Amadis, Neos, Cedille, and Decca labels), including, most recently *INTERSECTION: Jazz Meets Classical Song* (Cedille) and *Sonic Migrations: Music of Laurie Altman* (Neos). Patrice is an active recitalist and performs several different dramatic concerts, including *Divas of Mozart’s Day* (www.mozartdivas.com), an internationally acclaimed album and live concert dramatizing five of the greatest singers of the Classical era. Patrice’s compositional interests center around works with words. She has written incidental music for Shakespeare’s *A Midsummer Night’s Dream*, a one-act opera on Euripides’ *The Trojan Women*, music for the children’s show *A Song for Harmonica*, and several song cycles. Patrice holds BAs in Music and Theater from Pomona College, an MFA from the University of Minnesota, Twin Cities, and a certificate from the Music Theatre Studio Ensemble at The Banff Centre in Alberta, Canada. Former Professor of Music at Lawrence University’s Conservatory of Music, Patrice Michaels now serves as Director of Vocal Studies at the University of Chicago.

www.patricemichaels.com

KUANG-HAO HUANG

Pianist Kuang-Hao Huang is most often heard as a collaborator, performing recitals and radio broadcasts with Chicago’s finest musicians, from instrumentalists of the Chicago Symphony Orchestra to singers with the Lyric Opera. An advocate of new music, Mr. Huang is a member of Fulcrum Point New Music Project and has given numerous premieres, including solo works by Louis Andriessen and Chen Yi at Weill Hall as part of Carnegie Hall’s Millennium Piano Book Project. He can be heard in recordings on the Cedille, Centaur, Naxos, and Neos labels. He serves on the faculties of the Chicago College of Performing Arts at Roosevelt University

and Concordia University-Chicago. As Associate Artistic Director for the International Music Foundation, Mr. Huang is the driving force behind Make Music Chicago, a day-long, citywide celebration of music on the summer solstice.

www.khpiano.net



Patrice Michaels and Kuang-Hao Huang

LORI LAITMAN

Described by *Fanfare* as “one of the most talented and intriguing of living composers,” Lori Laitman has composed multiple operas and choral works, and over 250 songs, setting texts by classical and contemporary poets (including those who perished in the Holocaust). Her music is widely performed and has generated substantial critical acclaim. *The Journal of Singing* wrote, “It is difficult to think of anyone before the public today who equals her exceptional gifts for embracing a poetic text and giving it new and deeper life through music.” *Opera News* named Naxos’s 2017 recording of her opera, *The Scarlet Letter*, a *Critic’s Choice*, saying “Laitman’s score succeeds with a surging, sweeping, unapologetically tonal landscape that offers carefully etched character portraits, rapturous choral expostulations and lush orchestrations of insistently tuneful melodic motifs.”

www.artsongs.com

VIVIAN FUNG

JUNO Award-winning composer Vivian Fung has a unique talent for combining idiosyncratic textures and styles into large-scale works, reflecting her multicultural background. Her work often assimilates disparate influences such as non-Western folk music, Brazilian rhythms, and visual inspirations. Fung’s recently composed works include *Clarinet Quintet: Frenetic Memories* based on minority folk singing from Yunnan, China; *Humanoid* for solo cello and electronics for a consortium of cellists in North America; and *Baroque Melting* for harpsichord and strings. 2018 projects include *Earworms* for Canada’s National Arts Centre Orchestra and a new solo percussion work commissioned by the Banff Centre. Born in Edmonton, Canada, Fung currently lives in California and is on the faculty of Santa Clara University.

www.vivianfung.net

STACY GARROP

Stacy Garrop is a freelance composer whose music is centered on dramatic and lyrical storytelling. She has garnered grants and awards from New Music USA/League of American Orchestras, Fromm Music Foundation, Barlow Endowment, Utah Arts Festival, and Detroit Symphony Orchestra. Her instrumental works are published by Theodore Presser Company and she self-publishes her choral works under Inkjar Publishing Company. She is a recording artist with Cedille Records, with works commercially available on ten additional labels. She has been commissioned by the Kronos Quartet/Carnegie Hall, Chanticleer, Albany Symphony, Capitol Saxophone Quartet, Gaudete Brass, and San Francisco Choral Society. Her musical output is wide-ranging, including art songs, choral works, piano solos, string quartets, piano trios, mixed chamber ensembles, orchestral pieces, and an oratorio.

www.garrop.com

DERRICK WANG

Derrick Wang is a composer and lyricist/librettist of musical and dramatic works. His opera *Scalia/Ginsburg* was launched at the Supreme Court of the United States, premiered at Lorin Maazel’s Castleton Festival, and produced by the Glimmerglass Festival. His libretto to *Scalia/Ginsburg*, with prefaces by Supreme Court Justices Ruth Bader Ginsburg and Antonin Scalia, is published in the *Columbia Journal of Law & the Arts* and excerpted in Ruth Bader Ginsburg’s book *My Own Words*, for which he narrates and performs in the audiobook. A graduate of Harvard and Yale, he currently serves on the faculty of Johns Hopkins University’s Peabody Conservatory.

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My Dearest Ruth © 2013 Stacy Garrop

“You Are Searching in Vain for a Bright-Line Solution” from *Scalia/Ginsburg*

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PHOTOS & IMAGES

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p. 11 Model Husband Pin photograph by Elliot Mandel

p. 17 Patrice Michaels and Kuang-Hao Huang photograph by Elliot Mandel

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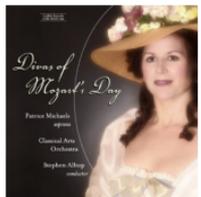


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PATRICE MICHAELS

THE LONG VIEW:
A PORTRAIT OF RUTH
BADER GINSBURG IN
NINE SONGS

I.
PROLOGUE:
FORESIGHT

When you say you have ‘no available graduates’ whom you could recommend for appointment as my clerk, do you include women? It is possible I may decide to take one, if I can find one who is absolutely first-rate.

Excerpt of letter by Justice William O. Douglas to Dean Judson F. Falknor, University of Washington School of Law, 1943



II. CELIA: AN IMAGINED LETTER FROM FRIDAY, AUGUST 12, 1949

[Letter in standard script, *Celia's unwritten thoughts in italics*]

Dear Kiki,

Brooklyn is especially hot and humid again today. *Unbearably tired, so much pain... Time is short now – what should I tell her? How may I spare her?*

I'm just back from the library. I hope you are reading wonderful things, too. Just don't wander around camp Che-Na-Wah with your nose in a book! *What was I reading when I broke my nose, falling through that open cellar door in front of Guss's Pickles? Cather, Willa Cather. I was just her age.*

I hope you're practicing the piano. I'm looking forward to hearing you play that Turkish Rondo when you come home. Aunt Cornel writes you've been chosen camp rabbi this year.

A woman rabbi in a world where women don't even count in the minyan? Well, who knows... maybe when she's my age, she'll be able to work for money without earning disrespect for her husband. And when shall I tell her about the money I've saved for her, dollar by dime, that no one else knows, that she'll need when I'm gone?

With the education and ability you're acquiring, you might even teach history someday at Madison High. *I'll be gone... gone...*



Celia Amster Bader (1902–1950)

I know you'll always be a lady, whatever you do, and make your family proud. Don't give in to emotions – stay strong! *So good, so smart, so beautiful, she glows. She mustn't be trapped by a man or a baby or even my wretched illness. Anger and envy and sadness just get in the way and grief and mourning Marilyn, only six, gone. I'm hollowed from it all these years, and now pain...*

Be independent, prepare for difficulty, stand on your own two feet, like Eleanor Roosevelt. *How strong she'll need to be! Ah, where is my strength? When I marched as a suffragist...*

The World's Fair came to mind today – already ten years ago. You and Cousin Richard made such a pretty pair – you in your baby blue pleated skirt and bolero, Richard with his curly red hair. Entirely American. *Stay close, help each other. I'll be gone...*

It's time for me to finish the soup.

Your father and I miss you always,
Mother

Text by Patrice Michaels, 2016

With thanks to Beth Hess, Mary Hartnett, and Daniel Stiepleman

RUTH BADER
1584 East 9th Street
Arista, Treas. of Go-Getters, School
Orchestra, Twirlers, Sec. to English
Department Chairman, Feature Ed-
itor Term Newspaper
Cornell University



Ruth Bader Ginsburg, age 17, serving as
camp rabbi at Camp Che-Na-Wah

III. ADVICE FROM MORRIS

Ruth, if you don't want to go to law school, you have the best reason in the world... But if you really want to go to law school, you will stop feeling sorry for yourself, and you will find a way to do it.

Your attitude should be, "I will somehow surmount this, I will find a way to do what I want to do."

*Text from Morris Ginsburg (circa 1954)
as related by Ruth Bader Ginsburg*



Morris Ginsburg (1907-1986)

IV. ON WORKING TOGETHER

Thank you. My field is tax law. Instead of speaking on that exceedingly amusing subject, I shall speak on the only significant thing I have done in my long life with Honorable Ruth. It is the one case in which we served together, and it is how the Tenth Circuit Court of Appeals – and I – got my wife her very good job.

When I practiced law in New York City and Ruth taught at Rutgers in Newark, we worked in the evenings at home. Her room was bigger. In my little room one night I came upon a one-page brief, written by Charles Moritz, a *pro se* litigant, with a most persuasive argument: "If I were a dutiful daughter instead of a dutiful son, I would have received the tax deduction. This makes no sense."

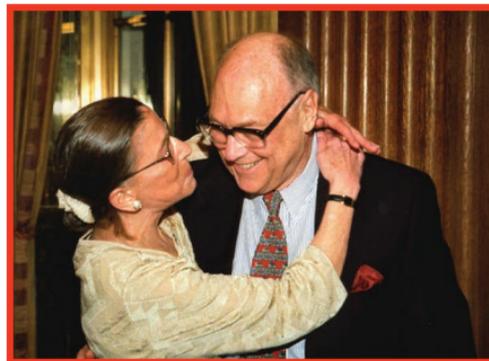
Well, I went to the big room next door, handed the case to my spouse and said, "Read this." With a

warm and friendly snarl, she said, "I don't read tax cases." I said, "Read this one," and went back to my little room. Not five minutes later, Ruth stepped into my little room, and, with the broadest possible smile said, "Let's take it!" And we did.

Mister Moritz was claiming a six-hundred-dollar deduction for his dependent mother. We won the Tenth Circuit, but the Government claimed that this decision cast doubt on literally hundreds of federal statutes differentiating solely on the basis of sex. They petitioned for cert, but cert was denied. And with their list of hundreds of statutes – spit out by a shiny new mainframe computer – their list became the fuel for Ruth's career: her new career as an appellate advocate – and this, of course, led to her next career on the higher side of the bench.

So, as you can see, in bringing that tax case to Ruth's big room forty years ago, I changed history. For the better. And, therefore, I shall claim, I thereby rendered significant service to our Nation. All in all, great accomplishments from a case where the tax in dispute totaled exactly two hundred ninety-six dollars and seventy cents. Thank you.

Text by Martin D. Ginsburg. Excerpted/adapted from "How the 10th Circuit Court of Appeals Got My Wife Her Good Job," delivered posthumously by Ruth Bader Ginsburg August 27, 2010 at the 10th Circuit Judicial Conference Colorado Springs, Colorado



Ruth Bader Ginsburg and Martin D. Ginsburg

V. ANITA'S STORY

I had been in New York only a very short time. I got a job in a law firm typing in the steno pool. One morning, one hundred pages of handwritten material from some lady lawyer. And her method of delivery? Her own husband – in his shirt sleeves. The way she used words – I had never seen or heard. I had never even thought. “Sexual,” “female,” “male,” “Gender Based Discrimination...” I started typing...

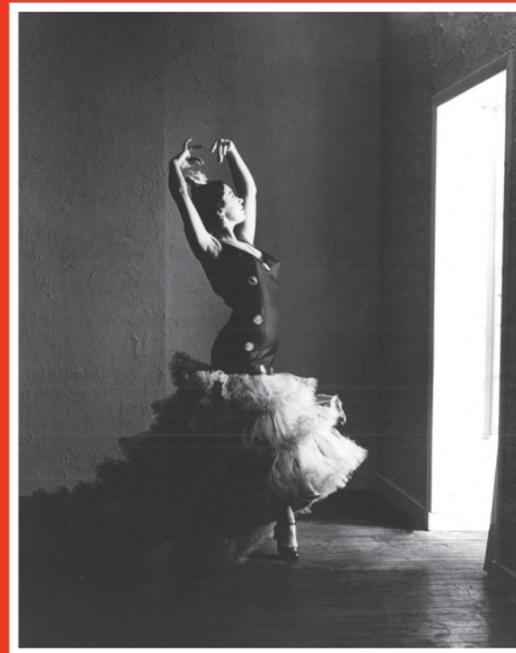
A few months later, again this shirt-sleeved lawyer husband, again the yellow pad of notes, again this horrifying, nonsensical subject of sex discrimination. I kept typing... One morning the shirt-sleeved lawyer husband announced, “My wife is coming in.” I thought “Good God, here she comes: La Estraña.” In walked this little woman with a soft-spoken voice, wearing a green dashiki. “She’s not supposed to be like this. She’s supposed to look like George Sand. Where’s the cigar? The fly on her pants?” I... kept... typing...

Back in Sevilla we went to a party. The host presented my husband, Don Mario Escudero, who announced in his turn “Esta es mi mujer.” “Yo no soy tu mujer! Soy una persona! Mi nombre es Anita L’Oise Ramos Mosteiro d’Escudero.”

From the back of the room boomed the host’s eighty-year-old grandmother, “Viva América!”

RBG converted me... through typing.

Text by Anita Escudero, adapted from her tribute letter in honor of Justice Ginsburg’s 50th birthday



Anita Escudero, flamenco dancer, New York, 1969

VI.
NEW YORK, 1961

Be nice to Jane: her mommy works.

*Text from Audrey Maynard's mother (1961)
with thanks to Jane Ginsburg and Mrs. Pam Maynard*



Ruth Bader Ginsburg and Jane Ginsburg, 1965
by Richard Avedon

VII. THE ELEVATOR THIEF

[James] I did it on a dare. I only took it up one floor. (I wish it had been more!)
Mister Jones wasn't there, and I did it on a dare, and we all know exactly how it works:
First you push the heavy door, then the creaky gate opens,
You get in and pull the whole contraption shut.
Next you grip the lever, and you wish yourself wherever and you go!
You go up to the top, you go down to the basement,
You go anywhere you can that's down and up.
And sometimes you bump, but you're not supposed to jump
When it starts, even though it's so much fun
When you fly in the air for a tiny little moment,
And you plop as the floor rises under you.
It's so sad that Mister Sanchez was cleaning right outside there
When I stopped only one floor above.
With his mop and his bucket he was quite a bit surprised.
Come to think of it, so was I...

[Headmaster Barr] I find I need to call you once again, Mrs. Ginsburg
It's unfortunate I'm calling you once more.
I'm afraid you'll need to come here right away, Mrs. Ginsburg,
Yes, you really need to come here right away.

[RBG] He's afraid I need to come right away. Is he really?
Once again, our lively child has pulled a prank.
My dear Headmaster Barr, things have really gone too far
I remind you that this child has got two parents!
Beginning now, henceforth, today, ad infinitum,

Please alternate the calls about our son and his behavior.
Yes, parse them equally – equally is fair, you see.
Split them up between his father and me.

[MDG] Hello, yes, I see, I'm his father, certainly,
And you want me to come down to discuss his latest transgression?
And his mother said to call? No, not at all.
I assure you I'll be with you there directly.

[Headmaster] Thank you, Mister Ginsburg, we're so very very sorry.
We're so sorry to disrupt your busy schedule.
We don't know just how to say this – it is quite beyond the pale.
Your son... stole the elevator.

[MDG] Hm, I see.
Just how far could he take it?

[James] At the Dalton School, Grade Three
I'm still pulling pranks with glee.
But the headmaster seems a little different.
After Mom said Dad and she should share,
Headmaster somehow doesn't care.
This arrangement is – just fine with me!

*Text by Patrice Michaels (2017)
based on accounts by James Ginsburg and
Justice Ruth Bader Ginsburg*



Ginsburg family on vacation, James at the helm

VIII. DISSENTER OF DE UNIVERSE: FIVE OPINIONS AND A COMMENT

June 2003, *Gratz versus Bollinger*: Is the University of Michigan's affirmative action program constitutionally sound?

"Actions designed to burden groups long denied full citizenship stature are not sensibly ranked with measures taken to hasten the day when entrenched discrimination and its after effects have been extirpated... The stain of racial oppression is still visible in our society and the determination to hasten its removal remains vital."

May 2007, *Ledbetter versus Goodyear*: Is the individual statutorily entitled to sue for reparations for pay discrimination?

"...the court does not comprehend or is indifferent to the insidious way in which women can be victims of pay discrimination... Title Seven was meant to govern real world employment practices and that world is what the court ignores today..."

June 2013, *Shelby County versus Holder*: Regarding the constitutionality of two provisions of the Voting Rights Act of 1965.

"Voting discrimination still exists; no one doubts that. Throwing out preclearance when it has worked and is continuing to work... is like throwing away your umbrella in a rainstorm because you are not getting wet... Hubris is a fit word for today's demolition of the VRA."

June 2013, *Fisher versus University of Texas*: Is the University's affirmative action program constitutionally sound?

"I have said before and reiterate here that only an ostrich could regard the supposedly neutral alternatives as race unconscious."

June 2014, *Burwell versus Hobby Lobby Stores, Inc*: Can privately held corporations deny birth control insurance coverage to employees if the owners object on religious grounds?

"The exemption sought by Hobby Lobby and Conestoga would... deny legions of women who do not hold their employers' beliefs access to contraceptive coverage... The Court, I fear, has ventured into a minefield."

"I will continue to give voice to my dissent if, in my judgment, the Court veers in the wrong direction when important matters are at stake."

Text from "The Nation in Brief: No Turning the Clock Back on Abortion, Justice Ginsburg Says," The Washington Post, October 22, 2007. With thanks to Irin Carmon and Shana Knizhnik, authors of Notorious RBG: The Life and Times of Ruth Bader Ginsburg (New York: Dey Street Books, 2015).

IX. EPILOGUE: THE LONG VIEW, QUESTIONS ANSWERED

What qualities should a President seek
In a Supreme Court Justice?

Someone who thrives in the study of law.

Someone able to read and absorb quickly massive amounts of material.

Someone who likes the life of thinking, speaking and writing. I think these are
the qualities a President should seek.

It is the best and hardest job I have ever had.

As I grow older, it is harder for me to do the job.

At least until age seventy, I could extend my hours so the day could last until I
finished whatever I was doing.

Well, now I have to leave off every now and then, and sleep for hours, as I did this
morning.

I slept through three alarms. Finally, a U.S. Marshall opened my door, and, ever
so gently, woke me up.

And the second part of your question was about polarization. . . .

Text by Associate Justice Ruth Bader Ginsburg, excerpted from Thomas Jefferson Law Review

*"Question and Answer Session with Supreme Court Justice Ruth Bader Ginsburg: Women and The Law
Conference," Thomas Jefferson School of Law (San Diego, California 2013)*

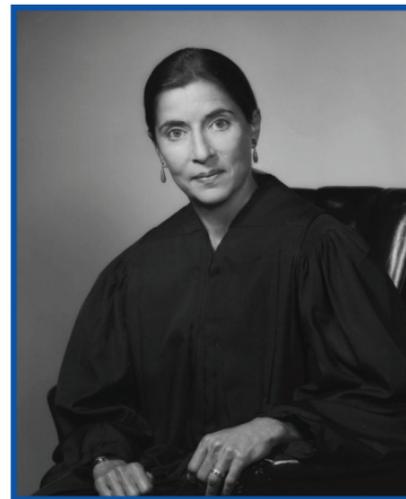
LORI LAITMAN WIDER THAN THE SKY

The Brain — is wider than the Sky —
For — put them side by side —
The one the other will contain
With ease — and You — beside —

The Brain is deeper than the sea —
For — hold them — Blue to Blue —
The one the other will absorb —
As sponges — Buckets do —

The Brain is just the weight of God —
For — Heft them — Pound for Pound —
And they will differ — if they do —
As Syllable from Sound —

Emily Dickinson (1830–1886), circa 1862



Justice Ginsburg in 1980, Judge on the United States
Court of Appeals for the District of Columbia Circuit

VIVIAN FUNG POT ROAST À LA RBG

1. Brown a hunk of brisket in the ovular, reddish-orange cast iron pot received as a wedding present (no doubt from someone who little suspected the rueful purpose to which it would be put.)
2. Add carrots, celery, and red wine, and simmer this mess for a very long time. (While this is simmering, drink some black coffee, read some advance sheets, and tell one of your children to do his or her homework — for the third time.)

3. At the end of the protracted simmering, the contents of the pot will have spattered the sides with a baked-on brownish-black residue. This dubious-looking encrustation is “the best part,” and therefore requires extraction by pouring boiling water down the sides of the pot. (Be careful not to burn yourself during this operation.)
4. Next, remove the former brisket and most of the carrots from the pot, and puree the remaining contents in a blender. (The blender contents are doomed to become “sauce.”)
5. Put the blender in the refrigerator long enough for the fat to rise to the top and congeal. (While you wait for this to happen, drink some more black coffee, eat some prunes, and rewrite your child’s English essay.)
6. After the fat has coagulated, remove all fat with a large spoon. (Remember: no fat must contaminate the Pot Roast. This is one of the few culinary commandments handed down by your mother: not a drop of fat disgraced her chicken soup. – Not like that cousin who left “great greasy rings of fat” in her broth.)
7. Slice the former brisket. (Against the grain, and keeping your fingers well out of the knife’s path. The memory of the Roast Ham With Sliced Thumb should serve as sufficient admonition.)
8. Pour the purified sauce over the brisket slices and reheat in the oven (Which you will have lighted soon enough after turning on the gas to avoid an eyebrow-singing conflagration.)
9. Carry forth to the groaning board. (And don’t forget to heat – but not bake – the plates!)

Text by Jane Ginsburg, adapted from her tribute to her mother’s 50th birthday

STACY GARROP MY DEAREST RUTH

My Dearest Ruth,

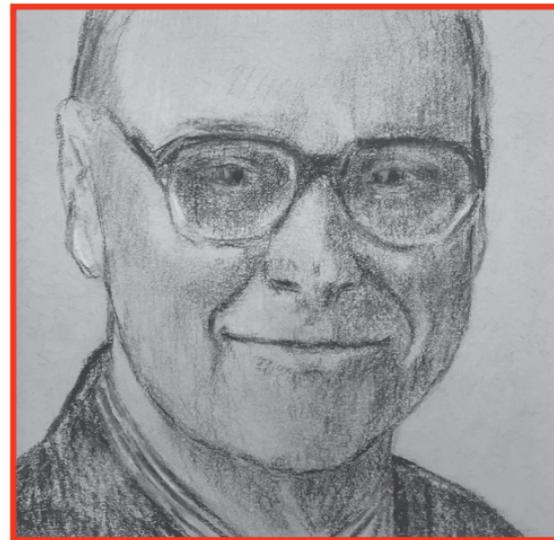
You are the only person I have loved in my life, setting aside, a bit, parents and kids and their kids. I have admired and loved you almost from the day we first met some 56 years ago.

What a treat it has been watch to you progress to the very top of the legal world!!

I will be in the hospital until Friday. Between then and now I shall think hard on my remaining health and life, and whether on balance the time has come for me to tough it out or to take leave of life. The loss of quality now simply overwhelms. I hope you will support where I come out, but I understand you may not. I will not love you a jot less. Not a jot.

Love, Marty

*Adapted from letter by Martin
D. Ginsburg, June 17, 2010,
Washington, DC*



Martin D. Ginsburg (1932–2010)

DERRICK WANG

**ARIA & VARIATIONS: YOU ARE SEARCHING IN VAIN
FOR A BRIGHT-LINE SOLUTION**

How many times must I tell you,
Dear Mister Justice Scalia:
You'd spare us such pain
If you'd just entertain
This idea...
(Then you might relax your rigid posture.)

You are searching in vain for a bright-line solution
To a problem that isn't so easy to solve —
But the beautiful thing about our Constitution
Is that, like our society, it can evolve.

For our Founders, of course, were great men with a vision,
But their culture restricted how far they could go,
So, to us, I believe, they bequeath the decision
To allow certain meanings to flourish and grow.
Let 'em grow...

For the law of the land in that era was grounded
In the notion that justice was just for the few,
But the Founders' assumption was wholly unfounded,
So we've had to subject it to further review.

So we're freeing the people we used to hold captive,
Who deserve to be more than just servants or wives.
If we hadn't been willing to be so adaptive,
Can you honestly say we'd have led better lives?

And we can't wait for slow legislation
To catch up to the lives that we already lead;
We have rights and they need preservation,
And we have to remember this if we intend to succeed:

Though we won't be afraid of forgiving,
We must not stop in our mission to right every wrong —
Not until We The People and our Constitution are living
In a nation, in a place
That, regardless of station or race,
Is a nation where all of us truly belong!

So, until every person is treated as equal
Well beyond what the Founders initially saw,
Let our past and our present be merely the prequel
To a future enlightened by flexible law!

Law, law, law!

*From the opera Scalia/Ginsburg:
A (Gentle) Parody of Operatic Proportions
(2015) by Derrick Wang. Inspired by the opinions
of U.S. Supreme Court Justices Ruth Bader
Ginsburg and Antonin Scalia.*



Justices Ruth Bader Ginsburg and
Antonin Scalia in India



All photos provided by the Ginsburg family, unless otherwise specified below

- p. 2 Ruth Bader Ginsburg oil painting courtesy of Constance Beaty (www.constancebeaty.com)
- p. 7 Ruth Bader Ginsburg high school yearbook courtesy of James Madison High School
- p. 11 Anita photograph by Peter Sahula, 1969
- p. 13 Ruth Bader and Jane Ginsburg by Richard Avedon, © The Richard Avedon Foundation
- p. 21 Martin D. Ginsburg portrait courtesy of Valerie Graves (www.valeriegraves.com)
- p. 24 Ruth Bader Ginsburg photograph courtesy of Columbia Law School