

Supreme Court Justice Ruth Bader Ginsburg offers advice to female Newark judges

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Saed Hindash/The Star-Ledger Justice Ruth Bader Ginsburg speaks during the Association of Women Judges event in Newark at the Newark Club. She spoke on the benefits of dissent.

NEWARK — Supreme Court Justice Ruth Bader Ginsburg looked out at a room of 300 female judges from around the world last night at the Newark Club and offered a piece of advice: Dare to disagree.

"It is a subject that I have had the occasion to talk on quite often," Ginsburg said to laughter, referring to her long career on the bench and the many Supreme Court cases in which she has sided with the dissenting opinion.

Ginsburg, the second woman appointed to the nation's highest court, delivered the keynote address to the National Association of Women Judges conference in Newark this weekend.

The petite, 78-year-old jurist, who was appointed to the Supreme Court in 1993, traced the history of dissension in the courts, starting as early as Justice Benjamin Curtis' 1857 dissent in the Dred Scott Case. In the infamous ruling, the Supreme Court's majority opinion said that people of African descent in the United States could not become citizens.

"On rare occasions, a dissent turns the court and becomes the opinion of the court," Ginsburg said last night.

She noted that often a well articulated opinion can spark action, as occurred after her dissent in the 2007 Ledbetter v. Goodyear Tire & Rubber Co. case. The Supreme Court ruled that Lilly Ledbetter, who sued Goodyear tires when she discovered she was being paid less than her male counterparts, had failed to file complaints early enough.

The Supreme Court overturned a federal court's decision holding that the plaintiff should have sued when pay decisions were made. Ginsburg's dissent argued that a 180-day window for complaints violated the Equal Protection Clause of the Constitution and prompted Congress to act.

"I will continue to speak out in dissent when important matters are at stake," Ginsburg said to energetic applause at last night's gala.

Ginsburg's speech capped a four-day conference in which judges from around the world gathered at Seton Hall University and Rutgers University School of Law, where Ginsburg taught from 1963 to 1972.

Presentations on the theme of global women's issues focused on ending violence against women, preventing human trafficking and ensuring economic equality for women in a global society.

More than 300 attendees, including judges from 26 countries mingled at a cocktail hour before Ginsburg's address. Esme Chombo traveled from Malawi where she sits on the high court. Of Malawi's 90 high court judges, she is one of two women.

"While our laws may be different we see the same women's issues globally and share the human rights instruments to better our courts." Chombo said

Conference chair Sue Pai Yang, a judge in Workers' Compensation Court in Newark, brought the annual meeting to New Jersey for the first time in its 33-year history.

"She is truly an amazing woman," Yang said of Ginsburg. "This weekend and her remarks are a reminder to us all that at some point in our lives we will be in the minority. Our decisions will get overturned. But she gives a positive perspective on that and reminds everyone to recognize that there is a value in it, because someday you may sway the majority."