

This opinion piece by PCI Vice President, Tom Plate, appeared in the South China Morning Post on Tuesday, September 21, 2020.

Ruth Bader Ginsburg's death must inspire an era of 'notorious renewal' in the US



Tom Plate

- A nation bound by shame is in need of a new deal of access and opportunity that carries on the hope Ginsburg helped inspire
- The global outpouring of grief that followed the death of the celebrated US Supreme Court justice shows her significance went beyond American politics

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Illustration: Craig Stephens

There was always something of the David versus Goliath in the late Supreme Court justice Ruth Bader Ginsburg up against US President Donald Trump – the diminutive versus the hulk, the thinker versus the non-thinker, the caring versus the uncaring. Someone of stature had to stand up to Trump and Ginsburg was one of the few who could take his measure.

And so, when the feminist icon was overwhelmed late last week by the cancer that had been stalking her for so many years, much of the world stood up and took notice. Here in the United States, on seeing the incumbent American president dropping in the polls and vulnerable to Democrat Joe Biden in the coming election, many could not have helped wishing that

fate had let this Wonder Woman, feisty to the end, ride out the hoped-for end of the Trump era just a couple of months and permit his successor to choose a sensible Supreme Court nominee to replace her at the end of January.

But “fate keeps on happening”, as the Hollywood screenwriter Anita Loos put it decades ago. And as fate would have it, there is now a vacancy on the US’ highest and most powerful court. Unsurprisingly, Trump’s allies are scrambling to fill it with someone who would no doubt prove to be the antithesis of the “Notorious RBG” as Bader was sometimes known, a play on the stage name of the late rap star “Notorious B.I.G.”



Candles are lit next to pictures of Ruth Bader Ginsburg, as people mourn her death, at the Supreme Court in Washington on September 19. Photo: Reuters

There’s a great deal more to the phenomenal story of the feminist icon than presidential politics, as the vast international outpouring of grief and respect on her death suggests.

Allow me to steal a thought from Italian historian Carlo Ginzburg (no relation of the late Justice Ginsburg) writing in a recent issue of the *New Left Review*.

What holds a people, a city or a nation together, he argued, goes beyond mere institutional matrices or public policies; nations and peoples tend to bond for reasons of negative history and shared shameful experience at least as tightly. Shame can prove a fiercer national glue than love.

Ginzburg says that shame “falls upon us, invading us – our bodies, our feelings, our thoughts as a sudden illness”, serving to bind people together in a community of feeling.

This is precisely where the US now precariously sits – no longer bathing in the triumphalism of the 1989 unipolar moment, nor in the continued transmission of the numbing narcotic of exceptionalism, but in a shared sense of shame.

From the war in Vietnam to the blunders in Iraq and Libya, from the 2007-08 Wall Street-inseminated global greed to the ongoing bifurcation of communities into those that support the Black Lives Matter movement and those insist “all lives” do.

Ginsburg emerged out of this miserable miasma of the ever-political Washington – “the swamp,” as Trump memorably (and now, we see, so cynically) dubbed it – railing against repression.

She zoomed from a modest Brooklyn home to the Ivy League on merit alone – one of nine women admitted to Harvard Law School in 1956 before she transferred to Columbia Law School in 1958 – and stood out wherever she went.

In terms of range, quality and impact, her decisions from the bench, whether in concurrence with the majority or in a storm of dissent, were the heaviest of hits.

With insight and wit, she helped remind Americans, many in deep need of reassurance from someone, that in Washington there were at least some people not thinking only about themselves but actually doing their job.

At a time when the White House is seen to bungle the pandemic portfolio, when the US Senate has sunk to a Siamese fighting-fish bowl of horrors, and when our police never seemed to see a black citizen they didn’t want to shoot, Ginsburg distinguished herself.

She will live on in her best rulings and most outstanding dissents. In politics, style is as important as substance, though it cannot replace it.

In this moment, many citizens are so angry – some scarily so – and a truly egalitarian new deal of access and opportunity is needed, driven by a more neutral and careful politics than that of a system featuring but a single ruling party that claims to know everything or a two-party system that says the other side is always wrong.

The US, not to mention “the great competitor” China, needs all the top talent it can get. And when – conspicuously and absurdly – it seems that our nations are being led by men, then we men must sense the shame we have cast on our countries, and the need to fix it before we lose our souls.

May Ginsburg rest in a long, well deserved celestial peace. We, however, must not stand down but must carry on with the embers of hope that she helped kindle: a sense of a nation and a people less selfish and shameful, more loving and just, than the one we find ourselves in now. Think of it as – well – the “notorious renewal”.

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