

The League of Extraordinary Women.

Part III.

Ruth Bader Ginsberg

A League of Her Own.

Featuring Allen Ginsberg

Alan Berg

Kol Nidre 5781

RBG's life, her biography, her personal story, is a sukkah.
We can dwell in her biography and pray for the New Year.

Walk into her life, her story is for us a sukkah, where we feel God is close, the world is safer because all are welcome at the same table.

Your life story too, is a sukkah for others.

We are here on Kol Nidre,

to live a life of service, goodness, and love, so that when our loved ones, our family our friends, our community encounter who we are what we stood for, what we did, we want to be for them a sukkah in hard times.

Justice Ruth Bader Ginsberg
If She Could Lead You Can Too.

"Ruth Bader Ginsberg is who we are."

That was the phrase Professor Harold Foster our recent scholar in American Jewish studies offered when I asked him about Ruth Bader Ginsberg.

"Ruth Bader Ginsberg is who we are."

Who am I, and who, as a people, are we.

What lessons she can teach us to help us navigate these treacherous times!

What can be drawn from her life that will keep our Jewish American passion for justice remain as she was: consistently forward looking for this country, creative, and not afraid.

Following days of an unprecedented American chanting the Mourners Kaddish outside of the Supreme Court, the Justice was moved on Friday to lie in state at the capital, and there her distinguished Rabbi Lauren Holtzblatt said, "This was Justice Ginsburg's life's work, to insist that the Constitution deliver on its promise that 'We the People' would include all the people. She carried out that work in every chapter of her life."

Can you join her in fighting for the Constitution? Of course you can.

During her 1993 Senate confirmation hearings, Ginsburg said her father's family came to America partly because Jews were not allowed to attend high school in the part of Russia he came from.

Julie Cohen, co-director of the 2018 documentary "RBG," said in the great Israeli paper Haaretz that Ginsburg had always been "very aware of what her father was limited from achieving because he was Jewish, and her mother from doing because she was Jewish and a woman. I think she feels like she was someone who was able to realize the dreams of previous generations

Like many Jewish women of her generation who were raised in Orthodox influenced homes, Ginsburg told Julie Cohen, she couldn't make peace with the deep gender inequalities built into her parents' Orthodox practice.

"There was a tension for Ginsburg between these two core identities: being Jewish and being female. As a young woman, she felt she had to make a choice between her religious observance and her growing feminist awareness.

She had been particularly alienated by the idea that women didn't count in a Jewish prayer quorum.

A formative moment came at age 17 when her mother died and women could not be part of the minyan, the quorum of 10 Jewish adults for the prayer service for the dead.

"It made her feel like women really didn't count," Cohen explained.

"The idea that if you were trying to make something official in the Jewish world, it would be more possible to go out and find men on the street, that you didn't know, whereas women in your own family didn't count in a minyan, felt supremely unjust and made it hard [for her] to feel deeply part of the religion."

It was bashert that Justice Ginsberg was instrumental in convincing the Rabbinical Assembly, the Conservative Movements Rabbinical body, and the Jewish Theological Seminary, that it was zero hour for the ordination of Conservative women rabbis.

The Justice herself said, "I remember, in the 1970s, meeting with the heads of the Jewish theological seminaries," she added. "The Reform [movement] had already admitted women to the Rabbinate. And so the seminary asked me, 'We admit women to the cantorial program, isn't that enough?'

And my answer was: 'It's not enough if you want to keep young people involved with the synagogues.' Because young people growing up now don't understand that people should be excluded simply because they are female – or male. One of the reasons women have been accepted as rabbis in the United States is that concern for the next generation."

Ginsburg recalled that, as a girl, she was "jealous" of a male cousin who had a Bar Mitzvah when "there was no Bat Mitzvah back then," noting that her colleague on the Supreme Court, Elena Kagan, was the first girl to have a Bat Mitzvah in her Manhattan synagogue.

Ginsburg had special affection for Justice Brandeis, the first Jew named to the high court. RBG was the court's second woman and its sixth Jewish justice. In time she was

joined by two other Jews, Stephen Breyer and Elena Kagan, and two other women, Kagan and Sonia Sotomayor.

As we all know, Justice Ginsberg is the first woman to lie in state in the capital, to lie in a public building, surrounded by honor guard. She is also the first Jewish person at all to do so.

I was surprised to learn that she was the first Jew to have a state funeral, but given that, the timing could not be better for the American Jews and for Israelis.

And could not more of an inter-textual answer to Trump and Netanyahu's assault on democracy, wherever they finds it. I am sure it was her wish.

She is a living refutation of the primary Zionist myth: That the diaspora is not hospitable for Jews.

Not only is she the first woman, the first Jew to lie in state at our nation's capital. Never happened in Russia, France, German, England, Italy, or anyplace you've been.

You can easily see her reasons for her choosing liberal American Judaism, in the cantankerous comments by rabbinic collages who said that she should be buried in 24 hours.

They claimed it was to honor Jewish law, which is a completely valid argument, as Ginsberg herself would so astutely say about the lack of women's rights in Israel

But I think, in this case, they didn't care a whit about Jewish law, they wanted her gone as quickly as possible.

Here in America, democracy is the basis of our right to live as loving Jews who love Judaism. Democracy precedes Judaism. The Talmud itself proves that.

She knew that. you can readily hear it in her 2018 dialogue with former Israeli Supreme Court Dorit Beinisch, when she was asked about the ongoing Women of the Wall controversy – the fight for equal treatment for women worshipping at one of Judaism's holiest sites.

Noting that while in the United States, differentiating between men and women in a public space would violate the equal protection principle, Ginsburg answered that "Israel is different" because its primary state religion is Orthodox Judaism, "and much of the authority over women's matters has been given over to the religious community."

She was "proud" that Judaism in the United States had evolved when it came to equal status for women.

"In the United States, there are many more Conservative and Reform Jews than Orthodox, and I'm proud that in both Reform and Conservative synagogues, women are rabbis.

Why is it at this moment in history that a Jewish woman brought women's rights and American democracy to a new summit?

Late in her court tenure, she became a social media icon, the Notorious RBG a name coined by a law student who admired Ginsburg's monumental dissent, as the Court lost it's grip on social justice.

The justice was at first taken aback. Moi? Looking at her lace collars and elegant gloves.

But when her law clerks and grandchildren explained the connection to another Brooklynite, the rapper The Notorious B.I.G., her skepticism turned to delight. “In the word, the current generation uses, it’s awesome,” Ginsburg said.

After she passed from us, every newscaster talk about The Notorious RBG, Ruth Bader Ginsberg” they would reference the brilliant late Rapper, The Notorious BIG, Christopher George Latore Wallace The two are linked now eternally, and, in retrospect logically so. I am not going to quote Mr. Wallace’s lyrics, he doesn’t need me to do that.

The slight RBG was BIG. And Biggie has only grown in his impact because of RBG.

What is called inter-text-uality brings those two separate people together. Inter-text-uality: activism or even dialogue between words, names, poetry.

Of course, it turns out there is a lot Biggie Smalls BIG and Ruth Bader Ginsberg RPG had to say to us, regardless of what doorway we come in.

What is called sampling in Rap, is what is called in the law using a prooftext, both fit the category of precedent.

RPG she is not small, but big, and Mr. Wallace, floated, sampled over his most painful, most famous song Hypnotize, the great Herb Albert’s song Rise. BIG matched RPG mind to mind. He never knew it, tragically even through the good days, but we know it, he never lived to see them in the same field of vision. She, fortunately did. As her Rabbi said, faced with adversity, Justice Ginsberg kept rising.

Now don’t go confusing inter-textual with the pollical concept used today, inter-sectional, as if several identities meet at an intersection. For example, if Joe Biden were to be a candidate who Jewish both conservatives of all ilks, and Jewish progressives all ilk, could come together on, could agree on, Biden would be called an intersectional candidate. Trump too is intersectional.

But intertextual, is me being named after my grandfather. How am I him I wonder? Perhaps you were named after someone, Who was that person. How could I live my live to honor them?

That is inter-textual.
is like a stargate.

If you are a science fiction fan, it

When Faulkner names his novel of a collapsed southern family The Sound and The Fury, we are drawn to Macbeth, where the phrase ‘the sound and the fury’ originated.

What did that line mean in Macbeth and what does Macbeth have to say to the reader of The Sound And The Fury.

Learning to think anew. Sometimes the topic that we need to see from different sides is ourselves. An intertextual dialogue between our past, our present and our future. Teshuvah calls us to curiosity, conscience and awareness of the pulls within us.

In 2004, in a speech at a Holocaust Remembrance Day event in the Capitol, she declared that her “heritage as a Jew and my occupation as a judge fit together symmetrically.

“The demand for justice runs through the entirety of Jewish history and Jewish tradition. I take pride in and draw strength from my heritage, as signs in my chambers attest: a large silver mezuzah on my door post, a gift from the Shulamith School for Girls in Brooklyn; on three walls, in artists’ renditions of Hebrew letters, the command from Deuteronomy: ‘Zedek, zedek, tirdof’ – ‘Justice, justice shall you pursue.’ Those words are ever-present reminders of what judges must do that they ‘may thrive.’”

By way of contrast, on the fate of women and the haunted struggle of Jewish women before RBG, I can only think of the poem Kaddish, Allen Ginsberg’s notorious 1959 lamentation, about his mother Naomi: “The telephone rang at 2 AM – Emergency. – she’d gone mad – Naomi hiding under the bed screaming bugs of Mussolini – Help! Louis ! Buba! Fascists!”

Alan Ginsberg was talking about his own mother, and he was simultaneously talking about America, because of the women who were lost, alone and deserving.

As far as Senator McConnell not showing respect by not showing up as the Justice lay in state, again, Ginsberg, Alan Ginsberg “Oh how many in their solitude weep aloud like me. On the bridge over the Republican River, almost in tears to know how to speak the right language.

“The purpose of what turned out to be Justice Ginsberg’s final visit to Israel, was to collect a lifetime achievement award from the Genesis Prize Foundation. (The awards had been roiled in political controversy that year, which involved actress Natalie Portman and also Ginsburg herself.

Natalie Portman was reportedly also chosen as a Genesis Prize recipient before the prize committee allegedly backtracked after fearing that the justice’s previous criticism of Donald Trump would mean Prime Minister Benjamin Netanyahu would be unwilling to present her with the award.

It was notable that Ginsburg didn’t receive her award in the traditional grandiose Jerusalem ceremony, but at a private event at the Yitzhak Rabin Center in Tel Aviv, co-hosted by Dalia Rabin, daughter of the murdered prime minister. And presenting her with the award was former Supreme Court President Aharon Barak. He called her “an outstanding Jewish jurist whose fearless pursuit of human rights, equality and justice for all stems from her Jewish values.”

In her acceptance speech, Ginsburg said she was “a judge, born, raised and proud of being a Jew.”

“The Jewish religion is an ethical religion. ... We live righteously ... not anticipating any award in the hereafter.”

By then she knew that everything she said would be studied and quoted. Sometimes what you don’t say makes the strongest point.

Sculpt a mountain in your heart, and put her life story on the summit. May her life and yours be a sukkah for others to dwell in, securely.

End