

## Topic 5.6: Reading Supreme Court Dissents Aloud

Each **term** (the time period from the first Monday in October to late June/early July), the United States Supreme Court decides between 70 and 80 cases and there are dissents in 60% of them. A **dissent or dissenting opinion** is a statement by a judge expressing and explaining disagreement with the Court's majority opinion.

Occasionally, but notably, these dissents are read aloud from the bench by a dissenting justice. The impacts of a read aloud can be far-reaching.



Watch on YouTube <https://edtechbooks.org/FfoM>

The late Justice [Ruth Bader Ginsburg](#) (RBG) produced one of the Court's most dramatic dissent read alouds in the famous gender pay discrimination case, [Ledbetter v. Goodyear Tire & Rubber Company](#) (2007).

In 1999, Lilly Ledbetter sued her employer, Goodyear Tire & Rubber Company on the grounds that she had been receiving lower pay than her male coworkers for 19 years. She won a \$3.8 million settlement in federal court. However, the Supreme Court (by a 5 to 4 vote) reversed that decision, saying Ledbetter's claim had not been made within a 180 day time charging period.

Ginsburg, the only woman justice on the Court at the time, [dissented passionately](#), declaring that the Court “did not comprehend or is indifferent to the insidious way in which women can be victims of pay discrimination.”

Two years later, President Obama signed the [Lilly Ledbetter Fair Pay Act of 2009](#) that reversed the Supreme Court’s decision. Ginsburg’s dissent is credited as providing the political and social momentum needed to enact this major milestone in the quest for equal rights for women.

In this activity, you will listen to Ruth Bader Ginsburg’s famous dissent spoken aloud and consider how hearing a dissent spoken directly by a Supreme Court justice might influence people’s thinking.

## Activity: Evaluate the Impact of Spoken Words in Supreme Court Dissents

- Listen to the [audio of Ruth Bader Ginsburg’s Ledbetter v. Goodyear Tire & Rubber Co. dissent](#).
- Choose a paragraph from the Ginsburg dissent that you find meaningful and memorable.
  - Record yourself reading it aloud.
  - Then, ask friends, neighbors, and/or family members to listen to your read aloud, and then read the text on their own and share with you which one was more influential to their learning.
- Based on your assessment, **write a children’s book** that starts with the following sentence, “Every evening after supper, Malisha and her family tuned in to hear the latest Supreme Court case dissent read aloud by one of the Justices...”
  - In this children’s book, consider what impact hearing the spoken words in Supreme Court dissents might have on the general public’s understanding of law, government, civics, and society as opposed to just reading the text.
- Bonus Activity: Make an accessible version of the [audio of Ruth Bader Ginsburg’s dissent](#) for learners who are deaf or hard of hearing by presenting the text or designing a text-based video in a way that emphasizes tone and emotion and other features that make the read aloud impactful for listeners.

## Additional Resources

- [Ginsburg Dissent: Ledbetter v. Goodyear Tire & Rubber Co. Case Summary](#)
- [Teaching Students how to Dissent is a Part of Democracy](#) (Salon)
- [Looking Back: Famous Supreme Court Dissents](#) from National Constitution Center
- ONLINE GAME: In [Argument Wars](#) from iCivics, players argue an actual landmark Supreme Court cases

## Connecting to the eBook

[Building Democracy for All: Do Supreme Court Dissents Make a Difference to the Law?](#)

## Connecting to the Standards

- [Massachusetts Civics & Government Standards](#)
  - *Explain the Principle of Judicial Review established in Marbury v. Madison and explain how cases come before the Supreme Court, how cases are argued, and how the Court issues decisions and dissents.* (Massachusetts Curriculum Framework for History and Social Studies) **[8.T5.5]**
- [ISTE Standards](#)
  - Knowledge Constructor
    - 3b: Students evaluate the accuracy, perspective, credibility and relevance of information, media, data, or other resources.
    - 3d: Students build knowledge by actively exploring real-world issues and problems, developing ideas and theories and pursuing answers and solutions.
  - Creative Communicator
    - 6b: Students create original works or responsibly repurpose or remix digital resources into new creations.
    - 6d: Students publish or present content that customizes the message and medium for the intended audiences.
- [DLCS Standards](#)
  - Interpersonal and Societal Impact (CAS.c)
  - Digital Tools (DTC.a)
  - Collaboration and Communication (DTC.b)
  - Research (DTC.c)
- [English Language Arts > History/Social Studies Common Core Standards](#)
  - CCSS.ELA-LITERACY.RH.6-8.5
  - CCSS.ELA-LITERACY.RH.6-8.7
  - CCSS.ELA-LITERACY.RH.6-8.9
  - CCSS.ELA-LITERACY.RH.9-10.9
  - CCSS.ELA-LITERACY.RH.11-12.6
  - CCSS.ELA-LITERACY.RH.11-12.7



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