



MOVIE DISCUSSION GUIDE



On the Basis of Sex

“On the Basis of Sex” spotlights the early legal career of women’s rights crusader, pop culture icon and U.S. Supreme Court Justice Ruth Bader Ginsburg. Opening in 1956 as she begins law school as one of only nine women in a class of 500, the film demonstrates the hurdles the young lawyer encountered during the early days of her career. But thanks to her enduring determination and tenacity, Ruth eventually brings a groundbreaking sex-based discrimination case in front of the U.S. of Appeals that overturned a century of gender discrimination – her first court case in a lengthy, respectable career devoted to dismantling sexism in America.

Programming Suggestions

This discussion guide is designed to assist educational programming after viewing the film “On the Basis of Sex.” Its purpose is to generate discussion based on social issues found within the movie and for program participants to reflect on themes that might be pertinent to them. Therefore, there are no “right” or “wrong” answers to questions in this guide.

The discussion facilitator may choose to utilize one of the following activities as a means of developing discussion:

- Although a record number of women ran in the midterm elections this past year, we still have a long way to go before there is equal representation in government positions. Inspire your female students to increase gender parity in the halls of power by inviting female politicians or government leaders in your community to come lead a discussion around ways women can become more involved in city issues and initiatives – particularly ones that affect women.
- Set up an online voter registration booth on your campus to make sure your students take an active role in the rules and regulations governing our country.
- Host a “Women’s History Panel” featuring faculty members sharing stories of influential women in history and at your school. Encourage them to share insights on how every student can support women’s rights.

Issues

Gender Roles

Sexism

Rule of Law

Discrimination

Discussion Questions

1. Discuss the party at the Dean's house. How do each of the women respond to the Dean's question? What do you think was the right response?
2. How does Marty support Ruth? Do you think their marriage was traditional or unique? Do you think their partnership is aspirational – even today?
3. As a first-year law student, Ruth took care of their young daughter and attended Marty's classes during his illness. What does this say about her character? Have you ever had to be the "strong" one for someone else? How did you manage?
4. When Marty gets a job in New York, the dean refuses to allow Ruth to get a Harvard degree if she transfers to Columbia – even though he's been known to allow it for male students in the past. How would you have reacted in that situation?
5. Ruth's daughter Jane suggests her mother is 'playing it safe' discussing gender discrimination in a classroom without "taking action" to create change. Do you agree with this line of thinking? Was Ruth less impactful in her role as a teacher than when arguing her case?
6. How do Ruth and her teenage daughter Jane butt heads throughout the film? What happens to help them understand each other better?
7. Why do Marty and Ruth think a tax case involving a man is the case that could change the laws that discriminate based on gender. Do you agree with their logic?
8. Dorothy Kenyon, Ruth's hero of sorts, tells her the country isn't ready when Ruth approaches her with the tax case. She says "Change minds first. Then change the law." What happens to convince Ruth she's wrong?
9. How does the film show the different ways women fought injustice during the 1970s through Jane and Ruth's relationship? Do generations react differently to injustice today?
10. Why does Mel Wulf at the ACLU deny Ruth's request for help? Do you think he was right to say that just because something is morally right, won't mean it will win in the court of law?
11. When Ruth does poorly in moot court, Mel says Marty should lead the case in court. How does Marty respond?
12. Ruth's counteroffer to the government's one dollar settlement was aggressive. Why do you think that was?
13. The DOJ's attorney argues in court that Ruth and the ACLU want "radical social change." Discuss how some people could view gender equality as obviously necessary while others call it "radical."
14. During Ruth's rebuttal, she claims the world has already changed and the law needs to change with it. What laws should be changed today to "get with the times?"
15. Ruth also argues that societal roles that existed a hundred years ago – or even twenty years ago – no longer applied. What societal roles of the 1970s no longer apply today? How is our world different than it was 50 years ago?
16. In a defining moment in the courtroom, one of the judges suggests that the Constitution cannot be changed to protect new groups of people. He cites the fact that the word 'woman' does not appear even once in the U.S. Constitution." Ruth responds assertively: "Nor does the word 'freedom,' your honor." What does this statement say about the flexibility/rigidity of the U.S. Constitution? Should the Constitution be re-examined regularly as our society continues to evolve?
17. What societal roles still apply today? How has gender equality not evolved since the 1970s?
18. How does your school promote gender equality?
19. What did this film teach you about the history of gender discrimination law?
20. Did you wish it was more of an overall history of Ruth's career, or did you like its narrow focus on her origins?
21. What does this film say about gender discrimination and its impact on everyone – not just women?
22. Why do you think Ruth Bader Ginsburg has become a sort of pop culture phenomenon in recent years? Why is she – and her contributions to equal rights – more relevant now than ever before?