Ginsburg v. Ginsburg: A Longitudinal Study of Regional Features in a Supreme Court Justice's Speech

Allison Shapp, Nathan LaFave, and John Victor Singler[*]

1 Background

In 1955, the U.S. Supreme Court began recording the oral arguments of cases heard before the Court. In 1975, the Court started to record the official reading of majority opinions as well. Over the past twenty years, the Chicago-based Oyez Project has drawn on these recordings to build an online audio archive that now consists of more than 110 million words from over 9,000 hours of audio, with transcripts directly linked to the audio at the sentence level (www.oyez.org). In our paper, we use data from the Oyez Project to examine the speech of Ruth Bader Ginsburg, first as a lawyer arguing cases before the Supreme Court in the 1970's and then as a Justice herself on the Court from 1993 onward. In our examination of Ginsburg's speech over the four decades from 1973 to 2012, we focus on variation in the Brooklyn-born Ginsburg's use of two features associated with New York City English, namely THOUGHT–raising and *r*-vocalization.

1.1 Lifespan Change

Our work contributes to the ongoing study of post-adolescent speech, specifically the diachronic investigation of lifespan change. The most extensive investigation of this phenomenon has been in work on Montréal French by Gillian Sankoff and her colleagues. The Montréal data draws on a panel study of sociolinguistic interviews collected in 1971 and 1984 to map the relationship of individual change to community change (Sankoff and Blondeau 2007, and many others). In work on the Montréal corpus, Sankoff and Blondeau (2007) propose that post-adolescent speakers either do not change their grammar or, if they change it, do so in the direction of a change that is in progress in the community. More recently, however, Wagner and Sankoff (2011) and Sankoff (2013) have made the point that lifespan change in Montréal French displays a broader range of possible trajectories, not always ones that correspond to a change taking place in the community.

A second approach to the investigation of lifespan change has been the examination of the speech of individual public figures at different points in their lives. Queen Elizabeth II, five Mormon leaders, President Jimmy Carter, and Noam Chomsky have all been the subjects of longitudinal studies.[1] The same diversity that Sankoff (2013) describes characterizes the diachronic speech of public figures as well: Carter shows little if any change; Philadelphia-born Chomsky, once he moves to Cambridge, displays changes that move his speech in the direction of the Boston dialect (cf. Nycz 2011), and Queen Elizabeth exhibits changes in the direction of community change. However, the five Mormon leaders pattern differently from one another over time in their use of the features under study. Their life histories are very similar; they have lived their lives in the same area, without experiencing prolonged contact with any other regional dialect and without undergoing any major change in social status (Bowie 2005). The more common patterns of post-adolescent speech behavior typified by Carter, the Queen, and Chomsky do not apply to them.

The chief limitation of 'public figure' studies in the investigation of language change is the obvious one that, with the exception of Bowie's study of the five Mormon leaders, these are stud-

[1]For Queen Elizabeth, see Harrington, Palethorpe, and Watson (2000a,b, 2005) and Harrington (2006); for the Mormon leadership, Bowie (2005, 2011); for Carter, Fruehwald (2011); and for Chomsky, Kwon (2013, 2014).

ies of a single individual in isolation, not a number of individuals situated in a community. Further, the circumstances of the public figure's life are often highly unusual if not utterly exceptional. This restricts the extent to which findings can be predicted to generalize over a larger population. With these limitations noted, it is useful to point out the advantages of such studies. To begin with, particularly with the ever-expanding capacity of the Internet, vastly more spoken data has become readily available. As a result, data now exists in the public domain for the study of famous (and infamous) speakers at different points in their lives. Often, we as sociolinguists create the data we use; that is, the sociolinguistic interview exists so that the sociolinguist can study it. The speech of the cited public figures, however, has an organic *raison d'être*, with its use as sociolinguistic data entirely unrelated to (and having no bearing upon) its original purpose. Admittedly, much of the public figure data consists of the speaker reading a prepared speech; such data provides information as to the speaker's pronunciation of standard language, but, given the usual formality of the setting, it entails a great deal of attention being paid to speech, an undesirable trait from the perspective of the Five Methodological Axioms (Labov 1972:208-9). In contrast, the Mormon archives upon which Bowie draws and the Oyez Project that provides the Supreme Court's oral arguments have the advantage of being, at the least, "semi-extemporaneous" speech (Bowie 2011:32). Especially in the case of the Court's oral arguments, the participants must "think fast." It seems reasonable to assume that this reduces, though does not eliminate, the ability of participants to devote attention to speech. The Mormon data and the Court arguments are alike in that they provide non-scripted data from individual speakers year after year. For our study of Justice Ginsburg, for example, we used data from court terms in odd-numbered years from 1993 through 2011.

1.2 New York City Vernacular

The two features that we examine in Ginsburg's speech are arguably the most salient features of the New York City vernacular, THOUGHT–raising and *r*-vocalization. Labov (1966) presents the progressive increase in THOUGHT–raising in New York City English as a change in progress, with the frequency and the extent to which the THOUGHT vowel is raised increasing over time. The change, he argues, is a change from below. Becker (2010) proposes that in the near half-century since Labov's fieldwork the direction of change has reversed itself. In reaction to the earlier change from below, there is now a change from above that reduces the frequency and extent of THOUGHT–raising. Crucially, however, the oldest speakers in Becker's study are not participating in the newer change: speakers born prior to 1946 continue to raise THOUGHT vowels. Ginsburg was born in 1933; as such, she is part of the New York City generation whose vernacular maintains THOUGHT–raising.

With regard to the second feature, *r*-vocalization, Labov (1966) makes the case that this was a characteristic of all New York City English in the nineteenth century and in the twentieth century prior to World War II, not simply the vernacular but also the prestige dialect. He reports that during the 1940's, a shift occurred, including a shift in the teaching at New York City schools, such that consonantal-*r* became the model for pronunciation (1972:65n). By the time of his study of the Lower East Side in the early 1960's, Labov found that everyone born after 1923 viewed consonantal-*r* as the prestige variant (1966, Chapter 11, cited in Labov, Ash, and Boberg 2006:47). It is important, however, to preserve a distinction between language evaluation and language use. The *Atlas of North American English* (ANAE) posits the increase in the use of consonantal-*r* in New York City vernacular as occurring quite gradually, at a rate of "about 1.5 percent a year" (2006:47).

2 Biography

2.1 Childhood and Adolescence

Ruth Bader was born on March 15, 1933, in Brooklyn and grew up in the Midwood neighborhood. Biographers differ in their assessment of Ruth's parents' social class. However, taken as a whole, the evidence indicates that the Bader family was middle class, but more precisely lower-middle class, not upper-middle.

On many occasions, including when President Clinton introduced Ruth Bader Ginsburg as his

nominee to the Supreme Court in 1993, she has spoken of the depth of her mother's influence on her. Celia Bader was determined that her daughter would have the education that she herself had been denied. She took her daughter weekly to the local library. To further ensure that Ruth was not trapped in roles to which women were traditionally consigned, she refused to teach Ruth how to cook (Gutgold 2012:47).

Ruth attended Brooklyn public schools, graduating from James Madison High School in 1950. As noted above, it was during the 1940's, i.e., while Ginsburg was a student in the public school system, that the prestige model for /r/ shifted in New York City schools from vocalized-*r* to consonantal-*r*.

2.2 Life after Brooklyn

Ruth attended Cornell as an undergraduate. While there, she met Martin Ginsburg, a Brooklyn native who had grown up on Long Island just beyond New York City. Martin was a year ahead of Ruth in college. After Ruth graduated from Cornell, they married, and Ruth joined Martin at Harvard Law School. When Martin graduated, he took a job in New York. They moved there, and Ruth did her final year of law school at Columbia. At Harvard and Columbia alike, her grades placed her in the top rank of her class, and she made law review at both schools. Despite her strong record in law school, no Manhattan law firm offered her a job, and no Supreme Court judge offered her a clerkship or even an interview for a clerkship position. Ultimately, a federal District Court judge was prevailed upon to hire her as a clerk.

After completing the clerkship, Ginsburg taught at Rutgers Law School and then at Columbia, attaining tenure at both schools. She founded the ACLU Women's Rights Project in 1972 and served as general counsel for it. Lawyer Ginsburg argued five cases before the Supreme Court in the 1970's and read an *amicus curiae* brief in a sixth, all pertaining to gender equity. She had five victories and one defeat. In 1980, President Jimmy Carter appointed her to the First Circuit Court of Appeals in Washington. Thus, at the age of 47, she moved to Washington and has lived there ever since. After she had been an appellate judge for thirteen years, President Bill Clinton named her to the U.S. Supreme Court.

One aspect of Ginsburg's history that bears comment is the amount of discrimination that she faced through much of her life. Anti-Semitism at elite American universities had abated somewhat by the time Ginsburg enrolled at Cornell, but it remained. It was, in her words, "visible but unspoken" (quoted in Pogrebin 2005:24). Cornell was co-educational, but undergraduate women found the atmosphere extremely hostile, especially undergraduate women like Ruth Bader who excelled (Conable 1977). The legal profession was likewise anti-Semitic and largely closed to women. Of the 500 students in Ginsburg's class at Harvard Law, only nine were women, and their presence was met with overt and ongoing hostility. The linguistic question that arises is what impact, if any, this atmosphere of hostility might have had upon Ginsburg's language use. Pogrebin, responding to Ginsburg's comment about the presence of anti-Semitism at Cornell, asked her "if the 'outsiderness' she felt over the years proved to be a motivating force. 'Oh, it certainly is. . . . You've got to be sure you were better than everyone else'" (2005:24). This comment makes the prediction that Ginsburg would be given to the use of formal variants, the variants bearing overt prestige.

3 Methods

3.1 Collection

The data for this study was collected from the archival records of Supreme Court proceedings that are maintained by the Oyez Project at Chicago-Kent (www.oyez.org). We collected all of Ginsburg's speech from the six cases in the 1970's in which she was involved as a lawyer before the Supreme Court, including Frontiero v. Richardson (1972), for which she read a statement as *amicus curiae* ("friend of the court"). In the other five cases from the 1970's, Ginsburg was one of the lawyers arguing the case.

Additionally, we collected data from throughout her years as a Justice on the Court, from the 1993 to the 2011 terms. (A court term begins on the first Monday in October and continues through the Court's adjournment at the end of the following June. Thus, the 2011 term covers oral

arguments and opinions through June 2012. In the discussion that follows, when we speak of "year," we mean "term.") The 2011 data was the most recent data available at the time of the start of our project. Between 1993 and 2011 we used an algorithm to choose two cases to transcribe from each odd-numbered year, all from the subset of cases for which Ginsburg wrote and read the majority opinion. The choice of cases was based on outcome (one unanimous case, one 5–4 case from each year) and date of occurrence within the term.

Once we had selected the cases, we transcribed the relevant portions of each. This included all the times when Ginsburg spoke during the argumentation of the case as well as Ginsburg's reading of the majority opinion. These transcriptions were then concatenated and fed through Penn's Forced Alignment and Vowel Extraction program suite (Rosenfelder *et al.* 2011) in order to align the transcriptions and then extract measurements of all vowels.

In New York City, THOUGHT–raising (the lowering of F1) is potentially THOUGHT–backing (the lowering of F2) as well; however, Becker (2010) shows the lowering of F1 to be the salient component. Accordingly, we devote our study to F1. Moreover, we eliminated tokens in certain phonetic environments that are known to alter the F1 measurement of the THOUGHT vowel, specifically when an /l/ or a glide preceded the vowel or when /r/ followed it (Becker 2010). We also eliminated occurrences of the word *on* because there is disagreement as to whether the word is in the THOUGHT or LOT class of vowels in the New York City dialect (Becker 2010). Additionally, we limited inclusion in the data set to five instances of a given word within a case's argument and five from within its opinion. Because each of the cases in the 1970's involved far more speech from Ginsburg than was true of cases when she was a Justice, we set the cap here at ten instances of a given word in a particular case.

For /r/, we collected all tokens of post-vocalic /r/ (more accurately, non-prevocalic /r/) from the initially selected 26 cases and compiled them into a second data set. Here we eliminated any instances where a post-vocalic /r/ was word-final and the following word began with an /r/. There also were a small number of tokens eliminated because the token could not be heard on the audio recording well enough to code it. We used the same method for capping the number of tokens of a given word as in the THOUGHT corpus. The final corpus of /r/-tokens contained 3,304 tokens.

Because of the relative infrequency of usable THOUGHT tokens given the restrictions above, we found it necessary to return to the Oyez archive to collect more data for certain years. Additional court cases were chosen using the same algorithm as above, and transcribed, concatenated, aligned and extracted until each year between 1993 and 2011 had at least 35 usable tokens of THOUGHT. Cases from the 1970's were included in their entirety, and no additional data is available for this era. In total, our corpus contains 556 tokens of the THOUGHT vowel.

3.2 Coding

Our interest in studying THOUGHT vowels lies in determining which factors favor a lowered F1 (THOUGHT–raising) and which inhibit it. Such considerations are obviously internal to the data set of Ginsburg's tokens. Crucially, however, an external reference point exists as well. *ANAE* considers any occurrence of a THOUGHT vowel with an F1 below 700 to be raised.

We used the measurements extracted from FAVE to identify the F1 of all THOUGHT vowels at 20% of the duration of the vowel. Tokens were coded for several linguistic factor groups, including preceding and following environments (i.e., the segments immediately preceding and following the vowel), whether the vowel was stressed or not, how many syllables were in the word, and word category, i.e., whether lexical or functional. We employed two external factor groups: one was the year in which the token occurred, and the other was era, i.e., whether the token came from Ginsburg as a lawyer or Ginsburg as a Justice.[2] These last factor groups overlap directly, with any token from the 1970's coming from Lawyer Ginsburg and any token from the 1990's or later from Justice Ginsburg. This overlap meant that we could only analyze one of the two groups at a time.

In order to code tokens of post-vocalic /r/ as either vocalized or consonantal, LaFave and Shapp listened to each one independently of the other rater. Their rate of inter-rater reliability was 86%. When they concurred, the token entered the data set. When they differed, then Singler and a

---

[2]For Justice Ginsburg's time on the bench, we also considered whether the token came from oral arguments or from her reading of the majority opinion. However, we do not discuss that distinction here.

fourth coder listened to the token as well. Tokens where the four judges were split two-to-two were excluded; when the vote was three-to-one, then the majority value was assigned to the token and it was included in the data set. In all, 7.5% of the tokens in the original corpus were excluded.

We then coded the tokens for a number of factor groups, including preceding vowel, stress, number of syllables, and word category (lexical or functional). Of possible preceding vowels, only five had a sufficient number of tokens to support statistical analysis: /ɑ/, /æ/, /ɔ/, /i/ and /ɚ, ɝ/.

In addition to the aforementioned linguistic factor groups, we included two more. One was concerned with whether, for a given token, the word that it was in contained a second /r/ and, if it did, whether that /r/ was variable or not. In sum, the coding distinguished between *court* (only one /r/ in the word), *record* (two /r/'s, only one of which is variable), and *worker* (two /r/'s, both of which are variable). In cases where a word had two variable /r/'s, then the coding for each token in the word indicates whether the other /r/ was realized as consonantal or vocalized. Miller 1998 and Ellis, Groff, and Mead 2006 are also concerned with two-/r/ words, but our approach is different from what is found in those works. The second factor group that we developed, morphosyllabic position, combines morphology with syllable structure. In particular, we divide word-medial tokens according to two considerations: whether the token occurred morpheme-finally or morpheme-internally, and whether the segment immediately following /r/ was in the same syllable or in the next syllable. The two distinctions yield the four-way division listed below, with an example for each:

heterosyllabic, morpheme-internal	*started*
heterosyllabic, morpheme-final	*starless*
tautosyllabic, morpheme-internal	*start*
tautosyllabic, morpheme-final	*stars*

Still within the morphosyllabic position factor group, we divided word-final tokens according to what came next, a vowel, a consonant, or a pause. In some earlier studies of *r*-vocalization, word-final tokens of /r/ were excluded when they were followed by a vowel-initial word on the premise that /r/ in that position is categorically consonantal. More recently, however, Becker (2009) and Nagy and Irwin (2010) have demonstrated in quantitative studies that vocalized-*r* can occur in this environment.[3]

Post-vocalic /r/ tokens were also coded according to external factors related to the Supreme Court case in which they occurred, in a manner nearly identical to that described above for the THOUGHT vowels. The sole difference involved the data from Frontiero v. Richardson, the case from the 1972 term in which Ginsburg read aloud the *amicus curiae* that she had written. The *amicus curiae* contained only nine suitable THOUGHT tokens. These were the only tokens from Ginsburg's time as a lawyer that were produced by reading; as such, the nine tokens were too different from other tokens taken from the 1970's to be combined with them and too few in number to stand alone; consequently, we excluded them. In contrast, the *amicus curiae* contained a large enough number of occurrences of post-vocalic /r/, 144, and they were brought into the data set.

4 Analysis

4.1 THOUGHT–Raising

We carried out parallel linear mixed-effects regression modeling for the two New York City variables under investigation in our study using the *lmer()* package of R statistical software for step-down comparison between models. All THOUGHT vowels were analyzed for the coded variables described in the previous section with normalized F1 (measured at 20% of the vowel duration) as the continuous dependent variable. Tokens of post-vocalic /r/, for which the binary dependent variable was the consonantal or vocalized quality of /r/, were analyzed in a similar fashion.

The step-down comparisons for the THOUGHT data suggest *Era* and several values of the factor group *Following Environment* are significant predictors. However, in the best-fit model itself,[4]

---

[3]A factor group for following environment was coded along the lines used in our study of THOUGHT–raising. However, this group and Morphosyllabic Position use the same three categories for word-final tokens. Consequently, we could not analyze them concurrently.

[4]norm_F1_20 ~ following_environment + era + (1 + year | word)

Era alone is significant. *Era* distinguishes between tokens from the years when Ginsburg was a lawyer arguing before the Court (the 1970's) and her years as a Justice (from the 1990's onward). A higher F1 means less THOUGHT–raising, and the mean F1 for Lawyer Ginsburg in the 1970's is much higher than the mean for F1 in her years as Justice; Figure 1 shows this. The mean frequency of F1 for the THOUGHT vowels in each of the Supreme Court terms in which they occurred is displayed in Figure 2. The decrease in F1 over time for this data was determined to be significant. However, the strength of the term-by-term pattern is likely derivative of the substantial difference in F1 values between the two eras of Ginsburg at Court. In all but one of the terms in which she served as a lawyer before the Court, the mean of her THOUGHT vowels is above 700 Hz. In contrast, for the terms when she served as a Justice, the means are below 700 Hz.
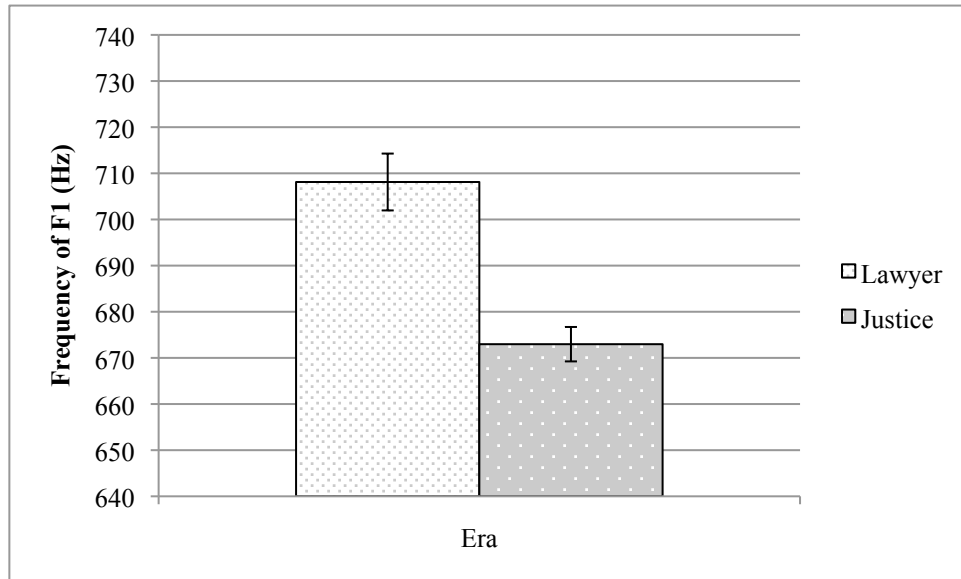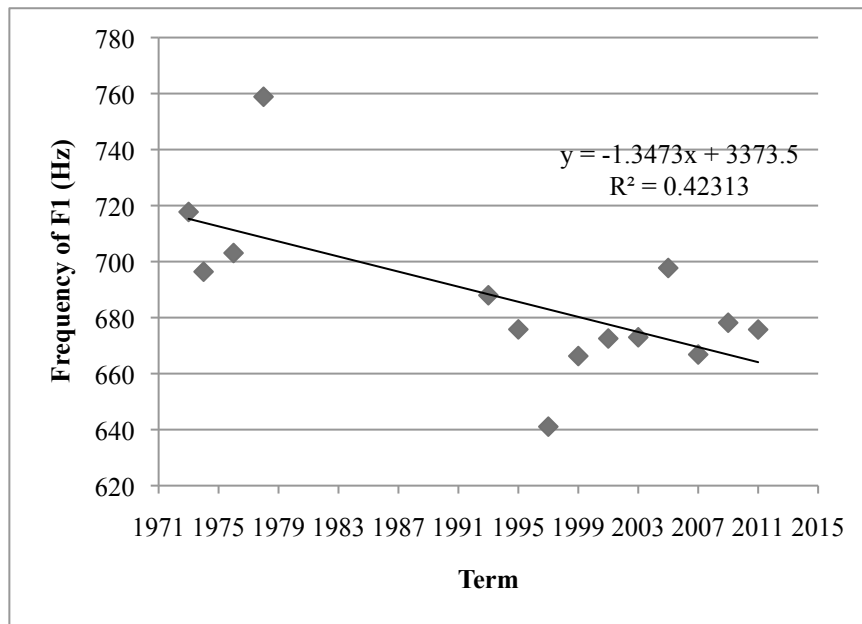

Figure 1: Mean F1 of THOUGHT vowels by Era.

Figure 2: Mean F1 of THOUGHT vowels by Term.

	Estimate	Std. Error	p-value	Freq.
(Intercept)	0.938	0.092	<.001	
Decade: 1990's	**Baseline**			67%
Decade: 1970's	-0.038	0.020	n.s.	68%
Decade: 2000's	-0.106	0.023	<.001	58%
Morphosyl: Word-final, following consonant	**Baseline**			50%
Morphosyl: Word-final, following pause	0.094	0.032	<.01	63%
Morphosyl: Word-final, following vowel	0.257	0.022	<.001	79%
Morphosyl: Heterosyllabic, morpheme-internal	0.130	0.042	<.01	73%
Morphosyl: Heterosyllabic, morpheme-final	-0.019	0.066	n.s.	61%
Morphosyl: Tautosyllabic, morpheme-internal	0.024	0.044	n.s.	61%
Morphosyl: Tautosyllabic, morpheme-final	0.187	0.043	<.001	78%
Same word /r/: another post-vocalic /r/, vocalized	**Baseline**			37%
Same word /r/: another post-vocalic /r/, consonantal	0.220	0.058	<.001	81%
Same word /r/: no other post-vocalic /r/	0.273	0.064	<.001	65%
Preceding vowel /ɑ/	**Baseline**			42%
Preceding vowel /ɔ/	0.108	0.052	<.05	47%
Preceding vowel /æ/	0.266	0.074	<.001	69%
Preceding vowel /ɚ, ɝ/	0.601	0.046	<.001	74%
Preceding vowel /i/	0.362	0.084	<.001	77%
Number of syllables	-0.061	0.024	<.05	
Stress	0.299	0.039	<.001	

Table 1: Results of the mixed-effects model for rate of consonantal-*r*.

4.2 Consonantal-*r*

The best-fit model for the /r/ data is displayed in Table 1.[5] Unlike with THOUGHT, where only one factor group is shown to be significant, with variation between consonantal-*r* and vocalized-*r* one external and five internal factors are significant.

Our initial chronological unit was *Term*. However, as Figure 3 shows, there is a sharp drop in the rate of consonantal-*r* between the 1999 and 2001 terms. Accordingly, we made *Decade* the unit rather than *Term*; Table 1 reflects this. The baseline value in the model for *Decade* is the 1990's: the rate of *r*-vocalization for the 1970's is not significantly different from that for the 1990's, but the rate for the 2000's is, specifically, the rate of consonantal-*r* drops appreciably.

Of the results for linguistic factor groups, two points stand out. The first is that, once morpheme position and syllable position are examined simultaneously in a single factor group, two word-medial sites show up as having very high rates of consonantal-*r*: heterosyllabic, morpheme-internal (*started*) and tautosyllabic, morpheme-final (*stars*). The other point is that the "same word *r*" findings diverge from those of Miller (1998) and Ellis, Groff, and Mead (2006), specifically from the various kinds of dissimilation that they report.

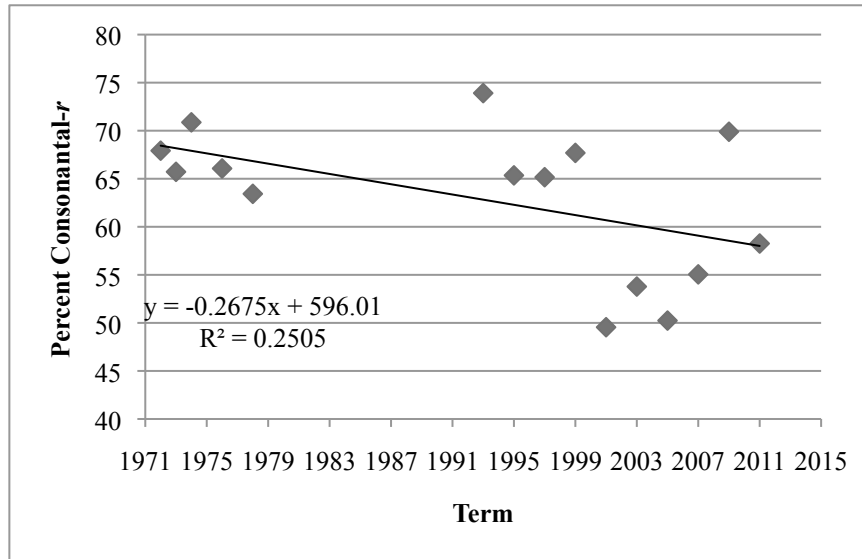[5] r_quality ~ vowel + morphosyl + syllables + stress + same_word + decade + (1 + decade | word)

Figure 3: Percentage of consonantal-*r* by Term.

5 Summary and Discussion

Over time, the New York City vernacular is moving away from THOUGHT–raising (Becker 2010) and away from *r*-vocalization (*ANAE*). The Washington vernacular does not display these features either (*ANAE*). Yet an examination of the occurrence of these features in the speech of Ruth Bader Ginsburg at the Supreme Court from January 1973 through May 2012 shows the Justice to use the stigmatized New York City vernacular variants more at the end of this four-decade period than she did at the beginning. This sets up the obvious question as to why she does so. While the two changes are parallel, we propose that the causes are distinct.

5.1 Lawyer Ginsburg v. Justice Ginsburg

For THOUGHT–raising, *Era* is a better fit than *Term*. That is, the fundamental difference in the amount of THOUGHT–raising is binary. It is whether the speaker is Lawyer Ginsburg, pleading a case before the Court, or Justice Ginsburg, herself a member of the Court.

In examining the difference between the two eras, we call attention to the zeitgeist in which Lawyer Ginsburg argued for gender equity before the Court. In the late 1960's and the 1970's, the women's rights movement commanded ongoing national attention. However, much of the media's coverage of the movement was hostile and belittling. (See Sherrill 1970 for an example from the *New York Times*.) The media created and promoted a caricature of the feminist leader: she was "shrill" and "strident," a New Yorker, probably Jewish. Men, especially those in the establishment, were her enemies.

It was Ginsburg's task to convince the nine men on the Court. Her use of unraised THOUGHT, thus her choice of standard pronunciation and the muting thereby of a salient New York City fea-ture, is emblematic of her presentation of herself to the Court as a reasonable person calling the attention of responsible guardians of the Constitution to a law or policy that denied individuals equal treatment and therefore demanded remedy. Lawyer Ginsburg's use of unraised THOUGHT illustrates convergence, as articulated in Communication Accommodation Theory (Giles, N. Coupland, and J. Coupland 1991). Her success as a lawyer rested directly on her ability to con-vince the Justices of her point of view; her use of convergence, conscious or not, acted in service of that end. In contrast, once she is Justice Ginsburg, the dynamics have changed. Convergence, if it is at work, is far less pressing. Instead, maintenance, defined by Giles and Gasiorek (2013:158) as "the absence of accommodative adjustments by individuals," seems much stronger. Justice Ginsburg no longer needs to worry about whether she seems threatening to the Court; she **is** the Court.

5.2 Age as a Factor in Post-Post-Adolescent Language Use

The results for THOUGHT–raising are fundamentally binary, and the point of division correlates with a difference in Ginsburg's position at the Court. The results for *r*-vocalization are binary as well; from the 1972 term through the 1999 term, the rate of occurrence of consonantal-*r* is always more than 60% (usually 65% or more); from 2001 on, with the exception of the 2009 term, it is always less than 60% (usually less than 55%). The question at hand is why the rate of consonantal-*r* drops. We link our answer to Ginsburg's age but, having done so, we find ourselves with two opposing explanations as to why age should matter in the way it does.

Ginsburg's retirement intentions are debated with an intensity unmatched in American political life. It is those who support her who call most vigorously for her to resign so that they can be sure that it is a Democratic president who will name her successor. The number of interviews with her seems to have increased significantly in recent years, especially since she turned eighty, and her comments resisting retirement make headlines. Such statements constitute a tacit acknowledgment that society expects a person of her age to retire.

In American society, advanced age brings a diminution of linguistic capital (cf. Sankoff and Laberge 1978). The elderly are constantly reminded of this; for example, train and movie tickets distinguish between "adults" and "seniors." When one's linguistic capital has been reduced, the practice of maintaining it by suppression of the vernacular ceases to be worthwhile. By this logic, Ginsburg's increase in *r*-vocalization is a consequence of the societal marginalization that comes with aging, even when the person continues vigorously to maintain her career.

The other possibility to explain the increase in *r*-vocalization is the direct opposite of the one that we have mentioned. At this point in an eminently distinguished career, the upwardly mobile daughter of Celia Bader has moved as far up as anyone can possibly go in American society. Her position is utterly secure and does not depend on the continued use of standard features.

While we hold that these are two likely possibilities, it is not clear to us how to go about choosing between them, and we leave that question unanswered.

5.3 A Final Observation

Ruth Bader Ginsburg's unique history may limit the extent to which our findings are generalizable to a larger population, but one aspect of it and the other famous-person studies stands out. The Third Methodological Axiom's assertion that "the vernacular gives us the most systematic data for our analysis of linguistic structure" (Labov 1972:209) should not be taken to imply that only the vernacular is systematic. As this study demonstrates, systematicity governs Ginsburg's speech at the Supreme Court as surely as it governs her speech when she is with family and friends.

References

Becker, Kara. 2009. /r/ and the construction of place identity on New York City's Lower East Side. *Journal of Sociolinguistics* 13:634–658.

Becker, Kara. 2010. Regional Dialect Features on the Lower East Side of New York City: Sociophonetics, Ethnicity, and Identity. Doctoral dissertation, New York University.

Bowie, David. 2005. Language change over the lifespan: A test of the apparent time construct. In *U. Penn Working Papers in Linguistics 11: Selected Papers from NWAV 33*, ed. S. Evans Wagner, 45–58.

Bowie, David. 2011. Aging and sociolinguistic variation. In *Language, Culture and the Dynamics of Age*, eds. A. Duszak and U. Okulska, 29–51. Berlin and New York: Mouton De Gruyter.

Conable, Charlotte Williams. 1977. *Women at Cornell: The Myth of Equal Education.* Ithaca, NY: Cornell University Press.

Ellis, Michael, Cynthia Groff, and Rebecca Mead. 2006. A rapid anonymous study of /r/ vocalization in an /r/ producing city. In U. *Penn Working Papers in Linguistics, Proceedings of the 29th Annual Penn Linguistics Colloquium* 12:57–67.

Fruehwald, Josef. 2011. Language variation and change across Jimmy Carter's lifespan. Ms., University of Pennsylvania.

Giles, Howard, Nikolas Coupland, and Justine Coupland. 1991. Accommodation theory: Communication, context, and consequence. In *The Contexts of Accommodation*, eds. H. Giles, J. Coupland and N. Coupland, 1-68. New York: Cambridge University Press.

Giles, Howard, and Jessica Gasiorek. 2013. Parameters of non-accommodation: Refining and elaborating communication accommodation theory. In *Social Cognition and Communication*, ed. J. P. Forgas, O. Vincze, and J. László, 155-172. New York: Psychology Press

Gutgold, Nichola D. 2012. *The Rhetoric of Supreme Court Women: From Obstacles to Options.* Lanham, MD: Lexington Books.

Harrington, Jonathan. 2006. An acoustic analysis of 'happy-tensing' in the Queen's Christmas broadcasts. *Journal of Phonetics* 34:439–457.

Harrington, Jonathan, Sallyanne Palethorpe, and Catherine Watson. 2000a. Does the Queen speak the Queen's English? *Nature* 408:927–928.

Harrington, Jonathan, Sallyanne Palethorpe, and Catherine Watson. 2000b. Monophthongal vowel changes in received pronunciation: An acoustic analysis of the Queen's Christmas broadcasts. *Journal of the International Phonetic Association* 30:63–78.

Harrington, Jonathan, Sallyanne Palethorpe, and Catherine Watson. 2005. Deepening or lessening the divide between diphthongs? An analysis of the Queen's annual Christmas broadcasts. In *A Figure of Speech: A Festschrift for John Laver*, ed. W.J. Hardcastle and J. Mackenzie Beck, 227–261. Mahwah, NJ: Lawrence Erlbaum.

Kwon, Soohyun. 2013. Vowel change across Noam Chomsky's lifespan. Paper presented at NWAV 42, Pittsburgh.

Kwon, Soohyun. 2014. Vowel change across Noam Chomsky's lifespan. Paper presented at the 2014 Annual Meeting of the LSA, Minneapolis.

Labov, William. 1966. *The Social Stratification of English in New York City.* Washington, DC: Center for Applied Linguistics.

Labov, William. 1972. *Sociolinguistic Patterns*. Philadelphia: University of Pennsylvania Press.

Labov, William, Sherry Ash, and Charles Boberg. 2006. *Atlas of North American English: Phonetics, Phonology, and Sound Change*. New York: Mouton de Gruyter.

Miller, Corey. 1998. R-lessness in Philadelphia. In *Sociolinguistics, Language and Society*, ed. M. K. Verma, 79–96. New Delhi: Sage.

Nagy, Naomi and Patricia Irwin. 2010. Boston (r): Neighbo(r)s nea(r) and fa(r). *Language Variation and Change* 22:241–278.

Nycz, Jennifer. 2011. Second Dialect Acquisition: Implications for Theories of Phonological Representation. Doctoral dissertation, New York University.

Pogrebin, Abigail. 2005. *Stars of David: Prominent Jews Talk about Being Jewish.* New York: Broadway Books.

R Core Team. 2013. R: A language and environment for statistical computing. R Foundation for Statistical Computing, Vienna, Austria. http://www.R-project.org/.

Rosenfelder, Ingrid, Joe Fruehwald, Keelan Evanini, and Jiahong Yuan. 2011. FAVE (Forced Alignment and Vowel Extraction) Program Suite. http://fave.ling.upenn.edu

Sankoff, David and Suzanne Laberge. 1978. The linguistic market and the statistical explanation of variability. In *Linguistic Variation: Models and Methods*, ed. D. Sankoff, 239–250. New York: Academic Press.

Sankoff, Gillian. 2013. Language change across the lifespan. Plenary address, 2013 Annual Meeting of the LSA, Boston.

Sankoff, Gillian, and Hélène Blondeau. 2007. Language change across the lifespan: /r/ in Montréal French. *Language* 83:560–588.

Sherrill, Robert. 1970. The Equal-Rights Amendment—what, exactly, does it mean? *New York Times Magazine*, September 20, 1970, 25–27, 98–101, 103–105, 110.

Wagner, Suzanne Evans, and Gillian Sankoff. 2011. Age grading in the Montréal French inflected future. *Language Variation and Change* 23:275–313.

www.oyez.org. [The Oyez Project at the IIT Chicago Kent School of Law, an archive devoted to the Supreme Court.]

Department of Linguistics
New York University
10 Washington Place
New York, New York 10003
allison.shapp@nyu.edu
nathan.lafave@nyu.edu
john.singler@nyu.edu