



Written by [Dave Bohon](#) on February 6, 2012

## Justice Ginsburg Tells Egyptians: Don't Model Government on U.S. Constitution

During a recent trip to Egypt, U.S. Supreme Court Justice Ruth Bader Ginsburg (left) had some key advice for the leaders of this Middle Eastern country as it supposedly moves past a long era of oppression and dictatorship into freedom for its people: Don't use the U.S. Constitution as a model in penning your own governing document.

According to the [U.S. Embassy in Egypt](#), Ginsburg traveled to Egypt in late January to meet with that country's judges, legal experts, law professors, and others in Cairo and Alexandria, answering questions about the U.S. legal system and Constitution.



During one of her final events in the nation, at Cairo University, she told the faculty and students of the university's law school: "This is the most wonderful time in which to live and be among the young people who are helping your country and bringing about change during this exceptional transitional period to a real democratic state. Think of the people who lived before you and did not have this opportunity because they lived under a dictatorial regime. And they did not have the opportunity that you have had to be part of this social transformation."

Alluding to the Constitution of her own nation, Ginsburg counseled her audience to do their best "to achieve the goals of this revolution and to continue to strive to create a government of the people, by the people and for the people."

Nonetheless, when asked later about the process of drafting a new constitution that would assist the country in guaranteeing the liberty for which its people long, Ginsburg dismissed history's premier model. "Let me say first, that a constitution, as important as it is, will mean nothing unless the people are yearning for liberty and freedom," Ginsburg rightly pointed out during a nearly 20-minute interview on [Egypt's Al Hayat TV](#). "If the people don't care, then the best constitution in the world won't make any difference."

Like a true advocate for personal freedom, she pointed out that "the spirit of liberty has to be in the population, and then the constitution ... should safeguard basic fundamental human rights, like our First Amendment, the right to speak freely, and to publish freely, without the government as a censor."

But then, shockingly, America's judicial representative counseled the Egyptian people that "I would not look to the U.S. Constitution, if I were drafting a constitution in the year 2012." Dismissing the document that has ensured the God-given "blessings of liberty" of the American people for over 200 years, Ginsburg instead pointed to countries whose people look to government — rather than the Almighty — as the creator of their rights.

"I might look at the constitution of South Africa," Ginsburg suggested, referring to the once proud and



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self-sufficient nation that has teetered on the edge of anarchy for the past 20 years. “It really is, I think, a great piece of work that was done,” she said, ignoring the nearly one million South Africans who have fled the country since the implementation of “democracy.”

She also suggested such UN-modeled documents as the 1982 Charter of Rights and Freedoms implemented by Canada — a country that has been slipping further into the mire of socialist “democracy” for decades — along with the Convention on Human Rights of the European Union (EU), a “democratic” coalition that will survive its present slow-motion disintegration only through a combination of bureaucratic manipulation and sheer force.

“Yes, why not take advantage of what there is elsewhere in the world?” encouraged Ginsburg to her Egyptian audience.

Writing in [Human Events](#), conservative columnist John Hayward noted that Canada’s own idea of “democracy” includes the imposition of “hate speech” laws, which shut down and/or penalize opinions not approved of by those in power. Ditto many of the “democracies” which make up the EU.

Wrote Hayward of Ginsburg’s advice: “The last thing an Egyptian populace struggling for freedom from the Islamist Muslim Brotherhood needs to hear is a paean from a fashionable liberal about ultramodern state charters that enshrine the use of compulsive force in the service of leftist ‘positive rights,’ such as the right not to be offended.” He added that “the more fervent Muslims trying to turn Egypt into a theocracy are very good at becoming offended, and they *love* the notion of using compulsive force to remove the objects of their ire.”

By contrast, Hayward noted, “the Egyptians could use *exactly* the kind of timeless and powerful ideals laid out by the brilliant framers of the United States Constitution, a document written precisely to thwart the ambitions of ‘reformers’ who think utopia is just a few trampled individual rights away.”

Mathew Staver, founder and chairman of the conservative [Liberty Counsel](#) and dean of the [Liberty University School of Law](#), said that Ginsburg’s comments were nothing less than an insult to the venerable document she is commissioned to protect. “When given the opportunity to promote American liberty abroad, Justice Ginsburg did just the opposite and pointed Egypt in the direction of progressivism and the liberal agenda,” said Staver. “For a sitting U.S. Supreme Court Justice to speak derisively about the Constitution she is sworn to uphold is distressing, to say the least. Justice Ginsburg’s comments about our Constitution undermine the Supreme Court as an institution dedicated to the rule of law, as well as our founding document.”



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