

BOOK CLUB KIT

A NOVEL



THE MAJORITY

ELIZABETH L. SILVER

DISCUSSION QUESTIONS

1. *The Majority* is a novel about one woman's journey to become a Supreme Court justice. It explores tensions between love and ambition, career and family, progress and patience. Which elements spoke to you most strongly?
2. As Sylvia Olin Bernstein tells the story of her life beyond her career, she offers an intimate account of her childhood in Brooklyn. How do her experiences as a child shape her beliefs about right and wrong? In what ways does the loss of her mother affect her path?
3. When Mariana, a Holocaust survivor, moves in with the Olins, Sylvia's life is forever changed. How is Mariana's influence on Sylvia different from that of her mother? How does Mariana's experience affect Sylvia's views? Sylvia says that she may never have become a Supreme Court justice if she hadn't known Mariana—why do you think that is?
4. As a girl, Sylvia stands up to a rabbi who is following traditional practices that Sylvia believes unfairly exclude women. Why do you think she feels comfortable challenging him? What does this show about her character and her early sense of justice?
5. After college, Sylvia becomes one of only nine women at Harvard Law School. There she meets James Macklowe, who teaches constitutional law and considers himself a champion of those nine women. The first epigraph of *The Majority* is from the famous abolitionist and suffragist Sarah Grimké: "I ask no favor for my sex. All I ask of our brethren is that they take their feet off our necks." Consider that quotation in relation to Macklowe. In what ways does he support women? In what ways does he hold them back?
6. During Sylvia's internship with a public defender, she is held in contempt of court when she tries to give voice to a victim of domestic violence, a young mother named Amy McCartney. How does this act resound over the course of Sylvia's career?

7. Joe Bernstein and Sylvia begin a relationship while they are both at Harvard, and Joe eventually becomes a devoted spouse and father. Does he help Sylvia's career or hinder it? What does he give up for her, and vice versa? What does her ambivalence about motherhood tell us about the challenges she faces in terms of realizing her ambition?
8. Sylvia's involvement in *Alma Álvarez v. Finger Lakes Independent School District* and the subsequent passage of the Pregnancy Discrimination Act show that even when a justice holds a minority opinion on the court, that opinion can be used to help pass meaningful laws in the future. And, in various ways, most characters in the novel are dissenters who go against the tide. What is the novel saying more broadly about the importance of dissent? What does it take to be effective at dissenting?
9. Discuss Sylvia and Aviva's complicated relationship. Who turns away from whom, and why? What does their estrangement cost them, and what, finally, enables their reconciliation? What factors make it difficult for Sylvia to be completely honest with Aviva? Should Sylvia have behaved differently toward her daughter?
10. When Sylvia is a girl, her mother tells her to "change the system from the inside out if you want it to last." How does this idea resonate with Sylvia over her many decades as a lawyer and then as a justice? Which characters challenge it?
11. Linda Loving is Sylvia's close friend, but for decades there has been a secret between them. Why does Linda hide the truth from Sylvia? What do their relationship and their diverging careers show about how the world treats white women and Black women differently? Do you think Sylvia is a good friend to Linda, despite her blind spots? How does Linda's revelation complicate Sylvia's ideas about what is possible?
12. Sylvia writes, "History is only as good as the historians, and I'm no longer trusting them to tell my story." Why does she decide to tell her story near the end of her life? What does she think the public needs to know from outside the official record? What does she hope readers will take from her story?
13. Does *The Majority* make you think differently about the women and men who serve on the Supreme Court? How do you see the Supreme Court changing—if at all?

A CONVERSATION WITH

ELIZABETH L. SILVER



***The Majority* imagines the life of a fictional first female Supreme Court justice in the United States and ultimately grapples with urgent themes playing out in America today, such as ambition and power, motherhood and female friendships, pregnancy bias and discrimination, ethics and morality, marriage and abortion. How do you see these themes fitting into our nation’s current conversations about the intersection of women, power, and politics?**

It is impossible to discuss power without representation, politics without history, or gender without reproductive rights. With all of these themes at play in the world today, I decided to simply embrace them, writing them directly into the narrative. By writing about a woman who will become the first female Supreme Court justice, I wanted readers to connect with the story of a flawed person who has struggled in her marriage and her friendships, has made clear mistakes, shares her regrets and triumphs, but tells that story in her own voice and owns the decisions that are inevitably at the intersection of power and politics. I hope that Sylvia’s candor may bring these complicated conversations home, into our own bedrooms and to our kitchen tables, making them intimate and personal.

How did your experience as an attorney and as a judicial clerk for a state supreme court inspire this novel?

Though my prior work and education as an attorney gave me the foundation to understand the legal infrastructure and also provided ideas for part of the plot, ultimately it was my experience as a mother that inspired the book. I witnessed so many women’s professional trajectories change—both internally and externally—the minute they became pregnant. Similarly, when I became pregnant with my first child, the outside narrative placed on me seemed to shift almost overnight. While I loved becoming a mother, the professional, creative, and academic identity I had spent my life building suddenly seemed to be irrelevant, and I was interested in exploring that experience in fiction. Since I had a basic understanding of the law and was lucky enough to have worked inside a judge’s chambers, I jumped into crafting a story around motherhood, politics, marriage, friendship, love, ambition, and of course, the Supreme Court.

You have a deep admiration of Ruth Bader Ginsburg, and it’s clear you wanted to explore and illuminate the uncelebrated parts of her life—the dirty and the beautiful, the secret and intimate. What drew you to use her life as a loose inspiration for your protagonist?

Though she is iconic to so many women, I’d always been drawn to RBG for personal reasons. Like me, she was Jewish, a mother, influenced by her Holocaust-surviving family, loved opera, and lived in New York.

I was also fascinated by her subtle and unconventional choice of activism. The people who speak the loudest are often given the most real estate in literature, yet what about the women who work silently, changing the world, but without fanfare? This was RBG for most of her life, until the “Notorious RBG” moniker transformed her into an icon. I wasn’t interested in that person, though. I was interested in the woman *before* the crown. Her childhood and those formative years in school and early motherhood. The fights with her husband, the dinners with her children, the friendships, the mentors, the sacrifices—the nuance that is often missed with so many ambitious women in history.

Tell us about your family’s Holocaust history and how you drew from your Jewish background to pen the struggles and triumphs of the characters in the novel.

My father was a hidden infant, a child survivor of the Holocaust, born in the Radom, Poland, ghetto in 1942. When my grandparents realized that they were going to be taken away to the camps, they put him (a small baby) on the doorstep of a non-Jewish family friend named Mariana (nicknamed Marisha), who took him to an orphanage; he was then adopted by a family and raised in the Polish countryside for more than two years, until the end of the war. Mariana miraculously kept track of him, so when the war ended and my grandfather (who was on Schindler’s List) returned to Radom, he was able to track his son down and win him back by the time my grandmother (who survived Auschwitz) also returned home. The character of Mariana in *The Majority* is named after the woman who saved my father, as she saves Sylvia in so many ways. In my family it seemed that, no matter what we choose to do in life, we must always work within and around the law so that it cannot be changed to hurt, destroy, and kill, as it did to my grandparents’ families. This same idea informs the life of Sylvia Olin Bernstein.

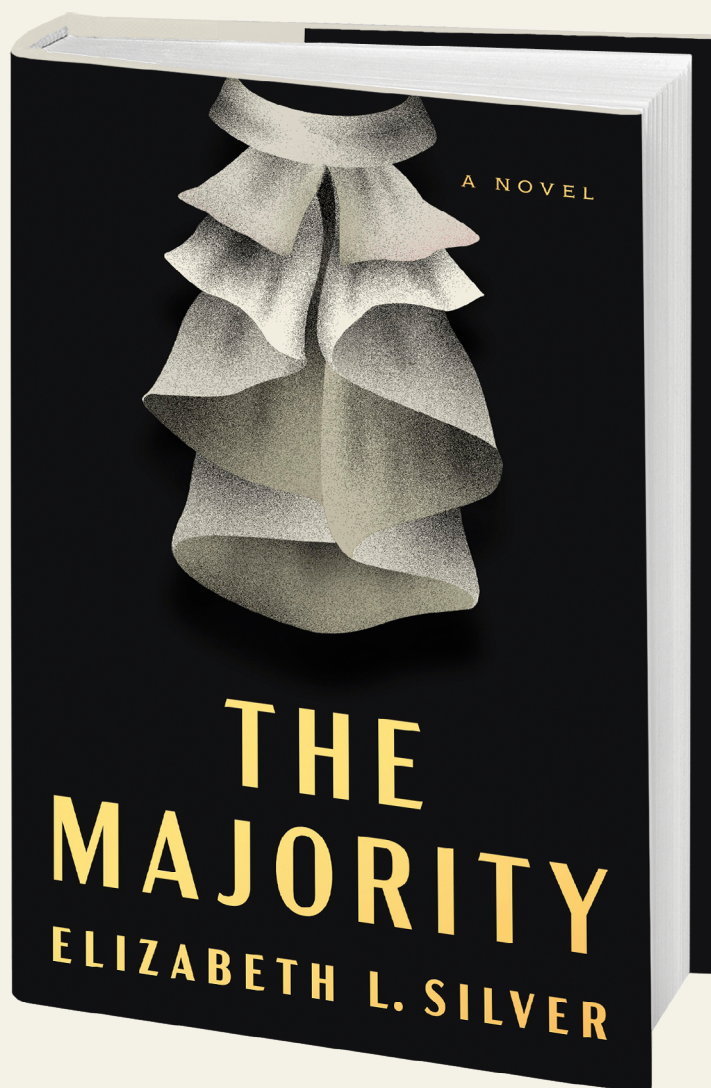
You write about justice and womanhood, and the power at their intersection, with such emotional depth and clarity. What about women in our political system are you aiming to capture in *The Majority*?

The law is inherently based in narrative. Whoever writes the laws controls the narrative, and since America’s inception, it has been almost exclusively men. The laws, as they are written and interpreted, would clearly be very different if written from another perspective. Women are struggling because instead of having a system built for everyone—including them—we have to chip away at an existing system that was never designed for women and marginalized people. At the end of the day, rewriting the narrative from the intimate perspective of women is necessary, and in order to do this, we need faces and personal stories to explore the system, which in some small way is what I hoped to achieve in the novel.

***The Majority* also reveals how the lives of American women have been altered and controlled by the Supreme Court over the course of the past eighty years. Readers are left to reexamine everything they thought they knew about the women who transformed American history. What do you want women to take away from the novel?**

First, I hope people are entertained by the read. Second, women are the majority population in America, despite being the minority in power. While we have a long way to go to achieve equality, our stories have power and resonance. I hope women will see that there is a place for their stories no matter the venue, no matter the position, no matter the role—and that change can take time. Occasionally we get stuck and the goal post shifts, and that’s okay. The point is to keep moving forward—on personal, domestic, professional, and social fronts. As RBG said, “When the pendulum swings too far in one direction, it will go back.”

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