

Matt Yglesias

Aug 11th, 2009 at 3:58 pm

The Limited Racial Imagination of the American Right



An African American man lynched from a tree, 1925 (wikimedia)

The Cato Institute's Ilya Shapiro [opines](#) that Sonia Sotomayor's selection "represents the very worst of racial politics" as "she is not a leading light of the judiciary and would not have been considered had she not been a Hispanic woman."

I think this is a revealing moment. Sotomayor has the normal qualifications for a Supreme Court justice—she shares the president's political views, she lacks a record of inflammatory legal writing that would prevent confirmation, she has experience as an appellate judge, she went to fancy schools. Insofar as her background was a consideration in selecting her, which it undoubtedly was, this is also totally normal. Presidents have always sought various kinds of regional, religious, and ethnic balance in the courts. Much was made out of Samuel Alito's Italian American ancestry, and obviously Thurgood Marshall was initially put on the court in part to make a symbolic statement about civil rights and Clarence Thomas was appointed to replace him in part out of a desire to fill Marshall's old seat with an African-American. There was a tradition of a "Jewish seat" at various times, etc.

But even more revealing is that even if Sotomayor's selection were somehow out of the ordinary, the idea that picking one appellate judge rather than another for a promotion could possibly be *the very worst* of racial politics is ludicrous. At its very worst, racial politics in the United States involved the systematic disenfranchisement of millions of people, their subjection to pervasive social and economic discrimination, and the maintenance of the apartheid system via the threat and reality of state-sponsored terrorist violence. At its very worst, racial politics in the United States involved persistent filibustering to prevent the federal government from doing anything to curb widespread lynching. At its very worst, racial politics in the United States involved a violent rebellion that sought to dismantle the country in the name of chattel slavery and led

to the deaths of hundreds of thousands of people.

But despite that long history, broad swathes of the American right remain persistently and willfully blind to the problem of discrimination against non-whites. Their view is, essentially, that racism emerged as a problem sometime in the year 1967 and that the problem consists of white people being unduly burdened by efforts to remediate something or other.

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81 Responses to “The Limited Racial Imagination of the American Right”

1. *Marshall* Says:

[August 11th, 2009 at 4:02 pm](#)

At its very worst, racial politics in the United States involved a violent rebellion that sought to dismantle the country in the name of chattel slavery and led to the deaths of hundreds of thousands of people.

Well, yes. Also the slavery itself.

2. *CParis* Says:

[August 11th, 2009 at 4:05 pm](#)

Please use a different picture. The photo of this lynched man has nothing to do with your post and serves no purpose other than to desensitize people to these terrible crimes.

3. *wiley* Says:

[August 11th, 2009 at 4:07 pm](#)

No. That is a picture of historical fact, and in this context, it's appropriate. I would have used a pic of a lynching from the fifties or sixties, but this is real enough.

4. *fostert* Says:

[August 11th, 2009 at 4:10 pm](#)

“There was a tradition of a “Jewish seat” at various times, etc.”

What's disturbing is the more recent trend that only Catholics can be appointed to the Supreme Court. Wasn't there something in the Constitution about having no religious tests for federal offices? We seem to have given up on that one.

5. *tomemos* Says:

[August 11th, 2009 at 4:10 pm](#)

CParis, do you really not see the connection between Shapiro's insensitive claim and the stark reality of