

July 15, 2009

7/15: Sessions vs. Sotomayor

It's now Day 3 of the **Sonia Sotomayor** confirmation hearings, and liberal bloggers continue to target Senate Judiciary Committee ranking member **Jeff Sessions** (R-AL). The netroots are pounding Sessions for [pointing out](#) that Judge **Jose Cabranes** -- Sotomayor's 2nd Circuit colleague who disagreed with her *Ricci* decision -- was also "of Puerto Rican ancestry." They're accusing Sessions of engaging in racial stereotyping, since Cabranes' ethnicity didn't appear to be relevant to the point Sessions was making. [Steve Benen](#) wonders: "Does Sessions think judges of similar ethnicities should vote together for some reason?" Meanwhile, [Armando Llorens](#) argues that "having Jeff Sessions being the leading voice for the GOP on this nomination is an unmitigated political disaster for Republicans." Conservative bloggers disagree; they [think](#) Sessions' performance this week has been "magnificent."

What else is happening in the blogosphere?

- Liberal bloggers ([Yglesias](#), [Klein](#), [McCarter](#), [Cohn](#)) are generally pleased with the House Dem leadership's [health care reform plan](#). Conservative bloggers ([Jessup](#), [Klein](#), [Allahpundit](#), [Malkin](#)) are criticizing the bill's proposal to raise taxes on wealthy Americans.
- Now that Rep. **Jim Gerlach** (R-PA) is [running for governor](#), both [liberal](#) and [conservative](#) bloggers believe that Dems have a good chance of winning his seat.
- Liberal bloggers ([BooMan](#), [Cole](#), [Singiser](#)) are buzzing about Sen. **John Ensign's** (R-NV) [decision](#) to seek reelection in '12, which they think will undermine the GOP's ability to run on family values issues.
- Liberal bloggers ([Hamsher](#), [Bowers](#)) are criticizing Rep. **Carolyn Maloney** (D-NY) for refusing to [pledge](#) to vote against any health care bill that doesn't include a public option. Lefty bloggers are also targeting Reps. [John Salazar](#) (D-CO) and [Debbie Wasserman-Schultz](#) (D-FL).

SESSIONS: But -- You're Both Puerto Rican!

Liberal bloggers are accusing Sessions of engaging in racial stereotyping after he [pointed out](#) that Judge Cabranes -- Sotomayor's 2nd Circuit colleague who disagreed with her *Ricci* decision -- was also "of Puerto Rican ancestry":

- [Daily Kos'](#) **David Waldman**: "Jefferson Beauregard Sessions III, ladies and gentlemen. Puzzled as to why all Puerto Ricans judges don't rule exactly the same

way. I mean, given that they're all... you know... Puerto Ricans and stuff. Gosh, I wonder why the Republican-controlled Judiciary Committee sunk this dumbass's own nomination back in '86?"

- [Oliver Willis](#): "Jeff Sessions: *Why Doesn't Sotomayor Think Like All Puerto Ricans?* Because to the Republicans anyone that isn't a wealthy white male is part of the unwashed masses who [should vote the same](#). Onward, regional southern party, onward."
- [The Washington Monthly](#)'s Benen: "Now, why would Sessions find it necessary to point out that Cabranes is 'of Puerto Rican ancestry'? Does Sessions think judges of similar ethnicities should vote together for some reason[?] Put it this way: imagine how absurd it would have been if, during [SCOTUS Justice **Samuel Alito**]'s confirmation hearings, [WI Sen.] **Russ Feingold** pressed him on why he didn't vote in a certain case with another Italian-American judge."

Many lefty bloggers believe that Sessions' conduct this week is hurting the GOP's image:

- [AMERICAblog](#)'s **Joe Sudbay**: "Note to GOP leaders: Bad idea to put a racist in charge of the Judiciary Committee."
- [Benen](#): "I know the Senate GOP caucus was in a bit of a jam when [PA Sen.] **Arlen Specter** switched parties, but making Jeff Sessions the ranking member of the Judiciary Committee was a mistake -- and the nationally televised hearings this week only help make this mistake more obvious."
- [TalkLeft](#)'s **Big Tent Democrat**: "[H]aving Jeff Sessions being the leading voice for the GOP on this nomination is an unmitigated political disaster for Republicans. Top it off with no GOP votes for Sotomayor in the Judiciary committee and no GOP votes for her in the Senate would be political manna from heaven for the Democratic Party. The Latino vote will be 75% Democratic for the foreseeable future."

Liberal bloggers ([Morrill](#), [Benen](#), [Marshall](#), [Yglesias](#)) are also making fun of Sessions for [citing Miriam Cedarbaum](#) as an example of a judge who supposedly disagrees with Sotomayor -- only to have Sotomayor point out that she and Cedarbaum are "good friends" and that they "both approach judging in the same way."

SOTOMAYOR: She's Not Who She Says She Is!

Conservative bloggers are accusing Sotomayor of portraying herself as more conservative than she actually is:

- [NRO](#)'s **Jim Geraghty**: "Over on the homepage, I have [a review of the first day of questioning](#) of Sonia Sotomayor, the judge nominated to the Supreme Court by President **George W. Bush**. No, wait, she was nominated by President **Barack Obama**. You'll have to pardon me, because from some of her answers yesterday, it was rather hard to tell."
- [RedState](#)'s **E Pluribus Unum**: "Unwilling to have her views judged, [Sotomayor] borrows [SCOTUS Justice **Antonin Scalia**]'s views for a week. [...] This is a

- woman who, like so many leftists, knows that what she does is wrong, but doesn't want to be called on it. She won't admit that she judges racial issues with her sentiment and not the law, because doing so exposes her fraud. She won't admit that she considers her position a free ticket to write government policy, because she does not want to be told that it's wrong. Judicial activism is indefensible, and she knows it. It is the lie that reveals that she knows what the truth is."
- [Power Line](#)'s **John Hinderaker**: "By her own account, she is single-mindedly devoted to the rule of law -- feelings be damned!"
 - [Townhall](#)'s **Matt Lewis**: "I think Sotomayor has said what she *needed* to say. In fact, at times she has sounded almost *conservative*. For example, though she was evasive on the 2nd Amendment, but also said she recognizes it as an 'individual right.' To be sure, her answers were full of legalese and sophistry, but it got her through the tough spots."

[The Cato Institute](#)'s **Ilya Shapiro** argues that Sotomayor's answers reveal "a lack of deep thinking": "The more Sotomayor speaks, the more it becomes clear that these types of nonanswers, this inability to see (or lack of desire to express) a big picture view, is her own essence. It continues a pattern that is evident from her judicial opinions, which are mostly unremarkable and, in the neutral sense of that term, unimpressive. For all her career success and a personal story we should all celebrate, she is an average judge who apparently gives little thought to the broad swath of law and where her rulings fit into that. [...F]or all her bluster about being a 'wise Latina,' she is little more than a left-leaning empty robe."

Meanwhile, conservative bloggers appear to be divided in their assessment of the GOP senators' performance thus far. On the one hand, [Lewis](#) is "impressed with...how Republicans have been able to ask very tough questions while simultaneously doing so in a respectful manner." On the other hand, [AmSpec Blog](#)'s **Quin Hillyer** complains that the GOP senators' treatment of Sotomayor has been "pathetically deferential" -- with the exception of Sessions, whose performance was "[magnificent](#)".

THOUGHT OF THE DAY: Huckabee's The GOP Front-Runner? No Way

[Hot Air](#)'s **Allahpundit** criticizes an [AP article](#) which claims that "[ex-AR Gov.] **Mike Huckabee** is turning into a front-runner for his party's 2012 presidential nomination":

"What color is the sky [in your world](#), AP? [...] Assuming [ex-MA Gov. **Mitt Romney** runs, which is a near certainty, give me a scenario in which Huck tops him for the nomination. He'll have his strongholds -- Iowa, South Carolina, plenty of other southern states -- but Romney will have the coasts, the northeast, lots of the midwest, most of the party bigwigs, all of talk radio, and a huge war chest on his side. He'll also be seen as the 'economy' candidate while Huck is pigeonholed as the social con. And needless to say, if [AK Gov. **Sarah Palin**] runs and pulls evangelicals away from him, Huck will be lucky to win a single primary. So I repeat the question. How does Huck win the nomination?"

LEST WE FORGET: Pet Owner Not Bothering To Neuter Loser Cat

From [*The Onion*](#):

"CORAL SPRINGS, FL -- Mike Oakland, 29, told reporters Monday he is not about to pay \$100 to have his 5-month-old cat, Mowgli, neutered, because he has no expectations that the dull, paunchy tabby will ever get laid. 'For all he's going to use those balls, he might as well keep them,' said Oakland, adding that he'd bet anyone any amount of money that the striped kitten will die a virgin. 'He never leaves the house, and I've seen how the neighbor cat looks at him. Completely platonic.' When reached for comment, a spokesperson from the Florida Humane Society reiterated that it's important to have all pets spayed or neutered, even ugly lame-o's who probably couldn't score in a roomful of calicos in heat."