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Hispanic groups cheer nomination

Critics say high court choice reflects 'identity politics'

By [Diana Marrero](#) of the Journal Sentinel

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Washington - Sonia Sotomayor describes herself as a "Newyorkrican" who grew up in the projects believing in the American lesson that "great things could be achieved if one works hard for it." At 54, she could become the first Hispanic justice on the Supreme Court.

Sotomayor's appointment to the nation's highest court not only would make history but also would give President Barack Obama a boost among the country's fast-growing Hispanic population.

"Her personal story is very inspiring," said Ricardo Meza, the Midwest regional counsel for the Mexican American Legal Defense and Educational Fund. "It shows the Latino dream is nothing other than the American dream."

The group is among a number of Hispanic organizations that have long clamored for representation on the Supreme Court. Obama's decision caps off weeks of speculation that the next Supreme Court nominee could be Hispanic, a woman or both.

Sotomayor, who serves as a judge on the 2nd U.S. Circuit Court of Appeals, was considered a likely choice for Obama. She was first appointed by Republican President George H.W. Bush and easily won Senate confirmation.

A child of Puerto Rican parents, Sotomayor grew up in the South Bronx and later attended Princeton University and Yale Law School. She speaks fluent Spanish and speaks with pride about an upbringing that featured merengue music, dominoes and "muchos platos" of rice, beans and pork.

"From what I know of Judge Sotomayor, her academic credentials appear to be exceptional," said Andrew Chevrez, a Hispanic attorney from Milwaukee. "As an added plus, she brings much-needed diversity to the court in terms of being Hispanic-American and female."

Carlos A. Ortiz, a lawyer who practices in Milwaukee, called Sotomayor's appointment a "step in the right direction."

"Given the current makeup of the population of our country, this is an important indicator that Hispanics are recognized as a legitimate and important group within the country," said Ortiz, who serves as president of the

Wisconsin Hispanic Lawyers Association but stressed that his views did not necessarily reflect those of his organization.

Conservatives, however, already are assailing Obama's pick.

Ilya Shapiro, a constitutional scholar at the Cato Institute, said Obama's decision confirms that "identity politics matter to him more than merit."

"If she weren't a Hispanic woman, she wouldn't have been on the short list to be picked," he said, arguing that Obama was motivated by the desire "to solidify the Latin vote for the Democratic Party."

In a piece following Obama's announcement, columnist George Will called Sotomayor a "conventional choice" aside from her ethnicity. "Like conventional liberals, she embraces identity politics, including the idea of categorical representation: a person is what his or her race, ethnicity, gender or sexual preference is, and members of a particular category can be represented, understood, empathized with, only by persons of the same identity," he wrote.

Chevrez scoffs at the term "identity politics," saying it was "invented as a pejorative way of refusing to deal with the inequities of society."

"There is nothing wrong with selecting a qualified candidate who also enhances the diversity of the court," he said.

But critics of Sotomayor point to judicial opinions, speeches and comments as signs that she could stray from strict interpretation of the law, especially with regard to race-based cases.

In a 2001 speech at the University of California-Berkeley, Sotomayor said the duty of judges to be impartial was an "aspiration because it denies the fact that we are by our experiences making different choices than others."

She went on to say that "a wise Latina woman with the richness of her experiences would more often than not reach a better conclusion than a white male who hasn't lived that life."

The confirmation process could be politically dicey for Republicans, who need to stave off further erosion of support among Hispanics. Roughly 67% of Hispanics voted for Obama in November.

"Obviously, the Republicans are very desirous of the Hispanic vote, but they have an obligation, a duty," Alberto Gonzales, the country's first Hispanic attorney general under President George W. Bush, said during an interview on CNN Tuesday. "They have an obligation to vet every nominee carefully, whether or not that nominee is Hispanic, white, African-American, male or female."



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