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The Right's Emerging Sotomayor Arguments

Some reactions from the right to the [Sotomayor SCOTUS nomination](#):

Roger Pilon, the Cato Institute's Director of Constitutional Studies:

In nominating Second Circuit Judge Sonia Sotomayor to fill the seat of retiring Supreme Court Justice David Souter, President Obama chose the most radical of all the frequently mentioned candidates before him.

Ilya Somin, George Mason University Law School:

I am also not favorably impressed with her notorious statement 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.” Not only is it objectionable in and of itself, it also suggests that Sotomayor is a committed believer in the identity politics school of left-wing thought.

Dave Kopel, Research Director at the Independence Institute:

Judge Sotomayor's record suggests hostility, rather than empathy, for the tens of millions of Americans who exercise their right to keep and bear arms.

William Redpath, National Committee Chairman of the Libertarian Party:

By nominating Sonia Sotomayor, Barack Obama has made it clear he prefers an activist for his personal causes over a rational interpreter of law.

So the gathering argument from the right seems to be “activist”, “identity-politics”, hostility to the 2nd amendment and “radical”.


I see nothing (unless there is some hidden problem with taxes or nannys we don't know about) that is going to keep this nomination from going through given the Democrats numbers in the Senate. But it will be interesting to see how long, how hard and how nastily the Republicans choose to fight this. I'm not sure this is the SCOTUS nominee hill to die on.

~McQ

Tags: [2nd amendment](#), [activist](#), [radical](#), [Sonia Sotomayor](#)

This entry was posted on Wednesday, May 27th, 2009 at 04:20 and is filed under [Bruce McQuain](#), [Guns and Gun Rights](#), [Legal Affairs](#), [SCOTUS](#). You can follow any responses to this entry through the [RSS 2.0](#) feed. You can [leave a response](#), or [trackback](#) from your own site.


5 Responses to “The Right’s Emerging Sotomayor Arguments”

1.  [Jeff the Baptist](#) says:
[May 27, 2009 at 04:30](#)

“But it will be interesting to see how long, how hard and how nastily the Republicans choose to fight this.”

Yes it will. But I can’t help but notice that all your quotes showing “right wing consensus” are all from libertarians.

[Reply](#)


2.  [josh b](#) says:
[May 27, 2009 at 04:37](#)

““right wing consensus” are all from libertarians.”

LoL

Im not so sure they should put up a fight here, at the very least make sure not a single republican votes “yes”. There is alot of bad floating around this nomination, i think they could win a PR battl....wait....it would be a PR battle....ugh...nevermind.

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3.  [shark](#) says:
[May 27, 2009 at 05:58](#)

RACIST! MYSOGINIST! RACIST! WOMAN-HATERS! ANTI-HISPANIC! ANTI-POOR!
“COMPELLING LIFE STORY!” RACIST! MYSOGINIST! RACIST!

That’s all you’re going to hear from the media and the Dens (but I repeat myself) when the GOP says anything about this.


I agree, this is not the hill to die on for the GOPwhich means they’re lining up the suicide charge.

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4. [Twitted by QandO](#) says:
[May 27, 2009 at 06:05](#)

[...] This post was Twitted by QandO - Real-url.org [...]

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5.  [MAS1916](#) says:
[May 27, 2009 at 06:14](#)

Shark (above) has it pretty well nailed.

This President chose to veil a radical activist judge with a compelling personal story. Because of her personal history, we are to assume that she is then a suitable legal scholar and jurist to sit on the high court. The empathy argument has come to full flower here. The media will focus on her story and on the motivations of her detractors rather than the incredibly dangerous judicial philosophy she would bring to the court.

The DC Press Corps as well as the political class were falling all over themselves making some truly silly statements in the hours the followed her nomination. (for a list of these, you can look at: <http://firstconservative.com/blog/political-humor/political-humor-the-sotomayor-season-of-silly-statements>)

All effort should probably be made to resist this nomination in the hope that the next nomination might be a bit less radical. And who knows, perhaps the filibuster-proof Senate will go away after 2010. We need to fight hard now.

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