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## Would you advise Republicans, as **Krauthammer** and others do, to make their case on the issues and then vote to confirm?

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**Roger Pilon**, Vice President for Legal Affairs, Cato Institute:  
*... all but unbounded liberal hypocrisy*

Urging Senate Republicans to take the high road and turn the Sotomayor hearings into a teaching moment, Charles Krauthammer hits the nail on the head this morning, as usual: “... vote to confirm Sotomayor solely on the grounds -- consistently violated by the Democrats, including Sen. Obama -- that a president is entitled to deference on his Supreme Court nominees, particularly one who so thoroughly reflects the mainstream views of the winning party. Elections have consequences. Vote Democratic and you get mainstream liberalism: A judicially mandated racial spoils system and a jurisprudence of empathy that hinges on which litigant is less ‘advantaged.’”

Now go to Kim Strassel in this morning’s Wall Street Journal for a fuller account of the all but boundless liberal hypocrisy on these matters. In introducing Judge Sotomayor to the nation, President Obama dwelt on her inspiring up-by-the-bootstraps biography, and rightly so. But that mattered not a whit when liberals were pillorying Clarence Thomas, whose biography was at least as inspiring as Judge Sotomayor’s. And let’s not forget that Sotomayor might not have been the first Hispanic nominated to the High Court were Miguel Estrada, who came here as a teenager not speaking a word of English, to have been given a fair shake by Senate Democrats. But after President Bush nominated Estrada to the DC Circuit in 2001, those same Democrats repeatedly smeared him, then subjected his nomination to no fewer than seven filibusters as it languished for years in the Senate.

No, it’s not the biography that interests these Democrats. It’s the judicial philosophy. They want the courts to “do justice,” as they see it, and only incidentally to apply the law. That’s a lesson worth teaching.

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