

Solo Sotomayor vs. The Critics

It was a Puerto Rican woman in 2001 who gave a speech in which no one considered controversial until she became a candidate as a United States Supreme Court Justice. “Wise Latina woman with her experience would more than not reach a better conclusion than a white male”. This is the “statement” that “critics” have decided to base their great disapproval of Sonia Maria Sotomayor.

Like a scene taken from Orson Welles’ greatest film Citizen Kane, the media has helped to sensationalize and distort the news while delivering a mock up episode of a network Soap Opera desperate for ratings. Sotomayor’s 2001 address on “Raising the Bar: Latino and Latina Presence in the Judiciary and the Struggle for Representation” at the UC Berkeley School of Law was close to a five page speech which consisted of heartfelt recollections of her past and the recognition of ethnic diversity and representation in the judicial system. The statement publicized and labeled on the news as controversial is nothing more than a fraction of a quote taken out of context. Benny Hill must be dancing in heaven now repeating his own joke about people who assume make asses out of you and me. Yes, a silly joke but very applicable in this case, especially for Robert Gibbs, President Obama’s spokesman who stated that Sotomayor acknowledged she made a poor word choice in her 2001 speech but did not speak with her personally about it. Why would he make a comment on her behalf if he did not speak with her personally? What poor word choice was that? Was it “wise” or “Latina” or was it “male” or the word “white”? Taking a speech out of context is one thing but speaking for a person is not a better solution for the situation. I truly believe Sotomayor wrote that speech as carefully as she would write any of her 300 plus decisions for the bench. It is this great care and respect for words that was learned from her childhood.

Sotomayor’s success story begins from humble beginnings. A New Yorican and daughter of Puerto Rican parents Sotomayor was diagnosed with diabetes at the age of eight, lost her papi at the age of nine and lived with her brother and mami, who was a nurse, in the housing projects of the Bronx. Escaping with her Nancy Drew books from the loss of her papi she studied hard to attend Princeton University and Yale Law. She was a former prosecutor for the Manhattan District Attorney’s Office, an Associate and a Partner for the New York Law firm of Pavia and Harcourt. She also founded the Puerto Rican Defense and Education fund where the organization introduced bilingual education to public schools, opposed the reinstating of capital punishment and agreed that Police department exams discriminated minority candidates to become Sergeants within the New York Police Department. Many minorities were able to be promoted within the department. Sotomayor earned a seat on the United States Court of Appeals for the 2nd Circuit and encountered judging the same type of discrimination case that involved white firefighters in New Haven, Connecticut who claimed they lost promotions to minorities. Sotomayor voted to uphold the lower courts ruling favoring the minority firefighters in keeping their promotions. Critics say her decision was preferential to her cause. Was it? What cause are they referring to? Maybe it was a cause for all minorities to have equal opportunities to excel in the workplace in a time where minorities were stereotyped for the more subordinate positions from the sixties through the nineties. Which is judicially and which is morally correct? Or are they both wrong causes? History tells us that the

desire for equality has been acquired through rebellion and war. Wouldn't the discrimination of minority workers naturally have followed the path of anger and rebellion like the abused children from 1909, the Australian, British, Canadian, Chinese, Mexican laborers? Did those acts of violence and rebellion lead to the establishment of the Union and labor laws? Did Sotomayor and other representatives of this law not help diffuse a potential disaster? Known as "a terror on the bench", the assertive Sotomayor has written opinions that other judges and lawyers have referred to and reviewed over 900 times. That alone proves her chosen words have had major impact within our judicial system.

Webster defines the Supreme Court as the "highest United States Federal Court consisting of nine judges, its decisions are final and take precedence over those of all other judicial bodies in the country; the highest court in most states". Haven't Sotomayor's opinions been widely reviewed and shown relevance for over 900 cases? Yes, they have. Wouldn't a Supreme Court Justice also need to show empathy? *Roe vs. Wade* (A woman's right to choose) is a clear case decided by the Supreme Court that is rooted in personal feelings for a specific gender.

Sotomayor is accused of exhibiting empathy towards minorities because she is one and has lived as one. If she were biased, as critics claim she is her referred opinions would not have impacted so many people in positive ways. There should be checks and balances with our own justices who may not understand the path that other people have taken. How united can the Supreme Court be if they deny the states within America to have a voice to represent those that are not meant to be heard. If the Supreme Court is afraid of racism then make Sotomayor a Supreme Court Justice and put an end to racism from the highest levels of justice.

For those who are critics and love to take blurbs from speeches and infer their own meaning, here's a part of the same controversial 2001 speech from Sonia Maria Sotomayor:

"I can and do aspire to be greater than the sum total of my experiences but I do accept my limitations. I willingly accept that we who judge must not deny the differences resulting from experience and heritage but attempt, as the Supreme Court, suggests, continuously to judge when those opinions, sympathies and prejudices are appropriate."