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Hispanic Picked for Top Court: Sotomayor Wouldn't Likely Shift Balance; Republicans Critique Activist Approach

By JONATHAN WEISMAN

WASHINGTON -- President Barack Obama nominated Sonia Sotomayor for the U.S. Supreme Court on Tuesday, aiming to make good on his promise to bring "empathy" to the court by naming a liberal with a compelling life story who would be its first Hispanic justice.

Reporter Jonathan Weisman discusses President Obama's choice for the Supreme Court, including controversy over Sonia Sotomayor's statements about the role of the Court of Appeals in a video circulating on YouTube.

Judge Sotomayor would be unlikely to shift the court's ideological balance. But the president made a savvy political choice by confronting Republicans, who have just 40 votes in the Senate, with a nominee who will be backed by Hispanics and has a solid record of experience.

In introducing his first Supreme Court nominee, Mr. Obama highlighted the 54-year-old New Yorker's "extraordinary journey" from a Bronx housing project to the Second Circuit Court of Appeals in New York. "It is experience that can give a person a common touch and a sense of compassion, an understanding of how the world works," he said. Conservative opponents questioned the usefulness of "empathy" as a qualification. They will have ammunition as they seek to paint Ms. Sotomayor as a liberal activist and strong backer of affirmative action who would use the Supreme Court to make law, not interpret it. A video from Duke University in 2005 shows Ms. Sotomayor proclaiming the "court of appeals is where policy is made."

"We must determine if Ms. Sotomayor understands that the proper role of a judge is to act as a neutral umpire of the law, calling balls and strikes fairly without regard to one's own personal preferences or political views," said Alabama Sen. Jeff Sessions, the top Republican on the Judiciary Committee. Mr. Obama hopes for hearings in July.

Judge Sotomayor would replace Justice David Souter, a George H.W. Bush nominee who became a reliable vote in the court's liberal block. She likely would echo his positions on divisive issues including abortion, affirmative action and gun control.