

Women in the high court

SHATTERING THE GLASS CEILING

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If confirmed by the Senate to replace retiring Justice David Souter, Sotomayor would be the third woman and the first Hispanic to serve on the highest court in the United States. At 54 years old, she would be the second-youngest judge on the current Supreme Court, just a few months older than Chief Justice John Roberts, according to America.gov.

THE ROAD LESS TRAVELED...

As the nominated third female Supreme Court justice, she follows in the footsteps of Sandra Day O'Connor, nominated by President Ronald Reagan in 1981, and Ruth Bader Ginsburg, nominated Associate Justice by President Bill Clinton in 1993. Experts agree that the diversity pool is expanding, and the future is looking bright for females in high court.

"[The nomination] should inspire future generations of little girls to know that they can be whatever they want to be -- be whoever they want to be," said Elizabeth Kelley, a Cleveland, Ohio-based criminal defense attorney.

And as Sotomayor has said, "Our experiences as women and people of color affect our decisions."

LOOKING BEYOND GENDER

Regardless, Sotomayor's qualifications naturally go beyond color and gender. She has served 11 years as a judge on the Second U.S. Circuit Court of Appeals, a position she was nominated to by Democratic President Bill Clinton. Before that, Republican President George H. W. Bush nominated her in 1992 to serve as a judge on a U.S. District Court, also in New York.

"If we're dealing with one's credentials, it's hard to imagine any reasonable challenge to her as an outstanding, quality nomination," said Lauren Stiller Rikleen, executive director of Bowditch Institute For Women's Success and author of *Ending the Gauntlet: Removing Barriers to Women's Success in the Law*.

Sotomayor has worked also as a lawyer, both for a private firm and as an assistant district attorney in New York City. Dr. Katy Harriger, professor and chairwoman of political science at Wake Forest University in North Carolina, agrees that sexism and racism barriers are falling in politics.

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"For a long time, there was an assumption that Supreme Court justices needed to look like Supreme Court justices always had," she said. "Every time a barrier falls, it makes it more possible for another one."

As the first female Supreme Court justice, Sandra Day O'Connor (pictured, left) was among those who changed the image of court justices. Despite a law degree with honors from Stanford University, O'Connor was turned down by law firms because of gender, a common practice in the 1950s. A few decades later, she was appointed to the Supreme Court.

O'Connor provided judicial guidelines on controversial topics such as affirmative action, the death penalty and abortion. She recognized the importance of women on the Supreme Court but also noted that gender did not define her career.

President Barack Obama's May 26 nomination of US Court of Appeals Judge Sonia Sotomayor to the Supreme Court is a wealth of first, seconds and thirds.



"The power I exert on the Court depends on the power of my arguments, not on my gender," she said, according to america.gov. But, she continued, "Half the population in my country are women, and it makes a difference for women to see women in positions of authority in high office."

Ruth Bader Ginsburg (below, right) was the first Jewish woman to serve on the Supreme Court, and the second woman to serve overall, following O'Connor. Ginsburg became involved with women's rights in the 1960s and wrote the opinion for an important gender discrimination case in 1996, *United States v. Virginia*. The opinion held that the exclusion of women from the Virginia Military Institute violated the equal protection clause of the 14th Amendment, according to the Jewish Women's Archive. Harriger considers this Ginsburg's most significant decision on the court.

"As the two first women on the Supreme Court, both Justices O'Connor and Ginsburg showed that women can make excellent Supreme Court justices," said Sonia Fuentes, feminist activist, a co-founder of NOW and FEW (Federally Employed Women), and the first woman attorney in the Office of the General Counsel at the EEOC. "They shattered the idea that women were not qualified to serve on the nation's highest court and opened the door for women at all levels of the legal profession."

Sotomayor's confirmation hearings are set to begin in July.

