Conservative Digest

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Sandra Day O'Connor:

President Reagan's First Broken Promise

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O'Connors' Worth Tops $1.1 Million

By Jim Mann
Los Angeles Times

Sandra D. O'Connor, President Reagan's choice to be the first woman on the Supreme Court, has told the Senate Judiciary Committee that she and her lawyer husband have a net worth of more than $1.1 million.

According to data the committee released yesterday, more than half of the O'Connors' assets are in their home, now valued at $300,000, and in her husband's interests in a private Phoenix law firm.

Mrs. O'Connor also told the Judiciary Committee, in response to a questionnaire, that "I am keenly aware of the problems associated with 'judicial activism' . . . and [believe] that judges have an obligation to avoid these difficulties by recognizing and abiding by the limits of their judicial commissions."

While Mrs. O'Connor's financial statement did not exactly duplicate those that Supreme Court justices are required to file, it appeared to indicate that, if confirmed, she would be the second or third wealthiest member of the court. Justice Lewis F. Powell Jr. has filed financial statements showing that he and his wife have assets of well over $2 million, and Chief Justice Warren E. Burger has indicated that he has assets in the range of $1 million.

The calculation of the O'Connors' net worth was prepared July 14, and was submitted to the committee, along with other requested information, on Aug. 26.

Although she had filed some financial statements as an Arizona state legislator and appeals court judge, those earlier documents gave no details on the value of her investments.

According to the new filing, an interest in the law firm of Fennemore, Craig, Von Ammon & Udall, in which her husband, John J. O'Connor III, is a senior partner, is worth $342,850 — more than a third of the O'Connors' joint assets. With about 50 lawyers, the firm is one of Arizona's largest.

Mrs. O'Connor assured the Judiciary Committee that she would disqualify herself from participating in any case in which her husband's firm had been involved. The law firm has represented a number of forest products, railroad and mining companies — among them the Kennecott Copper Corp. and the Shell Oil Co.

Besides their home and the Phoenix law practice, the O'Connors' largest financial holding is her block of 13,083 shares in the Lazy B Cattle Co., the sprawling southern Arizona cattle and sheep ranch operated by her parents. She valued her interest in the ranch at $211,421, a figure she told the committee was "agreed to by the Internal Revenue Service in a 1975 gift tax return audit."

The O'Connors listed $48,000 in liabilities, the largest being a mortgage on their Phoenix home.

In response to a Judiciary Committee question about her view of the role of the judiciary within the American system of government, Mrs. O'Connor responded:

"Judges are not only not authorized to engage in executive or legislative functions, they are also ill-equipped to do so . . . . Judges who purport to decide matters of public policy are certainly not as attuned to the public will as are the members of the politically accountable branches."

She made no effort to play down her work as a feminist in her answers to the committee. Asked about her actions on behalf of the principle of "equal justice under law," she wrote as part of her answer: "As a legislator, I worked to equalize the treatment of women under state law by seeking repeal of a number of outmoded Arizona statutes."

Mrs. O'Connor is to appear before the committee when it opens hearings on her nomination next week.

THE WHITE HOUSE
WASHINGTON

DATE: 8-18

TO: Powell

Here are 2 of the 3 articles you mentioned. The other should be in today

FROM: Fran Frazier
Legislative Affairs (Senate)
107 EW, x-6782

Washington Star Aug 7, 1981

ther you like him or not – not boy." And he told the presidenhopefuls directly: "We expect to conduct yourself so that, after convention, we can elect you."

1965, even though the GOP was shambles, he pointedly rejected support of Robert Welch and his n Birch Society, calling him an esponsible radical," and in 1966 rejected a movie prepared by e Republicans that showed cas- in Vietnam with a commentary cizing Johnson. Some thought was impossibly square, but his d counted.

1969, Nixon finally precipitated resignation by ignoring the nal committee and moving his old het-man, Murray Chotiner, in im. By that time, the Bliss nutsbolts reorganization had been eved, and in an organizational e perhaps he wasn't needed any e.

it the other side of Ray Bliss – ntegrity and the abhorence of tricks – conceivably could aborted the grizzly political ry that eventually undermined Nixon presidency, though the was that in the Nixon years po- l power did not reside in the na- l committee.

1931, when Ray Bliss was a stu- at the University of Akron, he charged with stuffing the ballot n the election of the May Queen, expelled. He proclaimed his ince and in 1935 his hometown ersity relented and awarded his degree. It was the first and recorded allegation of political y-panky ever put on Ray Bliss. e real world of politics, he tightmany a nut and bolt, and it was ys in an honest day's work.

Mideast Talks

ed in accepting the risks of e," Haig said. "I believe each r understands and accepts the ion of the other on this issue."

iat hinted at some flexibility on contacts with the PLO. In some c statements, such as his White e banquet remarks Wednesday , he called for an American ogue with the Palestinians igh their representatives" withaming the PLO directly, and he ved this up yesterday.

hough Haig said that Sadat had ursing U.S. contacts with the Sadat said that "the PLO is not

Supreme Court Nominee Strives to Clear Her Desk

By Lyle Denniston
Washington Star Staff Writer

With a month to go before her confirmation hearings, Sandra D. O'Connor has not yet had time to work on ways to stay out of trouble with the U.S. Senate when it considers her nomination to the Supreme Court.

The first woman to be nominated to the court said yesterday that she has spent the past four weeks "desperately trying to complete" her unfinished duties as a judge on the Arizona Court of Appeals before preparing herself for Senate hearings.

"Frankly," she said in a telephone interview, "I have been working on matters I had under advisement."

She said her colleagues on the court have been waiting for her to produce draft opinions so that final rulings can be made in cases in which she was assigned the writing task.

Two more opinions and three more "memo decisions" – short-form rulings – must be finished, she indicated, before she can start planning the answers she will give at September hearings before the Senate Judiciary Committee.

The main item of advance preparation is to answer written questions submitted to her by Sen. Jesse Helms, R-N.C. O'Connor said she has not been able to take up that chore yet.

Many of Helms' questions apparently deal with O'Connor's views on abortion. That issue is expected to be the most difficult one for her at the hearings.

A key anti-abortion group, the National Pro-Life Political Action Committee, asked members of the committee yesterday to "demand the truth regardless of partisan political considerations."

Insisting that O'Connor's nomination "could still be rejected," the committee's executive director, Peter B. Gemma Jr., said that "everything depends on the chairman's readiness to hold a thorough hearing and on the courage of pro-lifers in both houses of Congress."

Gemma said that anti-abortion forces "are not appeased by assurances that the nominee . . . is personally opposed to abortion."

So far, no member of the Senate has taken a public position against the nomination, but several have said they have not made up their minds.

Since being chosen July 7 as Reagan's first nominee to the court, O'Connor has spent most of her time in her judicial chambers in Phoenix. She has not been assigned to sit on any new cases but is finishing up old ones, she said.

The first of her last round of rulings as a state judge came out last week, drawing some publicity. An O'Connor opinion upheld the right of a mob syndicate figure, Charles Battaglia, to receive benefits for an injury even while he remains in prison.

He suffered the injury as an iron worker in Tucson in 1977, and the state Court of Appeals ruled that he was entitled to receive workmen's compensation benefits because they are based on the loss of his earnings due to his injury, not to his imprisonment.

O'Connor said she would soon start reviewing the issues she will have to face at Senate hearings. Asked if she would be coached by someone else, she said: "No, I'm working on my own. Not that I wouldn't welcome assistance, but I will be working at my own pace."

She said she had planned to take some vacation, "but it looks like I can't. We have cancelled our plans because there is so much material I need to review and there are so many things to do."

Although thinking mostly about her final acts as a state judge, O'Connor, according to an aide, has given a little thought to one of the first actions she would have to take as a member of the Supreme Court.

That is a decision on whether to hire, as her law clerks, one or more of the three who had been chosen for the court's next term by Justice Potter Stewart before he retired in June. The three are Brian Cartwright, John Dwyer and Deborah Jones, each of whom has clerked for a judge of the U.S. Court of Appeals here.

O'Connor's nomination has not yet been sent formally to the Senate, the White House said yesterday. That may come next week.

...for your information closing a copy of a contempt complaint that was deliver office yesterday," Bell wro can see from this complaint federal courts may soon be for not enforcing civil rig and regulations. Your sup my efforts to decrease the u rassment of schools and would be appreciated."

The contempt of court c was filed two days before plaintiffs in an 11-year-old against Elliot Richardson, secretary of health, educat welfare. It sought to force ernment to enforce th discrimination requiremen tle VI of the Civil Rights Ac against Southern school and states that were still inating against black sch dren.

After winning that origi and having the ruling affi appeal in 1973, the plaintiffs turned to the district court times for extensive remedia Those orders established r der which the Department cation was directed to enfo hibitions against discrim against women and the capped, as well as against ra norities. The contempt comp cused Bell of failing to enf remedial orders.

In a telephone interview day, Bell said that he "agre the central purposes" of civi legislation, but that "there ar and range of statutes to be en which are being "force

Washington Post, Aug 1, 1981

JACK ANDERSON

O'Connor Friends: Justice Burger And Mary Crisp

Remember Mary Crisp? She is the outspoken Arizona woman who rocked Ronald Reagan's boat at the Republican National Convention last year. She clashed with Reagan over the Equal Rights Amendment, and her insubordination cost her the co-chairmanship of the Republican National Committee.

Now another Arizona woman is in the limelight. She is Sandra D. O'Connor, who has been nominated by President Reagan to the Supreme Court.

Mary Crisp and Sandra O'Connor have been friends for years. They both worked for the Republican cause in the Phoenix area and their children attended the same schools.

The two women have had long talks about political issues. And Mary Crisp thinks Reagan may be in for a surprise. She describes O'Connor as a moderate with a fiercely independent streak. Crisp also called her friend "a real civil libertarian." As a judge, she demonstrated a devotion to detail.

Sandra O'Connor has another surprising friend: Chief Justice Warren E. Burger. The two became acquainted at judicial outings. They got to know each other on a trip to England and a cruise on Lake Powell on the Utah-Arizona border.

Burger has told associates that O'Connor has a fine judicial mind. But the chief justice is fretting over one problem: O'Connor will be the first woman in history to sit on the Supreme Court, and there's no ladies' room in the justices' chambers.

Walloping Watt — Interior Secretary James G. Watt has aroused the wrath of many important environmental groups. According to reports, Watt is "amused" by their oppposition to his policies.

It's likely that Watt will not be quite so amused by the indignation he has stirred in another quarter. The interior secretary's high-handed methods have earned him some influential enemies on Capitol Hill.

Sen. Alan Cranston (D-Calif.), for example, recently called on President Reagan to "oust" Watt.

Meanwhile, Watt hasn't done himself any good on Capitol Hill with one of his latest maneuvers. He tried to pull a quarterback sneak on Rep. Sidney Yates (D-Ill.).

Yates is an influential member of the Appropriations Committee. Indeed, he is chairman of the subcommittee that handles the Interior Department's budget. In short, he is one congressman who no interior secretary should antagonize.

But that is exactly what Watt has done. He decided to move the regional office of the surface mining bureau from Denver to Casper, Wyo. Yates was convinced that the move should not be made. So he attached a rider to next year's appropriations bill that forbids interior from moving the office.

That should have sent Watt a signal. But he rushed in where angels fear to tread. The next fiscal year doesn't begin until Oct. 1, so Watt took funds from this year's budget and began moving the surface mining office in June.

Yates, say our sources, is furious. He has vowed that if Watt ever shows up before him again looking for money, "he won't get a dime."

Sparkling Controversy — Since World War II, the federal government has been producing synthetic rubies and sapphires, which are crucial for certain types of military equipment. The jewel bearings are produced at a plant in North Dakota, the only facility of its kind in the United States.

President Reagan recently issued an order calling for a national stockpile of 120 million of these gems. But unfortunately, the plant where the bearings are made is fraught with problems.

According to a confidential federal audit, the plant relies heavily on foreign sources for raw material. In addition, the experts say, dramatic changes in military technology have virtually rendered the bearings obsolete.

KARPIN ON BRIDGE

FRED L. KARPIN

When today's deal was played, our West defender got off to a gambling lead which, on the face of it, appeared to give declarer a present of a trick. But, as subsequent events proved, the lead led declarer completely astray, and brought about his demise. The hand was played in a rubber-bridge game.

West had a difficult choice of leads, with every suit but spades having been bid. To lead the ace of spades didn't seem right, with North, having jumped to two notrump on his rebid, rating to

Neither side vulnerable.
North deals.

	NORTH	
	♠ K J 7	
	♥ A K 6	
	♦ Q 9	
	♣ K Q 10 9 4	
WEST		EAST
♠ A 6 5 2		♠ Q 9 4
♥ Q 7		♥ 10 4 3
♦ 7 4 2		♦ K 8 5 3
♣ A 8 6 3		♣ 7 5 2
	SOUTH	

ten, and that South would be compelled to capture the trick with the ace. But South won the trick with the ten.

Dummy's ace and king of trumps were cashed next, declarer having the good fortune to catch the queen. South's jack now picked up East's ten. The club jack was then led, West's ace winning.

West then led another low spade. As South viewed the set-up, it appeared as though West had started with the spade queen and East with the ace. So he put up dummy's jack. Naturally East won the trick with the queen. He next led another spade to West's ace.

West now made the killing play when

1 ♣	Pass	1 ♥	Pass
2 NT	Pass	3 ♦	Pass
4 ♥	Pass	Pass	Pass

Opening lead: Two of ♠

In post-mortem analysis, South could have fulfilled his contract in many different ways. But the fact remains that he didn't.

Why Not Fight for Religious Liberty!

CHRISTIAN BEACON

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Life (Abortion), Liberty (First Amendment) – O'Connor Issues

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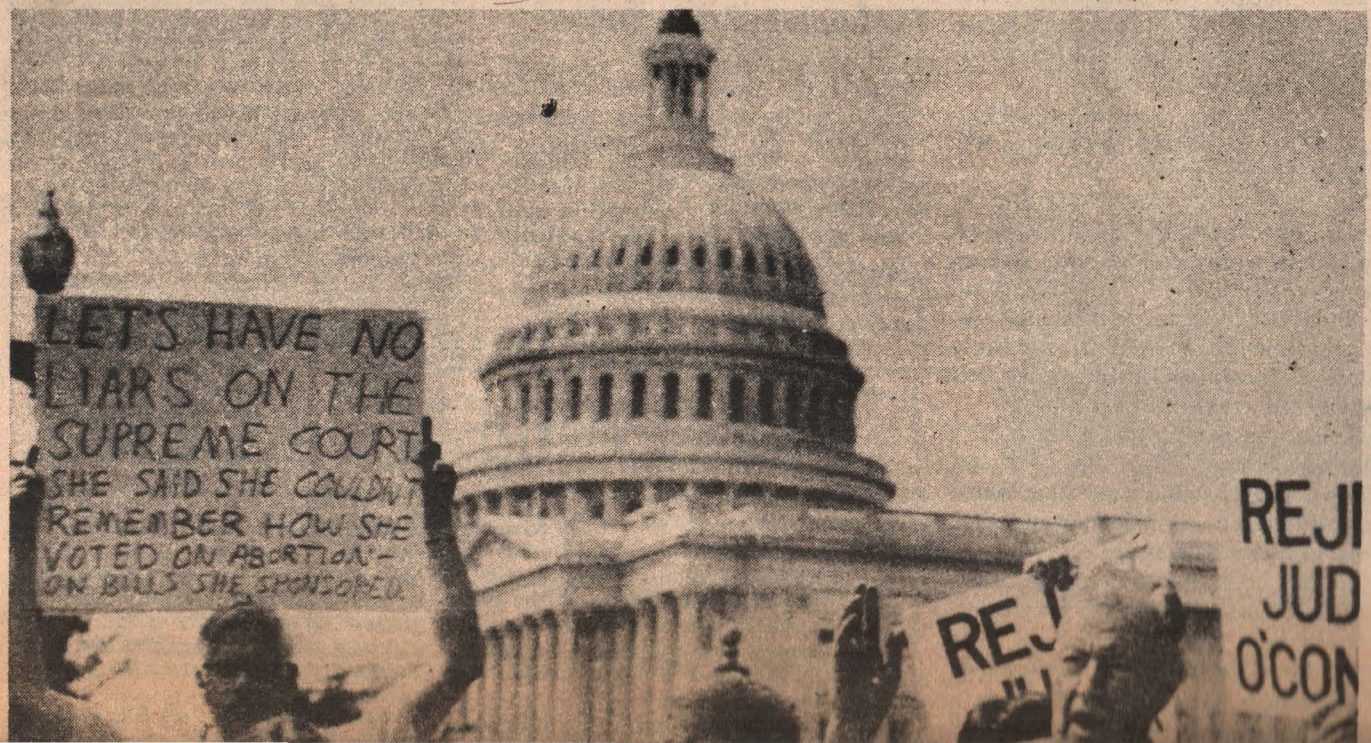

The confirmation of Judge Sandra Day O'Connor, whose hearings have been set for September 9-11, has in it the most basic First Amendment rights. When questions are raised about the First Amendment and the rights which it protects – God-given rights – the whole Congress, the whole nation should pause and consider the questions raised.

The opposite, however, is the reality. Votes, votes – pressure, pressure – lobbyists, lobbyists – the party, the party – and a host of other considerations now take precedence over the Constitution.

For 16 years, since the first attack made upon radio station WXUR, Media, Pa., the First Amendment has been the No. 1 issue in the radio world. As of the present time, that battle continues. Judge O'Connor is on record as opposing the resolution calling for full First Amendment rights of broadcasters. She was afraid of the political consequences if opponents were free to speak on the radio as they have been in the press.

That First Amendment deals first with religion, second with speech, third with

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THE NEW YORK TIMES, WEDNESDAY, JULY 29, 198

A. Paul Weber

Nominees Shouldn't Pay Courtesy Calls On Senators

By Carl Marcy

WASHINGTON — They are graciously termed "courtesy calls," but the practice of Presidential nominees' private visits with Senators before confirmation hearings corrupts the constitutional requirement that the Senate provide advice and consent on Presidential appointments.

The practice, dating perhaps to the late 1960's, is also degrading to nominees who may be pressured in a private conversation to discuss subjects that are, from the standpoint of the public interest, better dealt with in open hearings.

One newspaper reported on July 17 that "the third day of Sandra O'Connor's round of Congressional courtesy calls was capped by a session with conservative Senator Jesse Helms." The public and other Senators do not know what President Reagan's nominee to the United States Supreme Court said to Mr. Helms nor what Mr. Helms said to her.

Let it be writ large: I am not object ing to the nomination of Mrs. O'Connor. Rather, my objection is to the now common practice by which nominees process fundamentally different?

There is no assurance that abandonment of the practice of courtesy calls would sharpen Senators' examination of nominees.

Nevertheless, insistence that nominees be questioned in public would again democratize a process that, probably through inadvertence, has become, in significant measure, a closed-door proceeding.

Surely, the constitutional requirement for Senate participation in the appointment process was intended to open Presidential nominations to public scrutiny, not to encourage a series of one-on-one private talks behind closed doors between the nominee and individual Senators.

Carl Marcy, former chief of staff of the Senate Foreign Relations Committee, is co-director of the American Committee on East-West Accord.

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Let it be writ large: I am not objecting to the nomination of Mrs. O'Connor. Rather, my objection is to the now common practice by which nominees request courtesy calls on Senators, who find it ungracious not to accept.

It is possible that these calls are purely social. On the other hand, there is nothing to prevent a Senator from doing what comes naturally — asking an ambassadorial nominee, for example, to look carefully into a problem that some constitutent may have in the country to which the ambassador is going.

And there is nothing to prevent a nominee from suggesting privately to a Senator that it would be awkward to raise certain questions during a public confirmation hearing.

That these private conversations may lead to unnecessary problems has recently been demonstrated.

Senator Charles H. Percy and Ernest W. Lefever have disagreed publicly over whether Mr. Lefever (who withdrew as President Reagan's nominee as Assistant Secretary of State for Human Rights after the Senate Foreign Relations Committee voted against him, 13-4) had said during a courtesy call that opposition to his nomination was Communist-inspired.

In short, if the private conversation is social, it is unnecessary and time-consuming; if it is substantive, it is undesirable and should be held in public.

Furthermore, if a nominee makes a courtesy call on each member of the committee charged with responsibility for judging his or her competence, as is now the practice, and the Senator is satisfied in the conversation, there is little reason for the Senator to attend a public hearing.

The usual sparse senatorial attendance at most nomination hearings, except those important enough to attract the television cameras, suggests that it is not uncommon for a Senator to excuse himself from attendance because a private conversation had either raised or solved any problems.

The opening day of hearings on the nomination of Gen. Edward L. Rowny to be chief negotiator with the Soviet Union on arms control was attended by 4 of 17 members of the Senate Foreign Relations Committee. On the second day, one Senator was present. General Rowny had made courtesy calls on most, if not all, members of the committee.

The records of the Carter Administration (Bert Lance, who was director of the Office of Management and Budget) and now of the Reagan Administration (Mr. Lefever) indicate that it would be wise for the Senate to adopt a rule that would require that once a nomination had been received by the Senate, private conversations between the nominee and Senators should be suspended until the Senate had passed judgment on the nomination.

In the judicial process, a private conversation between judge and participant is recognized as a corruption of the proceedings. Is the confirmation

of nominees.

Nevertheless, insistence that nominees be questioned in public would again democratize a process that, probably through inadvertence, has become, in significant measure, a closed-door proceeding.

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Carl Marcy, former chief of staff of the Senate Foreign Relations Committee, is co-director of the American Committee on East-West Accord.

The Washington Star
Tuesday, July 28, 1981

O'Connor Nomination Is Headed to Senate

By Lyle Denniston
Washington Star Staff Writer

Sandra D. O'Connor's nomination to be a Supreme Court justice probably will be sent formally to the Senate next week, and hearings will be held in September.

A White House spokesman said yesterday that the Justice Department is continuing to review an FBI check on her background and a study of her judicial talents by the American Bar Association.

The FBI has finished its investigation, the spokesman said.

The president announced July 7 that he had chosen the state appeals court judge from Arizona to succeed retired Justice Potter Stewart, but formal submission of her name has awaited the background review.

The Senate Judiciary Committee has scheduled hearings for Sept. 9-11. Other days of hearings will be added if necessary, a committee aide said yesterday.

O'Connor's nomination has encountered opposition from anti-abortion groups, but so far no member of the Senate has become publicly committed against her.

She has agreed to answer in writing some questions from anti-abortion senators, but the White House spokesman said he did not think she had done so yet. The spokesman also said he did not expect her to return to Washington until the hearings open. She made courtesy calls on a number of senators here earlier this month.

Although her nomination is expected to move through the Senate fairly rapidly, final approval may not come in time for her to take part in the first work of the court's next term.

The justices are due to return from summer recess in the the last week of September, when they will begin a series of private conferences to review new cases filed over the summer.

The court's new term opens formally Oct. 5.

If O'Connor does not join the court before then, her absence will have no direct impact on its work. By law, a quorum of the court is six justices, and final votes on significant legal controversies are not likely to occur early in the term.

The Washington Star
Tuesday, July 28, 1981

WILLIAM F. BUCKLEY Jr.

Is There Anything We Can Ask Her?

Usually, in this trade, there is somebody at the other end of the telephone who can give you the answer to any question save possibly what the Aztecs were trying to say on their calendar stone. The morning paper even reveals that Shy Di's uncle, or somebody serving the dynastic concerns of Great Britain, acknowledged that a discreet examination established that she could bear a successor to the throne. As the people in Silicon Valley are fond of saying, "it's all a problem of software. In hardware, there are no more problems."

Well, I'm still in search of a definite body of knowledge on the question. What exactly can you legitimately ask someone who has been named to the Supreme Court?

There are apparently no hard rules. Such as there are depend for their effect on plausibility. For instance:

Senator Jones: Mrs. O'Connor, if the Human Life bill is passed into law and its constitutionality is challenged before the court, how would you vote?

Mrs. O'Connor: Senator, I don't think it proper to say how I would vote on a pending matter. For one thing, I would want to study the briefs, hear the oral arguments, and perhaps even ask a question of my own.

J: Does that mean that you can't make up your mind on the question whether the Congress of the United States has the constitutional right to declare at what point a biological organism becomes entitled to the protection of the Fourteenth Amendment?

O'C: Senator, you are not asking my personal view on the matter. You are asking how I view my constitutional responsibilities as a member of the court on a matter concerning which there is spirited disagreement among accomplished students of the law. I am replying that I have not done the kind of meditation that properly precedes the making of a judgment, and that that thought can't be done in the absence of the hearing of arguments traditionally done by sitting members of the court.

J: Do you remember the Dred Scott decision?

O'C: I assume you mean the notorious decision in which Judge Taney, speaking for the majority, said that Congress could not pass a law depriving a man of the right to take his slaves where he wanted?

J: Right. You think that was a good decision?

O'C: Of course not. It was a decision that said, in effect, that human beings were not human beings if their skin color was black and someone had a title to them.

J: Did you hear the oral arguments or read the briefs in that case?

O'C: Well, er, obviously not. Those arguments were held about 75 years before I was born.

J: How come, then, you can give an opinion on the constitutionality of that decision, concerning the arguments of which you are far less familiar than the arguments about the Human Life bill, which arguments have been the talking point of the legal profession for some months now?

O'C: Well, senator, in our culture you grow up more or less with the received wisdom of your generation. Certain things are accepted as "good" – the Declaration of Independence, the Bill of Rights, the Gettysburg Address – certain others as "bad" – the Alien and Sedition Acts, the Dred Scott decision, Reconstruction, Jim Crow, lynching. These are legends that constitute our legacy.

J: Would you have thought it improper in 1857, if a senator, examining a presidential appointee to the Supreme Court, were to ask that appointee whether he considered that a black man was entitled to the rights given under the Fourteenth Amendment?

O'C: Senator, in 1857, the Fourteenth Amendment didn't exist.

J: All right. The rights given under the Fifth Amendment.

O'C: Sentor, it's very clear to everyone now that slavery was wrong. But you have to bear in mind that the Constitution directly took notice of the institution of slavery, for instance, in the clause that stipulated what a slave would be counted as in making up the voting roles.

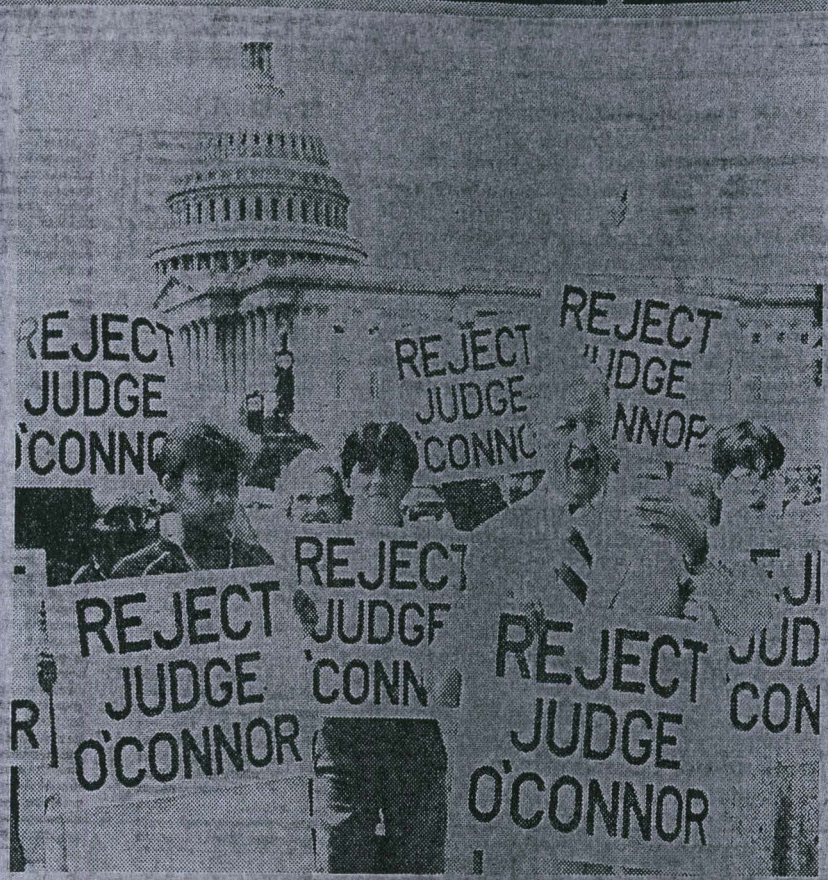
J: With all due respect, Mrs. O'Connor, you are not answering my question, which is: Just as 124 years ago a senator was entitled to ask a nominee whether he considered a slave to be a person, so today a senator is entitled to ask whether an appointee considered a fetus to be a person.

O'C: But don't you see, Senator, to ask an appointee that question elicits an answer that isn't relevant to how that person would vote. I might think a fetus nothing more than a protoplasm, but vote to uphold anti-abortion laws. Or I might personally believe that a fetus is a human being, and vote to uphold permissive abortion laws. What I think on the matter is precisely what is not relevant to how I would vote.

Senator Jones: I give up.

Mrs. O'Connor: Thank you, Senator.

THE WASHINGTON STAR Thursday, July 23, 1981



Associated Press

McIntire Opposes O'Connor Nomination

Dr. Carl McIntire, president of the International Council of Christian Churches (right), leads a protest yesterday on Capitol Hill against the nomination of Judge Sandra D. O'Connor to the Supreme Court.

7/22

Homework

Homework -- "Secretary of Labor, Ray Donovan, is under intense pressure from both business and labor interests to preserve a 38-year-old regulation which denies work opportunities to people - mainly women who wish to work in their homes. The Reagan philosophy clearly argues for complete repeal of the industrial homework regulations, and the Secretary of Labor has announced his intention to overturn the edict. But the opposition is mounting. It seems to us that people who wish to work in their homes should be allowed to do so. Such people do not have to commute to work, hire babysitters, or buy work clothes. If homeside workers consider themselves to be self-employed, there is no problem with wage and hour violations. We think the restriction on such workers is another glaring example of government intrusion - and in - spite of organized protests, the Secretary of Labor should "vote his conscience" and repeal an unreasonable regulation." (Radio 11 WISN)

O'Connor

Sandra Day O'Connor -- "The opposition by the anti-abortionists to Judge O'Connor seems to be a blind reflex action. Their antagonism only further points up the single-minded fanaticism they use to judge every issue and every individual. O'Connor's nomination was an idea whose time has come. Ronald Reagan is a President smart enough to realize that. We're betting the senate will move swiftly to con firm Mrs. O'Connor's nomination." (TKCRG-TV9-Radio 16)

* * * * *

Reagan Predicts Swift Approval of O'Connor

WASHINGTON, July 15 (UPI) — As President Reagan predicted her confirmation by the Senate, Judge Sandra Day O'Connor of Arizona met key senators today in a continuation of her effort to be approved as the first woman on the Supreme Court.

In a meeting at the White House, the President indicated he believed Mrs. O'Connor would win early confirmation.

"Mrs. O'Connor is here making courtesy calls on the Hill," he said during a picture-taking session in the Rose Garden. "We look forward to having her here permanently."

Mr. Reagan did not answer when asked whether he had discussed the issue of abortion with Mrs. O'Connor during a July 1 meeting a week before her selection was announced.

Judge O'Connor's schedule was less crowded today, to give her time for longer meetings with members of the Senate Judiciary Committee.

Both Senator Charles McC. Mathias Jr., Republican of Maryland, and Senator Orrin Hatch, Republican of Utah, said after meetings with Judge O'Connor that they thought she would be approved.

[According to The Associated Press, Senator Mathias, a moderate often at odds with conservatives on the committee, said he learned during his 40-minute meeting with Mrs. O'Connor that she believes Supreme Court justices should follow existing High Court rulings, including those on abortion.

["She made it clear she would apply the law," he said. "We were in total agreement."]

Just where Mrs. O'Connor stands on abortion has become a rallying point for those opposing her nomination to replace Justice Potter Stewart, who has retired. A "March for Life" demonstration greeted her today at Capitol Hill.

After a meeting yesterday, Senator Dennis DeConcini, Democrat of Arizona, said that she had assured him she opposed abortion.

But Cal Thomas, a vice president of Moral Majority, said that the conservative group was still concerned about Mrs. O'Connor's votes on the issue as an Arizona legislator. He denied assertions that the organization would fall into line behind the President's choice.

"Until the legitimate concerns of grass-roots Americans are answered, the personal credibility of Judge O'Connor and the confidence of the American people in the Supreme Court will be in jeopardy," he said.

Meantime, a spokesman for the Federal Bureau of Investigation indicated that the agency's Phoenix office had completed a background investigation of Mrs. O'Connor. The President will send the official nomination to the Senate once he receives the final bureau report.

The length of the F.B.I. check, and Senate action on the Federal budget and a proposed tax cut, make it likely the O'Connor confirmation hearings will not begin until early September, after the Congressional summer recess. The new

The New York Times/George Tames

President Reagan escorting Judge Sandra Day O'Connor to the Rose Garden

For Reagan and the New Right, the Honeymoon Is Over

By Bill Peterson
Washington Post Staff Writer

Every president has a honeymoon, and Ronald Reagan's has been longer than most. Congress, the press, opinion leaders and even many Democrats are still treating him like a new bridegroom.

But for one important group of Reagan supporters — the New Right conservatives — the honeymoon is over. They flexed their muscle over the nomination of Sandra D. O'Connor to the Supreme Court, and lost.

For some of the most vocal leaders of the New Right movement, the nomination was the latest in a series of slights and insults they have suffered from Reagan advisers which raise questions in their minds about whether the president is really their kind of conservative.

"The White House slapped us in the face," says Richard A. Viguerie, the conservative direct-mail expert. "The White House is saying you don't have a constituency we're concerned about. We don't care about you."

"There's been a challenge issued," explains Viguerie. "It is something we can't ignore. We either fight this one, or we aren't leaders."

Viguerie and his cohorts on the New Right have done just that. They have fumed and fussed. They've launched a series of pointed attacks on O'Connor in their publications and in thousands of letters and telegrams sent to their supporters around the country.

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The roots of the conflict go back to the 1980 campaign, the choice of George Bush as Reagan's running mate, and the emergence of moderates, such as White House chief of staff James Baker III, as key presidential advisers. "We won the election, but lost the White House," many conservatives complained.

Reagan's relations with the New Right have been strained ever since. In this light, the nomination of O'Connor, who on occasion voted with pro-abortion forces as an Arizona state senator, didn't surprise some of the most militant voices on the New Right.

A little background about the New Right and the Old Right is

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In numbers, the coalition is relatively small — Viguerie, one of the movement's founders, estimates it can mobilize no more than 5 to 7½ percent of the electorate. But, like the liberal wing of the Democratic Party, it is noisy and rigid philosophically.

Reagan, in his campaign, played to the basic goals of the New Right coalition with his litany of "family, work, neighborhood, freedom, peace." He endorsed a constitutional amendment banning abortion. Anti-abortion groups flocked to his banner, although leaders of the New Right like Viguerie joined his bandwagon only after other candidates fell by the wayside.

But as president, Reagan has a different agenda, and his administration has distanced itself from the New Right. "On issues like abortion, school prayer and some of these, my personal view is that they're somewhat peripheral to some of the things that national government should be concentrating on," one top White House adviser said during a recent luncheon at The Washington Post.

New Right and anti-abortion spokesmen blame this on a betrayal of confidence and a failure to under-

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Kevin Phillips, a conservative theorist, offered another analysis in a recent issue of his American Political Report newsletter. Candidates used New Right and anti-abortion themes in 1978 and 1980 elections because voters agreed with their general critique of moral decay and permissiveness in the country, Phillips noted.

"The neo-Puritan minority was able to mobilize its issue activists with little backlash," he wrote. "That equation is changing now with Reagan in the White House. General public sympathy for a further move to the right on moral issues is less, and more attention is focusing on less popular specific proposals."

No other single issue is as important to the New Right coalition as abortion. It is the glue that holds much of the coalition together, that attracted northern blue-collar Catholics and southern evangelicals, most of whom are traditional Democrats, to the New Right and its candidates.

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an anti-O'Connor campaign. But Reagan announced O'Connor's nomination before the packet arrived in Washington. Gerster was shocked. She and other anti-abortion leaders, who had supported Reagan during the presidential campaign, felt the president had betrayed promises he had made to them and the Republican platform.

They felt they had a stake in Reagan's presidency. "We induced millions of Democratic voters to cross over for Mr. Reagan and other pro-life senators," declared Dr. J.C. Willke, president of the National Right to Life Committee.

Human Events, a conservative newspaper normally friendly to Reagan, said conservatives around the country were "astonished and dismayed" by the nomination of anyone with "such murky ideological moorings."

More militant voices threatened reprisals against Republican congressional candidates in 1982. "I don't mind holding a grudge and carrying out a vendetta," said Paul Brown of the American Life Lobby. "The loose-knit coalition we have with the White House may be destroyed. I'm not at all adverse to making up a hit list for 1982 made up entirely of Republicans."

But others see hope of making peace with the Reagan White House. "If the White House shows it views the pro-family movement as an important part of its coalition, then the situation is salvageable," says Paul Weyrich, a leading New Right strategist. "But if they wall themselves up and take the position that any

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"In terms of having any real influence with the Reagan administration, we just haven't had any," says Howard Phillips, head of the Conservative Caucus. "All they've done is throw us a few bones to keep the dogs from biting their heels."

The fight is full of irony and goes well beyond the merits of the O'Connor nomination. It is part self-esteem, part coalition politics, part a sense of class conflict between the ideologues of the New Right and the political pragmatists who make up the White House staff.

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To do this, it devised sophisticated campaign techniques, particu-

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Anti-abortion activists view abortion as the great civil-rights issue of the era, the litmus by which to judge all officeholders. O'Connor, because of some seemingly pro-abortion votes in the Arizona Senate, failed the test.

They viewed her nomination as a direct assault. To preserve the coalition, other New Right groups had little choice but to rally to the defense. In coalition politics, an attack on one is an attack on all.

Within two days of the nomination, about 20 conservative groups, most loosely affliated with the New Right, came out against O'Connor. Among the best known of them was the Moral Majority. The symbolism was confusing. Judge O'Connor, after all, was supported by the nation's two best known conservatives, Reagan and Goldwater, her Arizona neighbor.

What was going on?

An unusual coincidence of personalities had a great deal to do with the response. The key figure was Dr.

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The Washington Post
Sat, July 18
A-4

O'Connor's Courting on Hill Brings Optimistic Predictions

Associated Press

Sen. Edward M. Kennedy (D-Mass.) yesterday predicted that Sandra D. O'Connor's nomination to the Supreme Court will be approved by an overwhelming majority in the Senate, possibly by a unanimous vote.

Kennedy met with the 51-year-old Arizona appeals court judge yesterday morning, saying afterward, "I think President Reagan deserves a great deal of credit for making this nomination. I'm convinced that Judge O'Connor will receive confirmation by an overwhelming if not a unanimous Senate."

O'Connor, asked how it felt to be supported by both the liberal Kennedy and the conservative Sen. Barry Goldwater (R-Ariz.), said, "It's a very encouraging feeling. It will give me hope that the [confirmation] process will resolve itself smoothly."

Asked whether he would support her nomination, Kennedy said, "I'll announce my vote at the confirmation hearings. I don't think you'll be surprised."

Earlier in the day, Sen. Gordon J. Humphrey (R-N.H.) said, O'Connor again expressed her opposition to abortion, but made it clear that as a Supreme Court justice she would not be bound by personal biases.

Humphrey, an abortion foe, was one of several senators meeting with O'Connor on her fourth day of courting senators who will vote on her nomination.

Humphrey said he hoped to deliver written questions to O'Connor before the Senate Judiciary Committee takes up her nomination.

He added that O'Connor did not comment on the 1973 Supreme Court decision, which legalized abortions during the first six months of pregnancy, during their meeting.

"I'm still neutral," Humphrey said when asked whether he would vote for her.

The Washington Star
Tuesday, July 21, 1981

Letters

Abortion And Judge O'Connor

In your editorial on the nomination of Judge Sandra O'Connor to the Supreme Court (July 9) you fail, uncharacteristically, to have some sympathy for those who want an anti-abortionist as the next Supreme Court appointee. Indeed, your language borders on the hysterical since you raise the question of impeachment "for gross misconception of office" if any judge were to sit in behalf of a special interest.

The abortion issue, then, continues to divide most seriously those who reflect on our political life. I urge you to reconsider your increasingly hostile stands against those who work for the reversal of *Roe vs. Wade* and for the restoration in this country of its constitutional principles.

We now systematically deny life to a class of citizens. If these human beings are not citizens, they are about to become citizens when and if they come to term. That they are human beings seems incontrovertible since they exist, are differentiated by sex and are products of human reproductive organs. It is unworthy of American society, heir to our 18th-century principles, to be so insensitive to the deprivation of this basic right which forms the foundation upon which all individual experience is built.

A child-to-be's life should never be deliberately terminated. Such an act deprives her of the free exercise of her other rights. It deprives her of a life of pain, perhaps, but maybe a life of joy, maybe a life which tastes the whole range of ambiguity that constitutes our awareness of ourselves and others.

A society which professes to practice certain principles but in reality contravenes them cannot be at peace with itself. There is bound to be argument, discord, perhaps even strife. The unborn, without names, killed in the wombs of their mothers, leave no progeny. No one has to fear vengeance from their kindred.

Their deaths, nevertheless, leave things unsettled and seem so senseless unless one introduces metaphysical considerations. And these deaths leave among so many of us an existential ache, a profound unease, a disorientation constant and debilitating. In our century as in others, death indeed has its sting.

You would impeach an anti-abortionist judge. You find anti-abortionists to be doctrinaires, prone to dispute, insensitive to procedural rights and about to distort, through political action, the very system of justice which ensures social peace and individual rights. Others view anti-abortionists as emotional, intolerant, desirous of enforcing sectarian moral values on all citizens, never liberal, always of the radical right, anti-feminist, absurdly one issue-oriented. Perhaps so, perhaps not.

But please understand what I believe is widespread among anti-abortionists, whether active in organizations or not. They do not desire to deprive anyone of their lawful rights; they do not enjoy lecturing anyone about duties, knowing full well that they have not attended to their own as expertly as they would have liked; they do not feel they are especially gifted with virtue, insight or wisdom.

Rather, they hope and work for a day when all American children, the born and the unborn, will be out of jeopardy, alive in the arms of a society which, if it does not shower them with riches and love, will at least give them a chance. What is so menacing about this wish?

Robert C. Adams
Springfield, Va.

SANDRA O'CONNOR

BELVA LOCKWOOD

■

With all due respect to James J. Kilpatrick, I think he's chosen the wrong woman to juxtapose with Sandra Day O'Connor in his column of July 10. His choice for any parallel should have been Belva Lockwood.

Belva was a contemporary of Myra Bradwell, but Mrs. Lockwood did not accept any brushoff. After she had received her certificate to practice law in Washington, she was turned down to practice before the Supreme Court. She lobbied representatives and senators and had a bill passed in Congress making her the first woman permitted to practice before that court. That was in 1879. It was Belva Lockwood who took the first giant step that, after a century, is culminating in the appointment of a woman to the Supreme Court.

Belva was also the first woman actually to run for president of the United States. This was in 1884. (I think, as many historians do, that we can disregard Victoria Woodhull's previous abortive attempt.)

It may be of interest also to Washingtonians that Belva Lockwood entered the National Law School at age 40 but was refused her diploma after completing all requirements. As it happened, Gen. Grant was then president and also president ex-officio of the National Law School. Belva, never one to accept a rebuff, wrote a strong letter of protest to the president, who in turn ordered the dean to award Belva her diploma.

She was a feminist of the first order, but unfortunately almost everyone I speak to of her has never heard of her. Does that include Mr. Kilpatrick?

Stanley Field
Falls Church, Va.

■

Hurrah for Carl Rowan! His comments on the nomination of Sandra O'Connor (July 10) were priceless. Aristophanes couldn't have said it better, and never would have, either. Nonetheless, when I read Mr. Rowan's beliefs, I realize we really have come a long way.

B. Gayle Lowe
Springfield, Va.

■

President Reagan's nomination of Mrs. O'Connor has accomplished another milestone as yet unmentioned in your pages: columnists James J. Kilpatrick and Carl Rowan actually agreed on something!

David A. Rutherford
Woodbridge, Va.

■

Jerry Falwell's Moral Majority did not elect President Reagan. I am not a part of this group nor do I want to be. The majority I represent elected the president. These are the honest, work-for-a-living, rather conservative women.

I accept the president's validation that Sandra D. O'Connor is very highly qualified to be a member of the Supreme Court and I support her appointment. It is about time that women, who make up over 50 percent of the population, are permitted to participate at this level in the decision-making process for all Americans.

Edith A. Christensen
Hyattsville, Md.