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THE WHITE HOUSE
WASHINGTON

6/12

FFF

Jim Brubaker's
recommendation.

RGS

STEIN, MITCHELL & MEZINES (Continued)

United States District Court for the District of Columbia to Revise the Local Rules, 1973—. Member: Judicial Council, District of Columbia Circuit, 1968—; Committee to Draft Maryland Civil Jury Instructions, 1977. *Member*: The District of Columbia Bar; Bar Association of the District of Columbia (Member, Board of Governors, 1966—; Vice President, 1967-1968; President, 1968-1969; Member, Committee on Grievances and Admissions, U.S. Court of Appeals, 1970-1974); Maryland State and American Bar Associations; The Association of Trial Lawyers of America (Member, Board of Governors, 1960); Association of Plaintiff's Trial Attorneys of Metropolitan Washington, D. C. (President, 1959-1960); The Lawyers Club; International Academy of Trial Lawyers. Fellow: American College of Trial Lawyers.

Glenn A. Mitchell, born Washington, D. C., March 28, 1936; admitted to bar, 1961, District of Columbia; 1967, Maryland. Preparatory education, University of Virginia (B.A., 1958); legal education, Georgetown University (J.D., 1961). Author: "Federal Trade Commission," Federal Administration Practice Manual, 1964. Trial Attorney, Federal Trade Commission, 1961-1964. *Member*: The District of Columbia Bar; Bar Association of the District of Columbia (Member, Board of Directors, 1974-1976); Maryland State and American Bar Associations; The Association of Trial Lawyers of America; Association of Plaintiff's Trial Attorneys of Metropolitan Washington, D. C. (Vice-President, 1971-1972; President, 1972-1973).

Basil J. Mezines, born Perth Amboy, New Jersey, February 25, 1924; admitted to bar, 1948, District of Columbia; 1963 Maryland. Preparatory education, George Washington University (B.A., 1946); legal education, George Washington University Law School (LL.B., 1948). Attorney, Federal Trade Commission, 1949-1959. Associate Executive Director, Federal Trade Commission, 1960. Senior Trial Attorney, Federal Trade Commission, 1961-1970. Executive Assistant to the Chairman, Federal Trade Commission, 1970. Director, Bureau of Competition, Federal Trade Commission, 1970. Executive Director, Federal Trade Commission, 1971-1973. *Member*: The District of Columbia Bar; Federal (Chairman, Council on Antitrust and Trade Regulation, 1972) and American (Member, Antitrust Law Section) Bar Associations.

Gerard E. Mitchell, born Washington, D. C., December 30, 1944; admitted to bar, 1969, Maryland; 1970, District of Columbia. Preparatory education, Georgetown University (A.B., 1966); legal education, University of Virginia (LL.B., 1969). *Fraternity*: Phi Delta Phi. Member, Editorial Board, 1967-1968 and Notes and Decisions Editor, 1968-1969, Virginia Law Review. Law Clerk, Judge John P. Moore, Circuit Court for Montgomery County, Maryland, 1969-1971. Assistant State's Attorney, Montgomery County,

Maryland, 1971-1972. Adjunct Professor of Law, Washington College of Law, American University, 1973-1974. Member, Advisory Committee on Civil Rules, 1978-1979. *Member*: The District of Columbia Bar; Montgomery County, Maryland State and American Bar Associations; Association of Plaintiff's Trial Attorneys of Metropolitan Washington, D. C. (Vice President, 1977-1978; President, 1978-1979).

Michael G. Charapp, born Pittsburgh, Pennsylvania, May 11, 1949; admitted to bar, 1974, Virginia; 1975, District of Columbia. Preparatory education, University of Pittsburgh (B.A., 1971); legal education, Georgetown University (J.D., 1974). *Member*: The District of Columbia Bar; Virginia State Bar; American Bar Association.

ASSOCIATES

David U. Fierst, born Washington, D. C., July 2, 1950; admitted to bar, 1975, District of Columbia. Preparatory education, University of Pennsylvania (B.A., 1972); legal education, George Washington University (J.D., 1975). Member, George Washington Law Review, 1973-1975. *Member*: The District of Columbia Bar.

Catherine R. Baumer, born Butte, Montana, December 12, 1946; admitted to bar, 1978, District of Columbia. Preparatory education, George Washington University (B.A., 1969); legal education, Washington College of Law of American University (J.D., 1978). Kappa Beta Pi. Staff Member, 1976-1977 and Editor-in-Chief, 1977-1978, American University Law Review. *Member*: The District of Columbia Bar.

Richard A. Bussey, born Cleveland, Ohio, December 16, 1950; admitted to bar, 1978, Georgia and District of Columbia. Preparatory education, Ohio University (B.S.J., summa cum laude, 1972); legal education, Wake Forest University (J.D., cum laude, 1977). *Fraternity*: Phi Alpha Delta. *Member*: The District of Columbia Bar; State Bar of Georgia; American Bar Association.

Robert F. Muse, born Boston, Massachusetts, July 24, 1947; admitted to bar, 1973, District of Columbia. Preparatory education, Boston College (B.S., cum laude, 1969); legal education, Georgetown University (J.D., 1972). Executive Editor, American Criminal Law Review, 1971-1972. Law Clerk to Judge Frank J. Murray, U.S. District Court, Boston, Massachusetts, 1972-1973. Instructor, Criminal Law and Trial Practice, Continuing Legal Education Program, District of Columbia Bar Association, 1978—. Assistant Counsel, Select Committee on Presidential Campaign Activities, U.S. Senate, 1973-1974. Staff Attorney, District of Columbia Public Defender Service, 1974-1979. Co-chairperson, Criminal Practice Institute, District of Columbia Bar, 1978. *Member*: The District of Columbia Bar; American Bar Association.

STEIN, HALPERT & MILLER (Continued)

Washington University (J.D., with honors, 1969). *Fraternities*: Omicron Delta Kappa; Pi Gamma Mu; Phi Delta Phi. Author: "The Bail Reform Act of 1966: Need for Reform in 1969," 19 Catholic University Law Review 25, 1969. Law Clerk to the Hon. Edward A. Beard, Judge, Superior Court of the District of Columbia, 1968. Assistant United States Attorney for the District of Columbia, 1969-1974. Lecturer, Georgetown University Law Center, 1970-1971. *Member*: The District of Columbia Bar; Virginia State Bar; Bar Association of the District of Columbia; Interamerican, Federal and American Bar Associations.

Martin E. Firestone, born Brooklyn, New York, July 2, 1933; admitted to bar, 1961, New York; 1964, District of Columbia. Preparatory education, Miami University (B.A., 1955); legal education, Columbia University (LL.B., 1960). Counsel, Federal Communications Commission, 1960-1964. *Member*: The District of Columbia Bar; Federal Communications Bar Association.

Sydney F. Arak, born Wilmington, Delaware, June 19, 1945; admitted to bar, 1971, District of Columbia. Preparatory education, University of Delaware (B.A., 1967); legal education, Columbia University (J.D., cum laude, 1971). *Member*: The District of Columbia Bar; Federal Communications Bar Association.

Bruce Michael Levy, born Brooklyn, New York,

April 9, 1951; admitted to bar, 1977, District of Columbia; 1978, Maryland. Preparatory education, Brandeis University (B.A., with honors, 1973); legal education, Georgetown University (J.D., 1977; LL.M. in Taxation, 1978). Editor, Law and Policy in International Business, 1976-1977. Member, Executive Board, Georgetown Legal Aid Society, 1975-1976. *Member*: The District of Columbia Bar; Maryland State Bar Association.

Steven W. Dimmick, born Glen Ridge, New Jersey, July 5, 1950; admitted to bar, 1976, New York; 1980, District of Columbia. Preparatory education, St. Lawrence University (B.A., cum laude, 1972) and University de Rouen, Rouen, France; legal education, Georgetown University (J.D., 1975). *Fraternity*: Phi Beta Kappa. *Member*: The District of Columbia Bar; American Bar Association.

David H. Bralove, born New York, N. Y., October 18, 1953; admitted to bar, 1979, District of Columbia. Preparatory education, Union University (B.A., magna cum laude, 1975); legal education, Washington College of Law (J.D., 1978). Senior Editor, American University Law Review, 1977-1978. Co-Author: "Spain: The New Personal Income Tax Law," Tax Management International Journal, December, 1978; "Spain: The New Corporate Income Tax Law," Tax Management International Journal, April, 1979. *Member*: The District of Columbia Bar.

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General and
Administrative Practice
before United States
Courts, Agencies and
Departments

STEIN, MITCHELL & MEZINES

1800 M STREET, N. W.

WASHINGTON, D. C. 20036

Telephone:
(202) 737-7777

MEMBERS OF FIRM

Jacob A. Stein, born Washington, D. C., March 15, 1925; admitted to bar, 1948, District of Columbia; 1956, Maryland. Preparatory education, George Washington University (A.A.); legal education, George Washington University (LL.B., 1948). Author: "Misrepresentation in Automobile Sales," *American Jury Trials*, Volume 13, 1967; "Closing Argument, The Art and The Law," Callaghan and Company, 1969; Contributor of Article on "Closing Argument," *Criminal Defense Techniques*, published by Matthew Bender & Co., 1969; Contributor of Article on "Cross Examination of Defendant's Phy-

sician Witness," *Examination of Witnesses*, Matthew Bender, 1973; Trial Handbook for Maryland Lawyers, Lawyers Co-Operative Publishing Company, 1972; *Damages and Recovery, A Survey of the Law of Damages*, Vol. One, Lawyers Co-operative Publishing Company, 1972; "District of Columbia Tort Casefinder—An Analysis of all Appellate Tort Decisions for the District of Columbia," 2nd Edition, Callaghan & Company, 1977. Chairman, Admissions Committee of the District of Columbia Court of Appeals and Bar Examiner, 1974-1978. Chairman, Special Committee appointed by the

(This card continued)

29 JUN 1981

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

*RFP met w/ her
no response reg'd*

DATE: 26 June 1981
TO: Fred Fielding
FROM: Wendy Borchardt
SUBJECT: Appointment to the United States Supreme Court

As the Associate Director of Presidential Personnel responsible for placing women in the Executive Branch of the government, (and now also wishing for some visibility for a woman in the Judicial Branch!), I am sending you some suggestions for potential nominees. In addition, Fred, I would like to stress the political ramifications of a woman's appointment to the Supreme Court. Although I realize that the President did not state on October 14th that the first appointment would be a woman, the perception out there is that he will strongly consider one, and I know that he will do so. However, let me strongly urge that a woman be appointed at this juncture, for the women's constituencies perceive that there is no woman in the Cabinet, and this judicial appointment would give high visibility to a woman in a most responsible area. Ambassador Jeane Kirkpatrick is not considered in the eyes of the women's constituency to be a "full-fledged" member of the Cabinet since she works in New York and does not attend many of the Cabinet meetings.

I am confident that a woman can qualify for membership on this prestigious body, and I do believe that the time is now to make that appointment. The political benefits to the President would be immense at this particular time when we have not been able to appoint women in what are some of the top level positions in the Executive Branch.

The following names have been suggested in telephone conversations last Friday after Potter Stewart's announcement of his retirement. I shall continue to send you additional names as they cross my desk.

1. Carla Hills
2. Cornelia Kennedy
3. Sylvia Bacon
4. Rita Hauser
5. Mildred Lillie

cc: Ed Meese

P. S.

If you need additional information on the above prominent women, please



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

7/7/81

TO: PENN JAMES July 2, 1981
FROM: Ed Harper
SUBJECT: Supreme Court Candidate / Judge Mildred Lillie

Mr. Milton J. Brock of Los Angeles called to recommend Judge Mildred Lillie as a candidate for the vacancy on the Supreme Court. According to Brock she is an outstandingly competent person with strong support among the conservative community in California.

To
Fred Lillie
Per your
consideration
A.



National RIGHT TO LIFE

committee, inc.

Suite 341, National Press Bldg. — 529 14th Street, N.W. —
Washington, D. C. 20045 — (202) 638-4396

July 3, 1981

President Ronald Reagan
The White House
Washington, D.C. 20500

Dear President Reagan:

This is a follow-up to my letter of yesterday with more documentation of the strong pro-abortion position of Sandra O'Connor, the jurist mentioned as a possible U.S. Supreme Court nominee.

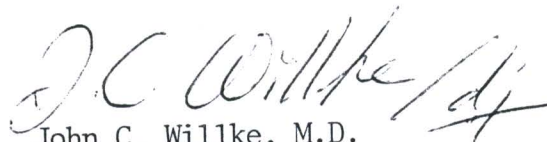
- 1970-- Arizona Senate, a bill to legalize abortion.
Bill passed the Senate Judiciary Committee. Senator Sandra O'Connor, a member of the committee, voted pro-abortion.
Bill defeated in Senate Republican Caucus with Senator Sandra O'Connor, a member of the caucus, voting pro-abortion.
- 1973-- Sen. Sandra O'Connor was prime sponsor of S-1190, a family planning bill, which would have provided family planning information to minors without parental knowledge or consent.
Included under "family planning" were "contraceptives and surgical procedures" (abortion).
- 1974-- a memorialization resolution calling upon Congress to pass a Human Life Amendment had passed the Arizona House by a wide margin.
Sen. Sandra O'Connor voted against the resolution in the Senate Judiciary Committee.
Sen. Sandra O'Connor voted against it again in the Senate Majority (Republican) Caucus, and thus helped to kill the bill.
- 1977-- As reported, Sandra O'Connor was a keynote speaker at the pro-abortion International Women's Year state meeting in Arizona.

As noted in my previous letter to you, this nominee is totally unacceptable to the right-to-life movement. Her nomination would be seen as a complete repudiation of your pro-life position, and also of the Republican Platform. It would produce a firestorm reaction across the nation.

We fully assume and hope that such will not occur, now that these facts have been brought to your attention.

May I, in closing, request once again that I, or another top member of our central right-to-life organization, be allowed some (top secret) review of names before they get to a final stage of consideration. Such an almost-catastrophe as this could easily have been prevented if this opportunity had been provided.

Sincerely,


John C. Willke, M.D.
President

JCW:dj

06 JUL 1981

THE WHITE HOUSE

WASHINGTON

July 6, 1981



MEMORANDUM TO: Jim Baker
Ed Meese
Mike Deaver
✓ Fred Fielding
Pen James

FROM: Max Friedersdorf *M.F.*

SUBJECT: Supreme Court/Connor and Kennedy/Senator Nickles/Rep. Hyde

Senator Don Nickles (R-Okla.) and Rep. Henry Hyde (R-Ill.) called this morning to protest the possible appointment of the Connor woman from Arizona to the Supreme Court.

Hyde also objected to the Kennedy woman's appointment.

Arguments made against Connor:

- 1) Unacceptable to pro-lifers; six times voted for unlimited abortion; favors E.R.A., and is a Mary Crisp clone.
- 2) Her appointment would cause a firestorm among Reagan supporters; a betrayal of the platform; resentment would be profound, and she was anti-Reagan.

Hyde also charged that Kennedy has issued an opinion in the Akron Ordinance case that is hostile to pro-lifers.

Senator Nickles said that if Connor is nominated, he and other pro-family Republican Senators will not support the choice.

Hyde suggested the name of Howard T. Markey, Chief Judge of the U. S. Court of Customs and Patents Appeals, for consideration.

He also said there is a woman Federal Judge serving in the St. Petersburg, Florida, area (he had no name) who has a good reputation and would be acceptable to conservatives.

06 JUL 1981

THE WHITE HOUSE
WASHINGTON

July 6, 1981

(F)

MEMORANDUM TO: Jim Baker
Ed Meese
Mike Deaver
Fred Fielding
Pen James

FROM: Max Friedersdorf *M.F.*

SUBJECT: Supreme Court/Hill Reaction

Add Senator Jesse Helms (R-N.C.) and Senator Steve Symms (R-Idaho) to the list of Senators calling in today in opposition to Sandra O'Connor for Supreme Court nomination. Both objections were based on the abortion issue.

07 JUL 1981

THE WHITE HOUSE
WASHINGTON

July 6, 1981

④

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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

July 7, 1981

The President today announced his intention to nominate Judge Sandra Day O'Connor to be an Associate Justice of the Supreme Court of the United States, filling the vacancy created by the resignation of Justice Potter Stewart. Judge O'Connor presently serves on the Arizona Court of Appeals. The President will forward to the Senate his nomination of Judge O'Connor upon completion of the required background check by the Federal Bureau of Investigation.

Judge O'Connor, age 51, earned both her undergraduate and law degrees at Stanford University. She received her B.A. magna cum laude in 1950, and her LL.B. with high honors in 1952. She was a member of the Board of Editors of the Stanford Law Review and a member of the Order of the Coif. Judge O'Connor was admitted to the Bar of the State of California in the year of her graduation and to the Bar of the State of Arizona in 1957.

Judge O'Connor practiced law in Phoenix, Arizona, for a number of years. She served as Assistant Attorney General of Arizona from 1965 to 1969 and served in the Arizona State Senate from 1969 to 1973.

In 1973, Judge O'Connor was elected to the Superior Court for Maricopa County, Arizona. She served on that court for six years, until she was appointed to the Arizona Court of Appeals in 1979.

Judge O'Connor is married to John Hay O'Connor III. They have three children.

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

July 7, 1981

STATEMENT BY THE PRESIDENT

As President of the United States, I have the privilege to make thousands of appointments to positions in the Federal government. Each is important and deserves a great deal of care, for each individual is called upon to make his or her contribution, often at personal sacrifice, toward shaping the policy of this Administration. Each has an obligation to you. In varying degrees, each has an impact on all of our lives.

In addition, as President, I have the privilege to make a certain number of nominations which have a more lasting influence on our lives. These are the life-time appointments of those men and women called upon to serve the Judiciary on our Federal district courts and courts of appeals. These individuals are charged with the responsibility to ensure that our rights are preserved. They ensure that all persons receive the protection of our civil and criminal laws.

Without doubt, however, the most humbling appointment a President makes is to the United States Supreme Court. Those who sit on the Supreme Court interpret the laws of our land. They leave their footprints on the sands of time, long after the policies of President, Senators and Congressmen of a given era may have passed from public memory.

After very careful review and consideration I have made a decision on my nominee to fill the vacancy on the United States Supreme Court created by the resignation of Justice Stewart. Aware of the increasing speculation about this appointment, I wanted to share this very important decision with you as soon as possible.

Most of the speculation has centered on whether I would consider a woman to fill this first vacancy. The press has accurately reported that during my campaign for the Presidency, I made a commitment that one of my first appointments to the Supreme Court would be the most qualified woman I could possibly find. That was not to say that I would appoint a woman merely because she was a woman. That would be unfair to women; it would be unfair to the future generations of Americans, all of whose lives will be profoundly affected by the decisions of the Court. My pledge was to appoint a woman who meets the same demanding standards I insist upon for all court appointees.

I have identified such a person.

So, today, I am pleased to announce that upon completion of the required investigation by the Federal Bureau of Investigation, I will forward to the Senate the nomination of Judge Sandra Day O'Connor of the Arizona Court of Appeals for confirmation as an Associate Justice of the United States Supreme Court.

She is a "person for all seasons", possessed of those unique attributes of judicial temperament, fairness, intellectual capacity and devotion to the public good which have characterized the 101 "Brethren" who have preceded her.

I commend her to you and urge the Senate's swift bi-partisan confirmation so that, as soon as possible, she may take her seat on the Court and her place in history.

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page 2

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THE WHITE HOUSE

Office of the Press Secretary

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Judge O'Connor, age 51, earned both her undergraduate and law degrees at Stanford University. She received her B.A. magna cum laude in 1950, and her LL.B. with high honors in 1952. She was a member of the Board of Editors of the Stanford Law Review and a member of the Order of the Coif. Judge O'Connor was admitted to the Bar of the State of California in the year of her graduation and to the Bar of the State of Arizona in 1957.

Judge O'Connor practiced law in Phoenix, Arizona, for a number of years. She served as Assistant Attorney General of Arizona from 1965 to 1969 and as a State Senator from that state from 1969 to 1973.

In 1973, Judge O'Connor was elected to the Superior Court for Maricopa County, Arizona. She served on that court for six years, until she was appointed to the Arizona Court of Appeals in 1979.

Judge O'Connor is married to John Hay O'Connor III. They have three children.

THE WHITE HOUSE

Office of the Press Secretary

July 7, 1981

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(7)

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

July 7, 1981

REMARKS OF THE PRESIDENT
UPON ANNOUNCEMENT OF
SUPREME COURT NOMINEE

The Briefing Room

10:46 A.M. EDT

THE PRESIDENT: Ladies and gentlemen, I have a statement to make and then following that statement, if there are any questions you might have, I shall refer you to the Attorney General.

As President of the United States, I have the honor and the privilege to pick thousands of appointees for positions in federal government. Each is important and deserves a great deal of care for each individual called upon to make his or her contribution, often a personal sacrifice, to shaping the policy of the nation. Thus each has an obligation to you and in varying degrees has an impact on your life.

In addition, as President, I have the privilege to make a certain number of nominations which have a more lasting influence on our lives, for they are the lifetime appointments of those men and women called upon to serve in the Judiciary in our federal district courts and courts of appeals. These individuals dispense justice and provide for us these most cherished guarantees of protections of our criminal and civil laws. But, without a doubt, the most awesome appointment is a guarantee to us of so many things because it is a president -- as a president, I can make an appointment to the United States Supreme Court.

Those who sit in the Supreme Court interpret the laws of our land and truly do leave their footprints on the sands of time -- long after the policies of presidents and senators and congressmen of any given era may have passed from public memory, they'll be remembered.

After very careful review and consideration, I have made the decision as to my nominee to fill the vacancy on the United States Supreme Court created by the resignation of Justice Stewart. Since I am aware of the great amount of speculation about this appointment, I want to share this very important decision with you as soon as possible. Needless to say, most of the speculation has centered on the question of whether I would consider a woman to fill this first vacancy. As the press has accurately pointed out, during my campaign for the presidency I made a commitment that one of my first appointments to the Supreme Court vacancy would be the most qualified woman that I could possibly find.

MORE

Now, this is not to say that I would appoint a woman merely to do so. That would not be fair to women, nor to future generations of all Americans whose lives are so deeply affected by decisions of the Court. Rather I pledged to appoint a woman who meets the very high standards that I demand of all court appointees. I have identified such a person.

So today I am pleased to announce that upon completion of all the necessary checks by the Federal Bureau of Investigation, I will send to the Senate the nomination of Judge Sandra Day O'Connor of Arizona Court of Appeals for confirmation as Associate Justice of the United States Supreme Court. She is truly a person for all seasons -- possessing those unique qualities of temperament, fairness, intellectual capacity and devotion to the public good, which have characterized the 101 brethren who have preceded her.

I commend her to you and I urge the Senate's swift bipartisan confirmation so that as soon as possible she may take her seat on the court and her place in history.

Q Do you agree with her position on abortion, Mr. President?

THE PRESIDENT: I said that I was going to turn over all questions to the Attorney General here and let him answer the questions.

Q But the right-to-life people object. We just wonder if --

THE PRESIDENT: All those questions the Attorney General is prepared to answer.

Q Mr. President, you have such a firm position on that. Can you give us your feelings on her position?

THE PRESIDENT: I am completely satisfied.

Q On her right-to-life position?

THE PRESIDENT: Yes.

Q And did you interview her personally?

THE PRESIDENT: Yes.

END

10:50 EDT

6

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

July 7, 1981

BRIEFING

BY

ATTORNEY GENERAL WILLIAM FRENCH SMITH
FOLLOWING ANNOUNCEMENT BY THE PRESIDENT
ON SUPREME COURT NOMINATION

The Briefing Room

10:50 A.M. EDT

Q The FBI checks have not been completed, is that correct, Mr. Attorney General?

ATTORNEY GENERAL SMITH: That's correct.

Q Do you think it was sound to make a nomination public before final FBI checks had gone into the background so thoroughly that you knew there wasn't any problem there?

ATTORNEY GENERAL SMITH: We have gone into her background quite thoroughly. We are well aware of the fact that there have been times in the past when the FBI check has been concluded before the nomination has been sent up. In this case, the President has announced his intention to nominate, of course, subject to the FBI check, and once that's completed, then the nomination will be sent up.

Q What about opposition of the right-to-life groups? There's been a great deal of that since Mrs. O'Connor's name has surfaced.

ATTORNEY GENERAL SMITH: Well, as the President has stated, he is satisfied with her position and her record with respect to the right-to-life issue and her record in that respect is for all to see and I'm sure that that may be one of the aspects that will be considered during her confirmation hearing. But I want to emphasize the fact that there has not been a single-issue determination made in connection with this selection.

MORE

Mrs. O'Conner has been considered with respect to her overall qualifications and background and there has not been any effort to focus in on any one issue and judge her on that basis.

Q Well, you handpicked her because she is a conservative, have you not? I mean, you have a general tendency of what her feelings are and where she stands on the issues.

ATTORNEY GENERAL SMITH: She has been chosen because of her overall qualifications and background.

Q That has nothing to do with her political leanings?

ATTORNEY GENERAL SMITH: The only, if you want to call it "political leanings", that were taken into consideration was whether or not she fell generally within the President's overall judicial philosophy.

Q Tell us about the process of selection now? Exactly when was the decision made? Was it last night?

ATTORNEY GENERAL SMITH: The decision was made yesterday, but of course the process has been an extended one. It commenced really when we first learned of Justice Potter Stewart's determination to resign -- that was late last March. We had the intervening problem, of course, of the shooting incident which delayed matters a bit.

We also respected Judge Stewart's request that his resignation not be made public until June 18. Despite that fact, however, we did what was necessary within that constraint to develop candidates that we would present to the President for his consideration and that process was --

Q How many were there?

ATTORNEY GENERAL SMITH: It's a little hard to say at any one time. We had a rather extensive list of very highly qualified people. It's a little hard to put a number on it. I would say that during my first presentation to the President there may have been 20 or 25 names on the list.

Q When was that, sir?

ATTORNEY GENERAL SMITH: That would have been sometime, I believe, in early June.

Q You mentioned her overall qualifications. What are they? Can you be more specific about that?

ATTORNEY GENERAL SMITH: She has an outstanding academic record. She graduated from Stanford with highest honors when she was 20. She graduated from Stanford University Law School when she was 22, also with highest honors. She was Order of the Coif in her second year, and since that time, of course, she's had wide ranging experience both in the legislative branch in Arizona and also on the judicial branch.

Q What about her judicial record?

ATTORNEY GENERAL SMITH: Judicial record? We found it to be quite satisfactory. We naturally read all of her opinions. We have discussed her qualifications, her outlook, her judicial philosophy

Q Is this the last woman that we're going to see this President nominate to the Supreme Court now that he has fulfilled that campaign commitment?

ATTORNEY GENERAL SMITH: I'm sure that in the future the President will do what he did this time. He will look at the overall list of candidates and from that list he will make a selection, and that could be a male or a female.

Q Would you like to be the next nominee? Your name has come up frequently.

ATTORNEY GENERAL SMITH: Thank you, no.

Q Do you have any idea on what the President meant by saying he was satisfied with her views on abortion? Has she expressed them specifically to him and has she modified them in any way in recent times? Do you know what her views are?

ATTORNEY GENERAL SMITH: As far as we know, she has not modified her views. We have been satisfied that they have been consistent and that her record in this respect is satisfactory to the President.

Q When did she see the President? How long did the interview take place, and who else in the administration interviewed her, please?

ATTORNEY GENERAL SMITH: I don't want to get into the specifics as far as who was interviewed and how long. But I can say that the President did interview her and he --

Q Well, how long and when?

ATTORNEY GENERAL SMITH: Well, it would have been on July 1st, when he had an extended discussion with her.

Q You say you have read her opinions on legalized abortion?

ATTORNEY GENERAL SMITH: I didn't say that she had any judicial opinions dealing with that subject. I said that she had a certain record in the Arizona legislature with respect to that, and that's open for all to see.

Q How long did the President meet with her, and where?

ATTORNEY GENERAL SMITH: Well, he met with her, of course, in the Oval office. I can't tell you off-hand how long it was, but it was certainly sufficient for him to accomplish what was intended to be accomplished in such an interview.

Q Did you interview her, sir?

ATTORNEY GENERAL SMITH: Oh yes. On various occasions.

Q One of the votes in the legislature, I understand, was to legalize abortion under certain conditions in Arizona, a vote she cast in 1970. How does that square with the President's philosophy?

ATTORNEY GENERAL SMITH: As a matter of fact I don't think you can -- I think what you've said is not necessarily an accurate representation of what happened there.

Q She did not cast her vote in favor of abortion?

ATTORNEY GENERAL SMITH: I don't think that there is any point in my trying to dissect what happened on the floor of

with a large number of people and we have heard nothing but good.

Q If I may follow up, what is her judicial philosophy?

Q We want to know about Helen Thomas' question here.

MR. SPEAKES: He'll be here for a few minutes, so let's go one at a time.

Q Yes, but let's just go back to Helen Thomas' question that it's the President's desire that he appoint someone who would interpret the law and not make it. Are you satisfied and will you expand on your answer as to whether this nominee fits that category?

ATTORNEY GENERAL SMITH: We think she definitely does.

Q Why?

ATTORNEY GENERAL SMITH: In other words, we're satisfied that she looks upon the judicial function as being one which is intended to interpret and apply the law and not to make it. We're satisfied, the President is satisfied that she recognizes that it is the elected representatives of the people who should be enacting the laws, and that it is the function of the judiciary to interpret and apply those laws -- and in reviewing her opinions alone, in addition to the responses that we've had from numerous inquiries, we're satisfied that that is what she has done.

Q When did she first become a candidate?

ATTORNEY GENERAL SMITH: She was on the original list which would go back two or three months.

Q You mentioned her judicial philosophy a minute ago. What did you mean by that?

ATTORNEY GENERAL SMITH: Just what I just said. In other words, we're satisfied that she views the function of the judiciary to be to interpret and apply the law, not to make it. And of course, that accords with the President's judicial philosophy, which saying it another way is that it is the responsibility of the elected representatives of the people to enact laws and not that of the judicial --

Q Was she the best qualified woman candidate or the best qualified candidate?

ATTORNEY GENERAL SMITH: We were fortunate to have on the list a large number of very qualified people and she was one of those.

MORE

the legislature in Arizona. That is a matter of public record, and it is, as I say, open for all to see and will undoubtedly be a subject of discussion later on.

Q Perhaps the fact that the FBI checks have not been completed and this is sort of a rushed announcement this morning, there are going to be many who are going to feel that she was named today because opposition has been mounting, particularly from right-to-life groups?

ATTORNEY GENERAL SMITH: This has not been a rushed procedure in any sense. It has been a very thoughtful procedure. It has commenced --

Q The announcement was rushed.

ATTORNEY GENERAL SMITH: The announcement was an announcement which was made when the announcement was intended to be made. If you can call that rushed I supposed that's rushed. Actually the whole process has been a very efficient, effective, orderly process. We're very satisfied with both the timing and the occasion.

Q Were outside groups consulted, like the ABA? Was Burger consulted, was Stewart?

ATTORNEY GENERAL SMITH: With respect to all of the candidates, there was a great in-depth review and discussion analysis, research, opinion reading. Everything that was done that was required, not only with respect to this candidate, but with respect to other candidates, to determine basic qualifications and talent, background and so on.

Q Were you consulted?

ATTORNEY GENERAL SMITH: Yes, certainly.

Q If the process was so orderly, Mr. Attorney General, why then were the FBI checks not made prior to this announcement this morning?

ATTORNEY GENERAL SMITH: Well, we're quite satisfied from our own investigation of the background and the factual basis of this situation. And we are content that -- to announce an intent to nominate, subject to the FBI check. If something should develop there that we are not aware of then we will react to that situation. But we don't consider that to be a particularly unusual circumstance.

Q What specific opinions of her's manifested the philosophy that you were seeking?

ATTORNEY GENERAL SMITH: Well I don't think I can get into the specifics here. The opinions did indicate that as an appellate judge, for example, she did not attempt to substitute her judgement for that of the trial court, but she reacted in accordance with the appropriate appellate restraint. There are specific examples of that and certainly enough to satisfy us that overall that, together with other factors, that she fits within the President's judicial philosophy.

Q Did you inquire into her feelings on the exclusionary rule?

ATTORNEY GENERAL SMITH: Well, during this process we've discussed a whole category of issues, and once again, no single position, no single issue was in any way determinative. It was a matter of looking at the whole spectrum of her activities, background, viewpoints.

Q Who were the people in Washington who recommended her to you?

ATTORNEY GENERAL SMITH: Well, I don't think it would be appropriate for me to discuss that aspect of it.

Q What effect do you think the opposition of these right-to-life groups and other groups would have on her confirmation?

ATTORNEY GENERAL SMITH: Well, having gotten into her background to a substantial degree, we're satisfied that she will have no problem as far as confirmation is concerned. We're also satisfied that no single issue will dominate or determine as far as the confirmation process is concerned.

Q Why are you so certain of that?

ATTORNEY GENERAL SMITH: Well, insofar as any Congressional hearing is concerned, I suppose one shouldn't be too certain about anything, but that certainly is our evaluation and conclusion at this point.

Q Were there other candidates interviewed by the President?

ATTORNEY GENERAL SMITH: Well, I think it would not be appropriate for me, again, to get into the process as far as specifics are concerned.

Q It's a simple question, though. Did he meet with others?

ATTORNEY GENERAL SMITH: It's a simple question, but I don't think it's appropriate to respond because I think that it would do a disservice to other candidates for me to try to become specific as to who was interviewed, who was not interviewed, how many were interviewed.

Q We're just asking "whether", not "who" or "how many".

ATTORNEY GENERAL SMITH: Well, as I say, I don't think it would be appropriate for me to get into that.

Q When do you expect the formal nomination to be ready to be sent to the Senate?

ATTORNEY GENERAL SMITH: Just as soon as possible and certainly would be at the conclusion of the FBI check and we would hope shorter than that. We would hope, for example, to expedite the FBI check.

Q When will hearings be scheduled, sir? Do you have any idea? Is it going to be the fall, after the August recess?

ATTORNEY GENERAL SMITH: Well, we would hope to have hearings scheduled just as soon as possible. We haven't had the occasion to discuss that with Chairman Thurmond yet and haven't determined upon a specific date, but, certainly we would hope to have it as soon as possible so that, if it is at all likely, we could have the nominee confirmed in time for the opening of the fall term of the Court.

Q When was Senator Thurmond informed of your choice?

MORE

ATTORNEY GENERAL SMITH: Well, Senator Thurmond has been aware of various candidates. He was informed of the President's decision shortly after he made it. Which would have been, I believe, this morning.

Q Sir, now that you've examined her record, could you tell us what percentage of her opinions have subsequently been upheld or overturned by the Supreme Court?

ATTORNEY GENERAL SMITH: By the Arizona Supreme Court? No, I'm afraid I couldn't.

THE PRESS: Thank you.

END

11:15 A.M. EDT

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

July 7, 1981

STATEMENT BY THE PRESIDENT

As President of the United States, I have the privilege to make thousands of appointments to positions in the Federal government. Each is important and deserves a great deal of care, for each individual is called upon to make his or her contribution, often at personal sacrifice, toward shaping the policy of this Administration. Each has an obligation to you. In varying degrees, each has an impact on all of our lives.

In addition, as President, I have the privilege to make a certain number of nominations which have a more lasting influence on our lives. These are the life-time appointments of those men and women called upon to serve the Judiciary on our Federal district courts and courts of appeals. These individuals are charged with the responsibility to ensure that our rights are preserved. They ensure that all persons receive the protection of our civil and criminal laws.

Without doubt, however, the most humbling appointment a President makes is to the United States Supreme Court. Those who sit on the Supreme Court interpret the laws of our land. They leave their footprints on the sands of time, long after the policies of President, Senators and Congressmen of a given era may have passed from public memory.

After very careful review and consideration I have made a decision on my nominee to fill the vacancy on the United States Supreme Court created by the resignation of Justice Stewart. Aware of the increasing speculation about this appointment, I wanted to share this very important decision with you as soon as possible.

Most of the speculation has centered on whether I would consider a woman to fill this first vacancy. The press has accurately reported that during my campaign for the Presidency, I made a commitment that one of my first appointments to the Supreme Court would be the most qualified woman I could possibly find. That was not to say that I would appoint a woman merely because she was a woman. That would be unfair to women; it would be unfair to the future generations of Americans, all of whose lives will be profoundly affected by the decisions of the Court. My pledge was to appoint a woman who meets the same demanding standards I insist upon for all court appointees.

I have identified such a person.

So, today, I am pleased to announce that upon completion of the required investigation by the Federal Bureau of Investigation, I will forward to the Senate the nomination of Judge Sandra Day O'Connor of the Arizona Court of Appeals for confirmation as an Associate Justice of the United States Supreme Court.

She is a "person for all seasons", possessed of those unique attributes of judicial temperament, fairness, intellectual capacity and devotion to the public good which have characterized the 101 "Brethren" who have preceded her.

I commend her to you and urge the Senate's swift bi-partisan confirmation so that, as soon as possible, she may take her seat on the Court and her place in history.

Reagan Picks Woman Justice

WED JULY 8-1981

Arizonan a 'person for all seasons'

By SAUL FRIEDMAN
Herald Washington Bureau

WASHINGTON — President Reagan on Tuesday nominated Sandra Day O'Connor, an Arizona appeals court judge, to end 191 years of tradition and become the first woman to serve on the U.S. Supreme Court.

As the President put it in an announcement in the White House press room: "She is truly a 'person for all seasons,' possessing those unique qualities of temperament, fairness, intellectual capacity and devotion to the public good which have characterized the 101 'brethren' who have preceded her."

O'Connor, who will succeed retiring Justice Potter Stewart if she is confirmed by the Senate, responded in Phoenix: "I will do my best to serve the court and this nation in a manner that will bring credit to the President, to my family and to all the people..."

Reagan said the appointment kept a campaign promise he made last Oct. 14. He pledged then that "one of the first Supreme Court vacancies in my administration will be filled by the most qualified woman I can find."

The President said Tuesday that he had not meant that "I would appoint a woman merely to do so. That would not be fair to women, nor to future generations of all Americans whose lives are so deeply affected by the decisions of the court."

"Rather, I pledged to appoint a woman who meets the very high standards I demand of all court appointees."

Smiling happily at her Phoenix press conference, O'Connor, 51, avoided giving her views on current legal and political issues such as abortion and the Equal Rights Amendment.

She explained that until she testifies before the Senate Judiciary Committee, which will consider her nomination, "I cannot address myself to substantive questions."

O'Connor still must pass what is expected to be a routine FBI check of her background and the finances of her husband, John Jay O'Connor

Ranch, city shaped life of nominee

By MARLENE CIMONS
Los Angeles Times Service

WASHINGTON — Professionally, Sandra Day O'Connor, the first woman ever nominated for the U.S. Supreme Court, is a modern paragon, juggling a successful legislative and judicial career with a home, a family and an active role as a civic leader.

"You get the feeling when you're talking to her that she's always between trains," said Gerald M. Caplan, a former Arizona State University law professor who has worked with her.

Her roots, however, lie in a far different world.

She grew up in a turn-of-the-century adobe house on the 250-square-mile Lazy-B cattle ranch that her grandfather started 100 years ago near Duncan, Ariz. The ranch, located in the southeastern corner of the state near the New Mexico border, is a world of empty rangeland, dry creek beds and distant mountains, where the biggest events are the spring and fall roundups.

The closest neighbor and nearest post office are both some 20 miles away. The nearest dependable water is often 800 feet or more straight down.

"There are miles and miles of unpopulated territory," said June Lackey, wife of Duncan's mayor. "We're big country — with few

PRESERVATION COPY

17 JUL 1981

THE WHITE HOUSE

WASHINGTON

July 16, 1981

MEMORANDUM FOR FRED FIELDING

FROM: Larry Speakes

Attached are the editorials on the intention to nominate Judge Sandra O'Donnor to the Supreme Court. Our office of Media Liaison provided these to editorial page editors in every section of the country.

THE WHITE HOUSE

WASHINGTON

July 10, 1981

Dear Editor:

As you know, on July 7, President Reagan announced his intention to nominate Judge Sandra Day O'Connor of the Arizona Court of Appeals to be the first woman to serve as an Associate Justice of the United States Supreme Court.

We thought you might be interested in seeing the attached group of editorials about her nomination.

Sincerely,

A handwritten signature in cursive script that reads "Lou Gerig".

Lou Gerig
Director
Office of Media Liaison

A landmark for the court

From all accounts, President Reagan picked a winner and made history as well by selecting Sandra O'Connor to fill the vacancy on the Supreme Court.

The highest court in the land has been an all-male bastion for much too long, and we're happy to see Reagan breach the wall. It's a signal honor for the Arizona jurist and a long-overdue recognition of the fact that in law, as in other fields, women have come into their own.

But Judge O'Connor promises to bring to the court more than a history-making label. She was a top student at Stanford Law School, a respected lawyer in Arizona and the Republican majority leader of the State Senate before being named to an appellate court—by a Democratic governor.

People familiar with Judge O'Connor's work on the bench give her high marks on all counts—grasp of the law, judicial temperament and clear, cogently written opinions.

The chorus of approval is not unanimous. The Right to Life Committee and the Moral Majority already have protested what they regard as Judge O'Connor's "pro-abortion" leanings. What that means, we suspect, is that as a private citizen the judge doesn't share their particular views on abortion.

But her entire record argues that she would not on the bench let her personal views intrude on her judicial actions. Apparently, she does not subscribe to the old Earl Warren philosophy of the Supreme Court's right to invade every nook and cranny of American life.

In this sense, Mrs. O'Connor is judicially nonpartisan in the best meaning of that term. She is not the Warren kind of "activist" judge that Reagan himself said he did not want on the high bench. And that should be enough for the Moral Majority and its allies.

The President is satisfied that Judge O'Connor shares his view that judges should interpret the laws, not make them. He has made his choice, and it looks like a good one. Let's hope the Senate will act on the nomination as speedily as possible—in fairness to Judge O'Connor and to the court, which ought to be at full strength when it reconvenes in the fall.

When he announced his intention yesterday to name Sandra O'Connor to the U.S. Supreme Court, President Reagan seems to have fulfilled not one but both of his long-standing commitments on the subject. First, of course, he had promised to search for a qualified woman to fill a vacancy; not surprisingly, it appears he has easily found one. But second, it looks like the nominee meets the ideological test Mr. Reagan said he would apply—not the test of political conservatism, but the test of belief in a philosophy of judicial restraint. Mr. Reagan is fed up with the imperial judiciary. So are a lot of people. So is the Supreme Court itself. The question is whether they are fed up for the right reasons.

About five years ago commentators began to notice that a new kind of judicial activism was abroad in the land. It involved a certain role reversal: The traditionally conservative courts seemed now to be fighting the Executive and Legislature in behalf of the liberal principle of extending government's protective scope.

Moreover, the new activism seemed on its way to becoming entrenched so that it could not be easily reversed by elections or swings of opinion. The courts were operating by expanding the definitions of basic constitutional concepts like standing and due process; such ground once broken is difficult to abandon. The courts also had a seemingly ever-growing field of overall government activity and public interest lawyers to cope with; this, too, seemed a near irreversible trend.

Conservatives didn't like the development because they saw liberals using the courts to protect themselves against the swelling conservative tide in electoral politics. But conservatives said the problem was more general than that. The danger, they argued, was that the courts were reaching for partisan definitions of constitutional rights in order to subvert the legitimate authority of democratic politics.

The Burger Supreme Court had certainly done its share of the judicial colonizing the critics were worried about, but in the decisions it handed down this term the court showed that it has begun to take the case against the imperial judiciary quite seriously.

There were first of all the big decisions. The Justices upheld the President's power to take U.S. citizens' claims against Iran out of American courts and put them in the hands of an international tribunal. The court similarly upheld the Secretary of State's

authority to take away Philip Agee's passport once he had decided that the former CIA agent threatened national security. And the court endorsed the discretionary power of Congress to set up an exclusively male military draft.

There were other such decisions as well: upholding Congress's and OSHA's right to promulgate unreasonable occupational health standards, defending localities' powers to ban topless dancing and keep Hare Krishna proselytizers from wandering around state fair grounds, standing up for state government powers in the imposition of severance taxes. Of course there were qualifications in these opinions, and partial dissents, and the special circumstances of particular cases, and disclaimers by the Justices about how the holdings were really narrower than they might appear. But through the opinions did run the thread of a newly self-conscious deference to Legislative and Executive authority.

On some of these decisions we liked the bottom line and on some we didn't. We think the holding on Iran was a big mistake; in distinct contrast, we are not mourning the obliteration of Philip Agee's passport. But like them or not, we found the majority opinions in the prominent cases sometimes disquieting. On issues from Hare Krishna to the draft, they trotted past free speech, due process or equal protection issues that were not merely lurking in the bushes but standing in the middle of the road waving banners. You don't have to be overly sensitive to think such questions were at least worth a more extended arm wrestle.

There is going to be continuing pressure in the future to deimperialize the Judicial Branch. But maybe along the way it would be well to remember that insofar as the disenchantment with the overreaching judges was more than a partisan complaint, it was not an end in itself. It called for deference to the democratic process, but not an indiscriminate deference: It asked instead that individual rights be both defined with self-discipline and defended with care. It was a plea, in other words, that the judicial concern for individuals not be allowed to fly apart into an incoherent defense of both anarchy and statism.

That, and not a simple passivity, is the kind of restraint we're going to be looking for from Mrs. O'Connor's opinions and from Mr. Reagan's future appointments.

A Person for the Court

President Reagan has chosen a woman for the Supreme Court — and more. Other Presidents have had the will, or the opportunity, but never both. Give him credit, as the National Organization for Women does in calling the appointment of Sandra Day O'Connor a victory. The nation's highest court, which remained segregated by race for a century after the Civil War, is a male club no more.

Give the President credit also for honoring his own campaign promise. Not the cheap pledge that he would soon name a woman justice, but the assurance he gave after the Republican platform called for naming only judges who "respect traditional family values and the sanctity of human life."

He would not be so straitjacketed, he said, but would, as Presidents are entitled to do, seek jurists who shared his philosophy. The right-to-life movement and other extremists are already giving him — and Justice-designate O'Connor — the backhanded honor of opposing the nomination because she showed moderation on some social issues during the

period that she served as an Arizona state Senator.

Mrs. O'Connor's political record in the Arizona legislature will surely be aired in the confirmation process. Her total record, we suspect, will show a lawyer, public servant and state court judge of the even temperament and open mind that the nation's highest court deserves.

The President has been fortunate to find in Judge O'Connor a woman of legal talent and public accomplishment as well as the right political bent. Those who know her agree that she is scholarly and smart. She is described as neither as brilliant nor as reactionary as some of the men the President considered. She is a person of ability in a profession still dominated by male achievers.

The retiring Justice Potter Stewart said he admired most a judicial opinion that did not betray the sex of the author. That is a test the brethren of the Court would have flunked as recently as last week. The very presence of a woman in the cloister will have a healthy effect on justice.

More Than a Woman

President Ronald Reagan is certainly going to leave his footprints in the sands of time. He will go down in the history books as the president who finally nominated a woman for the Supreme Court. After 192 years and 101 brethren, we have a sister, Sandra O'Connor.

It's long past due.

This assumes Mrs. O'Connor will be approved by the Senate. She is already being opposed by those elements in the Republican party who object to the Equal Rights Amendment, which she has supported, and by the right-to-life lobby, because she has supported abortion in some cases. But we do not believe a Republican Senate will turn down a Republican president's first nomination to the court.

However easy this nomination may fare in the Senate, it still took boldness on Mr. Reagan's part. He could have avoided a fight, by naming a man, since his campaign promise was only that *one of his first* Supreme Court nominees would be a woman. Or he could have named a woman who had no record on sensitive issues, or whose record was acceptable to the right wing. That the president did not take an easy path says something about him. He not only has a sense of history, he has a sense of appropriateness. It would have been as wrong to name a woman who opposes the femi-

nist movement on its most important issue, E.R.A., as it would have been in the 1960s to choose as the first black justice one who did not offend segregationists.

So we think Mr. Reagan deserves high praise for his decision.

There is something remarkable about this nominee besides her sex. Her judicial experience is four years as a state court trial judge and two years on Arizona's intermediate appellate court. Not since the Civil War has a justice joined the court direct from a court of this level. Even justices chosen from states' highest courts are rare. Mrs. O'Connor's five-year service in the Arizona Senate is also a characteristic not usually found among justices. Her state court and legislative careers could be valuable to the court, providing as they do a state perspective on federalism. You would assume that as a Supreme Court justice she would give proper Reaganist deference to the decisions of state lawmakers and state judges.

It is as a woman that Mrs. O'Connor's nomination is most newsworthy, but it is as a judge on the court of last resort that her nomination will be and should be appraised. And if she does join the court, in the long run it is as a jurist, not a woman, that she will leave her footprints in the sands of time.

The Nomination of Mrs. O'Connor

THE DECISION of President Reagan to nominate Sandra Day O'Connor of Arizona for a seat on the Supreme Court is far more than the fulfillment of a campaign commitment. It marks the end of a long road for all those women who have ever practiced or aspired to practice law. Just 109 years ago, the court on which Judge O'Connor will sit if the Senate confirms this nomination upheld the power of the states to prevent women from becoming lawyers.

The vestiges of the thinking that produced that now unthinkable discrimination linger on. But the ascension of Judge O'Connor to the nation's highest court would help eliminate more of them, regardless of how she votes on constitutional questions. The fact that a woman has, at long last, been selected for one of these seats of great power will make the continuance of sexual barriers in lesser jobs more difficult to justify.

In some ways, when you think of it, it is incredible that this should have to come as such a momentous event in 1981, that it should have this aspect of novelty and "breakthrough" to it. And we hasten to suggest that it will merely compound the grotesque thinking that has created such a situation if the great legal and political powers that be regard a seat on the court for one female as some kind of equity. Female justices should not be considered as some one-of-a-kind token or representative or quota-filler. Mr. Reagan has helped redeem the shame of his predecessors who wouldn't quite dare to do what he has done. He is to be congratulated for that. Now let us hope there will always be men and women on the court and that this will come to seem ordinary.

From her record in Arizona, it appears Judge

O'Connor has been a good politician, a quality lawyer and a far better than average trial and appellate judge. The kinds of cases she has handled on the state bench, naturally, bear little or no resemblance to those that routinely come before the Supreme Court. This means there are few, if any, clues in her judicial career as to how she will vote on broad constitutional questions. But that is not unusual. Rarely has the public record of any nominee laid bare his judicial philosophy, and sometimes the public record has been totally misleading as an indicator of judicial behavior.

Those who have known Judge O'Connor's work over the years describe her as a conservative but not reactionary Republican and believe she is more likely to end up closer to the philosophical position of Chief Justice Burger than to that of the other Arizonan on the court, Justice Rehnquist. If that is so, the change on the court from Justice Stewart to Justice O'Connor may not alter its direction substantially.

Rarely, if ever, has a president reached so far down into the state judiciary to find a Supreme Court justice. Most of them have come from higher ranks of the judicial system, from national political positions or from the nationally known law firms. That President Reagan has gone to the second tier of a state court structure in his search for a female nominee may be less a commentary on Judge O'Connor's qualifications than on a system that, until the quite recent past, kept almost all women lawyers from reaching high places in their chosen profession. The Senate, of course, must now subject Judge O'Connor's record to the same close scrutiny it has given other nominees. We don't know how this will turn out. Our first impression of her qualifications is that the Senate will find nothing to impede her confirmation.

New Ground, New Directions

It was important as a symbol of the nation's new sensitivity toward equal rights that a woman be appointed to the U.S. Supreme Court for the first time in its 191-year history. It was important that the nominee possess the necessary qualifications.

President Reagan's selection of Arizona Judge Sandra D. O'Connor to succeed Justice Potter Stewart met the compelling historic requirement of putting a woman on the court; and, from the evidence at hand, O'Connor is well qualified.

Since her graduation from Stanford University law school in 1952, she has had a distinguished career in public life that embraces both law and politics.

O'Connor, 51, was first appointed to the Arizona Senate in 1969, was elected twice to that body and in 1973-74 served as Republican majority leader—the first woman in the country ever elected to that post. During her service in the Arizona Senate, she supported a modernized mental-treatment and -commitment law, pushed for open-meeting laws and supported constitutional spending limits. Gen-

erally regarded as a conservative, she reflected a more liberal stand on women's issues. In 1974, she sponsored a bill to present the equal rights amendment to an advisory referendum. On an even more controversial issue that same year, she opposed a bill that would have forbidden abortions unless the mother's life was endangered.

She left the Legislature in 1974, and was elected a Superior Court judge, a position that she held until appointed to the Arizona Court of Appeals 18 months ago. Her service on that court drew praise from her colleagues. Appeals Judge Donald Froeb said of her, "She has a razor-sharp mind, which, combined with a steady temperament, makes her well-suited for the tough questions that would be presented to a Supreme Court justice."

Sen. Dennis DeConcini (D-Ariz.) called her "a conservative, but not in a reactionary sense." His judgment appeared to be confirmed by the instant displeasure over her appointment voiced by right-wing leaders. But their opposition will not likely have much effect, nor should it.

A Landmark Appointment to the Supreme Court

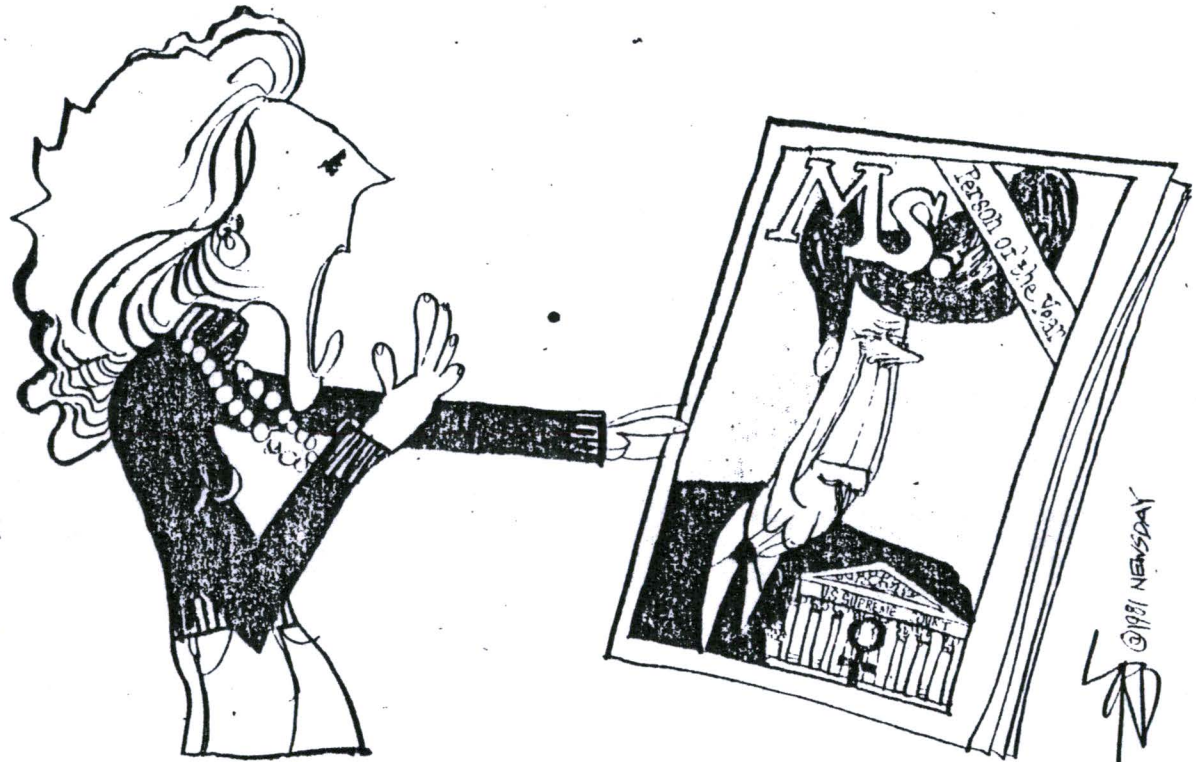
President Reagan's selection of a woman to sit on the Supreme Court is a landmark decision that departs from 101 precedents; that's how many male justices there have been since 1790.

The choice of Sandra Day O'Connor is also a commendably prompt redemption of Reagan's campaign pledge to fill "one of the first Supreme Court vacancies in my administration" with "the most qualified woman I can find."

It's all the more commendable because political compatibility with all of the President's single-issue constituencies is not among O'Connor's qualifications. Within hours of the announcement that she would be nominated, she was under public attack from the right-to-life movement and the Moral Majority.

It seems that O'Connor, as an Arizona state senator in the early '70s, supported ratification of the Equal Rights Amendment. She also opposed a bill that would have banned abortions at the state university hospital except when a woman's life was endangered.

Predictably, the head of the National Right-to-Life Committee complained that Reagan had ignored the 1980 Republican platform plank calling for the appointment of judges "who respect traditional family values and the sanctity of innocent human life." But ignoring the platform is a president's prerogative, and Reagan pronounced himself "completely satisfied" with his nominee's position on abortion.



Newsday Cartoon by M.G. Lord

Predicting a Supreme Court justice's judicial philosophy on the basis of political inclinations is a notoriously treacherous business, and in any case that's not the purpose of Senate confirmation hearings. But whatever the flavor of her Republican politics, there's no doubt that O'Connor is an achiever.

She was a Stanford law graduate at 22, ranking third in the class in which William Rehnquist, now a Supreme Court justice, was first. She has spent most of her working life in government service. She was majority leader of the Arizona senate

in her third term, and she was elevated to the state's second highest court 18 months ago (by a Democratic governor) after five years as a trial judge. She got high marks for integrity in an Arizona bar association poll last year; 90 per cent of the respondents recommended her reappointment.

That resume, as far as it goes, would be a credit to any judicial nominee. Now the Senate should give Sandra Day O'Connor exactly the same careful scrutiny it would give to any other aspirant to the ultimate guardianship of the nation's laws and Constitution.

O'Connor appointment: A Reagan badge of honor

There are many lovely ironies. The first of them were distilled in the re-norse of Gloria Steinem, the feminist writer and activist: "It's ironic, and a far tribute to the growing political strength of women, that the first female Supreme Court nominee should have been appointed by the most anti-feminist president in American history."

Ms. Steinem's hyperbole was stretched from the other extreme:

- President Reagan's nomination of Sandra Day O'Connor to the U.S. Supreme Court, ranter J.C. Willke, president of the National Right to Life Committee, "represents a repudiation of the Republican platform pledge... a grave disappointment..."

- The Rev. Jerry Falwell, head of the Moral Majority, joined Dr. Willke in pledging all-out opposition to Senate confirmation of the appointment, claiming that "Judge O'Connor also has been active in feminist causes and is a supporter of the Equal Rights Amendment, which Moral Majority believes would be a disaster for men and women and would further undermine the traditional family."

- Paul Brown, chairman of the Life Amendment Political Action Committee, charged, "We feel betrayed by the president... We've been sold out."

It went on and on and will continue rough and beyond confirmation hearings before the Senate Judiciary Committee and debate in the full Senate — and for some time after.

Without question, the appointment is a political masterstroke. With it, Reagan declared his independence from the radical New Right and satisfied a deep need and legitimate yearning for the presence of at least one man on the ultimate judicial tribunal of the land. He redeemed hitherto spectacular campaign pledges to put a man on the court and to ignore a magic Republican Party platform element that had been eked out by liberal opponents of abortion and other women's rights. He etched an unprecedented distinction in history for himself and for Judge O'Connor. He significantly undermined the emotional foundations of his most threatening tactics among moderates and liberals. He confounded the simplism of supporters and opponents alike who have cast him as a narrowly and neatly predictable ideologue.

It would be a gross disservice to both truth and justice, however, to appraise the appointment in purely or even primarily political terms. Mr. Reagan deserves to be judged on the consequence of his acts, above the inferences drawn from his words.

It cannot, and fairly must not, be taken from President Reagan that by nominating Judge O'Connor he stepped boldly out from all American history. The appointment does not wipe away that history's bitter and ugly record of discrimination against women. It does not relieve Mr. Reagan or anyone else of the obligation to continue to right that wrong, on the Supreme Court and at every other level of American life. It does not affect the substance of the record of his other acts as President.

He was given the opportunity, however, to fill what he properly called "the most awesome appointment a President can make," to choose someone to join "those who... interpret the laws of our land and truly do leave their footprints on the sands of time, long after the policies of presidents, senators and congressmen of a given era may have passed from the public memory." And the truth of the matter is that he did it responsibly, honorably, imaginatively and courageously.

He could have chosen a woman for the job, of course, and have had none of that be true. Gender alone is no standard at all.

Judge O'Connor, however, is not simply a woman, or a female lawyer, or a female judge. She has qualities, and quite possibly failings, which will be better known after the Judiciary Committee hearings. The most important judgments must await the record she makes as a Supreme Court justice, which, since she is a youthful 51, may be a generation or more in the making.

On the established record, she is an estimable choice. She is indisputably a sound legal scholar. She has had five valuable years as a trial judge, of both civil and criminal cases. She has performed with a sense of even-handedness and sensitivity to individual rights in a year and a half of appellate adjudication. As a state senator and, significantly, as the first woman ever to serve as majority leader of a state senate, she has a rich background in the real world of public dispute, of balancing passions and equities. She has demonstrated energy, diligence and dignity.

Inevitably, she is a member of the Republican Party — and from Arizona, where Republican political winds tend to blow somewhat to the right of the mainstream of American politics. But even in her political record, and certainly on the slim basis of assessment of her appellate judicial record, she appears to be measured, moderate, thoughtful and responsible. It would be very hard to make a case, on that record, that her influence will move the Supreme Court either right or left of the balance it presently has.

The history of that court speaks most eloquently of the folly of predicting the positions or the influence of its justices. Its most distinguished members, and some of its most regrettable ones, have confounded the expectations they carried with them to the court. Without exception, however, the best have shared the basic qualities of scholarship, independence and demeanor Judge O'Connor has already established. Absent the unforeseen, her appointment is warmly welcome, and President Reagan has earned historic credit.

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A Woman to the Court

When President Reagan fulfilled his campaign promise to name "the most qualified woman I can find" to the Supreme Court, he turned to Arizona Judge Sandra O'Connor. His nomination of Judge O'Connor, however, will not endear him to women's lib types. Instead, they will be thrown into new tizzies.

Mrs. O'Connor's distinguished record suggests she is a judge first, a woman second. Furthermore, she is a conservative whose nomination enjoys the full support of Arizona Senators Barry Goldwater and Dennis DeConcini. At Stanford Law School, from which she was graduated with honors, she was a classmate of Justice William Rehnquist. She has an enviable political and judicial record in Arizona, where she has earned a reputation for judicial restraint.

From all reports, it seems likely that Judge O'Connor thus meets two prime requirements for a Reagan nomination to the high court: She is a woman with impeccable legal credentials, and she recognizes the proper role of a judge in interpreting the Constitution. That role is not one of super-legislator, but one of

skilled and restrained interpretation of the law. If the Senate approves her nomination, Judge O'Connor could provide the vital fifth vote for a conservative majority, where so often in the past retired Justice Potter Stewart swung to the Liberal side.

The news of Judge O'Connor's nomination was barely off the news wires before some special-interest groups started having conniptions. The National Right to Life Committee thinks she may not be as strongly committed to its views as it would like. Some anti-ERA spokesmen point to her one-time support for the ERA, without acknowledging that she abandoned that support to remain consistent with her conservative beliefs. Other female critics of President Reagan's selection, oddly enough, criticize him for engaging in "tokenism," although he had but one high court seat to fill.

Yet President Reagan could not have pleased every group, and it is to his credit that he didn't try. Instead, he chose a nominee on the basis of "temperament, fairness, intellectual capacity, and devotion to the public good" — requirements of excellence that Judge O'Connor appears to meet in full measure. Her nomination is a triumph of political finesse: Most Liberals will feel compelled to support her nomination because she is a woman, and conservatives will support her nomination because she will bring a conservative philosophy to her high court role.

If Liberals and ERA supporters want to carp about technicalities, they should think again. After all, Judge O'Connor is a conservative, but she is not as far right as some women conservatives President Reagan might have picked.

Germond & Witcover

Reagan Choice For High Court Good Politics



The selection of Sandra D. O'Connor for the Supreme Court is a vintage example of the pragmatic political style of Ronald Reagan.

Neither the president nor any of his political advisers have any illusions about his ability to win broad or lasting support among women's movement activists. His own attitude on abortion and the Equal Rights Amendment makes that an impossibility.

But by using his first opportunity to fulfill his promise to choose a woman for the court, Reagan has disarmed the most vocal of his critics and put them on the defensive with the great majority of those voters for whom women's issues are not central concerns.

As a practical matter, everyone knowledgeable about government and politics understands that the appointment of a woman to the court, in itself, isn't going to improve the position of women in general in achieving equality under the law. That would be true even if Sandra O'Connor were a flaming zealot on women's issues, which is something she most decidedly is not. So-called "women's issues" make up only a tiny fraction of those that reach the court, after all.

But to those millions of voters for whom those issues aren't emotional imperatives, the president now can be presented as a leader who not only kept his promise but was willing to do something so many of his liberal predecessors never managed to accomplish, for all their high-blown talk about equality for women.

The fact that O'Connor's record in support of abortion and ERA already has inspired a backlash among Reagan's most conservative backers is, in a sense, an added political benefit for the president. It makes it easy for the White House to depict him as a man following a reasonable middle course unsatisfying to the extremists on either end of the ideological spectrum.

And if there has been a single message in the opinion surveys of the last few years, it has been a reaction against political extremism. We

have an electorate that is determinedly middle class and middle road - and, more to the point, one impatient with arguments over political theology at the expense of practical effectiveness in dealing with national problems.

In making this decision, as in his campaign against Jimmy Carter last year, Ronald Reagan has aimed directly at that great center and, in the bargain, found a jurist whose opinions apparently coincide with his own desire for what Richard Nixon used to call "strict constructionists" on the court.

The short-term benefit of the president's decision is obvious. The choice of O'Connor at the first opportunity is certain to make Reagan's life easier when other vacancies occur on the court over the next few years. There could be as many as four or five other openings, and the president now will be free to fill them without a lot of nagging from the press and the women's movement about keeping commitments.

There may come a time, of course, when the cry will go up for women to enjoy equality of representation on the Supreme Court, which is clearly a reasonable enough expectation. But it is likely to be some years before that kind of demand has serious political credibility with the public at large.

Over the long term, the choice of Sandra O'Connor is not likely to mean much politically, assuming that her confirmation by the Senate is achieved without serious incident. Supreme Court appointments get a lot of attention at the moment they are made, and a president can do himself considerable damage with a choice that goes sour. Richard Nixon's nomination of G. Harrold Carswell, for example, was not something he was anxious to boast about in later years.

But the fact is that voters who make decisions on presidents on the basis of their appointments to the court are clearly the exception rather than the rule. Political and legal professionals may make judgments about the quality of judicial appointments, but the Supreme Court is too far removed from the lives of most people to influence their verdicts.

On the other hand, voters do form judgments about how well a president is doing on the basis of how much controversy he evokes - and from what quarters he is subject to criticism.

And what Ronald Reagan has done in this case is make a safety play by keeping both his promise to appoint a woman and his commitment to choose someone with conservative views on the function of the judiciary.

That may not satisfy the extremists of left or right, but it is winning politics in anyone's book.

JAMES J. KILPATRICK

From Myra Bradwell to Sandra Day O'Connor . . .

It was just the other day that I was looking at the 19th-century shade of Myra Bradwell, but with the nomination of Sandra Day O'Connor to the Supreme Court, the old story takes on an especially poignant meaning. From Mrs. Bradwell to Mrs. O'Connor, it's been a long, uphill climb for women in the law.

Myra Bradwell, may she rest in peace, was a native of Vermont who moved to Chicago sometime in the 1850s. Not long after ratification of the Fourteenth Amendment in 1868, she did a most audacious, unorthodox thing: She applied for a license to practice law. Curiously, she did not rely upon the equal protection clause but rather upon the privileges and immunities clause, but by 1872 the Supreme Court of Illinois summarily turned her down. Women were to be allowed in

Mrs. Bradwell appealed. In April 1873, the U.S. Supreme Court also gave her the brush-off. It was within the police powers of Illinois to limit membership in the bar to males only. Only Chief Justice Salmon P. Chase dissented, and he didn't say why.

Justice Joseph P. Bradley was so shocked by the whole astonishing idea that he wrote a flaming concurring opinion in which two other justices joined. History, nature, the common law, and "the usages of Westminster Hall from time immemorial" argued against the proposition. Bradley felt impelled to expand upon the wide difference in the spheres and destinies of man and woman.

"Man is, or should be, woman's protector and defender. The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life. The constitution of the family organization, which is founded in the divine ordinance as well as in the nature of things, indicates the domestic sphere as that which properly belongs to the domain and function of womanhood . . . The paramount destiny and mission of woman are to fulfill the noble and benign office of wife and mother. This is the law of the Creator. And the rules of civil society must be adapted to the general constitution of things, and cannot be based upon exceptional cases."

Born Too Soon

It would be interesting to know what ever became of Myra Bradwell. She was born a century before her time, but the nomination of Sandra O'Connor to the high court vindicates her pioneering effort. The Senate Judiciary Committee expects to expedite confirmation hearings on the nominee, in an effort to complete action before the August recess.

Mrs. O'Connor will be welcome on the court. Members of our highest tribunal come to that bench equipped not only with experience in the law but with all the other experiences of their lifetimes also. It

takes nothing from Thurgood Marshall's stature to observe that Lyndon Johnson wanted to name the first black to the court. By the same token, it is evident that Mrs. O'Connor has been chosen over males with much higher qualifications precisely because she is a woman.

Just as the court has benefited in times past from a Western viewpoint, or an academic or a black or a Jewish or a Catholic viewpoint, or the viewpoint of a lawyer in private practice, now we will have some benefit, however subtle, of a woman's viewpoint.

Excellent! In the term just ended, the court disposed of cases having to do with abortion, child custody, teen-aged sex, nude dancing, sex discrimination in employment, property settlements in divorce, and the registration of women (but not

men, for a potential draft. No one can say how Mrs. O'Connor might have voted in these cases if she had been sitting on the court. She might have voted just as the departing Potter Stewart voted. But she would have brought to the consideration of these cases a body of personal experience — a cast of mind, if you please — that has not been there before.

None of this, I know, is supposed to matter. Justices in theory approach each case without personal prejudice or bias. They function as carpenters, in one metaphor, who simply lay the boards of law against the square of the Constitution. The theory is specious. Justices are no disembodied spirits. They are mortals, and to this day they have all been mortal men. Now we are to have a mortal woman. Myra Bradwell would be pleased. And so am I.



SANDRA DAY O'CONNOR

AP/W

Reagan, O'Connor and the power of political paradox

ONE OF THE SUBTLE, great, and altogether admirable strengths of the American political system is the ability of its leaders—within limits—to go against their own constituencies. Nixon the Red-baiter reopened relations with China. Johnson the Southerner pushed civil rights. And Reagan the ERA opponent nominated Sandra Day O'Connor to the United States Supreme Court.



**Beth
Fallon**

It is in such events that America signals that a consensus has been reached by the majority after some bitter struggle. Through its inflation by the outsider, the skeptic, the sometime opponent, the change becomes not only validated, but somehow safer. So it is with Reagan and O'Connor on this

momentous occasion.

O'Connor will not solve nor perhaps ameliorate the discrimination problems faced by American women, and her abortion position, from what former colleagues in the Arizona state legislature said yesterday, will probably turn out to be much too conservative for pro-choice people and still not rigid enough for right-to-lifers. "Those abortion votes were taken out of context," says Arizona Senate

President Leo Corbet, who served with her from 1969-74. "She is personally against abortion, but not so blind that she can't see . . . well, I should let her speak for herself."

"I think most people will feel totally comfortable with her on those kinds of issues," says former Senate President William Jacquin, now head of the Arizona Chamber of Commerce. "These people raising the issue, maybe they're doing it more for their own constituency, their own troops. She will handle herself according to the law. I think you'll all find she'll be a superb jurist."

"I'm against abortion, I've voted against it," says Corbet. "I probably believe 95% of what the Moral Majority says. But where I fall off the truck is with some people on the far right and the far left not accepting that somebody else can have a different opinion. They're so intractable they don't believe people of good will can differ on issues. This single issue stuff is destroying politics, especially local politics."

IT IS WITH his fringe that Reagan has problems on this nomination, just as Nixon did on China and Johnson did on face. But if you pick your shots in politics, and don't do it too often, you can go against your fringe, even while they howl "betrayal." On this one, Reagan has the best of all possible worlds. Barry Goldwater will lead the fight for O'Connor's confirmation. "He has enough chips around in the Senate that when he puts his personal reputation and position on the line . . . they'll go with

her," says Corbet. "And he's going to." O'Connor's support in the Republican and Conservative establishment seems solid. Corbet and Jacquin are part of that solid front.

Meanwhile, Reagan has the approval of the vast majority of women and most men, who concede that placing a woman on the court is long overdue. And in one stroke he disarms the liberal opposition to a conservative nominee. "They're pleased as hell he didn't nominate Attila the Hun," chuckles Corbet.

Getting somewhat lost in the furor is the question of what kind of justice Sandra O'Connor might be. Corbet and Jacquin are both fierce partisans. Corbet grew up on the ranch next to hers. Jacquin, who as senate president more or less had the majority leadership in his gift, says he tried to give it to her in her second year in the senate. She turned it down, waiting three years "to be ready," he says. She then defeated the incumbent, Corbet recalls.

"She prepares, she's intellectually pure in terms of willingness to look at all sides of issues," says Corbet. "She's got a great sense of balance about her. I think she'll be a great thing for this country. She will be—I'm not sure this is a super analogy but—she'll be for women what Jackie Robinson was when he broke into big league baseball. She will be an all-star."

If she is, Ronald Reagan will benefit by proxy from every woman who ever marched, or burned a bra, or hollered, or sued, for equality. So be it. Sandra Day O'Connor will benefit more. Only the fringe of the left will grudge it to her.

CARL T. ROWAN

... With No Apologies to Aristophanes

Aristophanes' ashes must have erupted like Mt. St. Helens when President Reagan named a woman to the U.S. Supreme Court.

Some 411 years before Christ, Aristophanes was writing in "Lysistrata" that, "There is no animal more invincible than a woman, nor fire either, nor any wildcat so ruthless."

Images arise of Sandra Day O'Connor clawing at the eyes of Chief Justice Burger as he tries to impose some argument upon the rest of the Court.

And Shakespeare's bones must have beaten each other like castanets, muffling out even the strident protests of the Rev. Jerry Falwell. It was Shakespeare, after all, who wrote: "Frailty, thy name is woman!"

Can't you just see tears cascading down Mrs. O'Connor's black robe as frailty prevents her from dealing with some absurd opinion by her old Stanford classmate, Justice William Rehnquist?

Reagan Praised

Whether he chose Mrs. O'Connor to keep a campaign promise, or because he has been catching unmitigated hell from Republican women who say he hasn't given enough decent jobs to females, President Reagan deserves high praise for naming Mrs. O'Connor to the nation's highest tribunal.

After 191 years of wallowing in the inanities of Aristophanes and Shake-

speare, and assorted chauvinisms in between, it is good to see Mr. Reagan respond to the principle that America's commitment to justice is deepened when women sit on the Court.

We go back and forth from the trifling to the vulgar in our assertions that women are "different" from men. It is time that we faced the reality that whatever those female "differences" are, we need some of them in our judicial system.

So women are supposed to be different in temperament, a proposition that has been held by some to be reason for excluding them from the federal bench. I know a lot of male federal judges all over this country. Some have the temperaments of Easter bunnies while others must have been sired by rattlesnakes. Surely there are women of legal training who fall somewhere within this accepted continuum of male temperaments.

It is precisely because women are "different" that they deserve a voice in deciding what is right and wrong, just and unjust, wise and foolish. What god ordained men to pass judgment, exclusively, on whether women shall be forced by the state to carry all pregnancies to term? Or whether it is in the interest of society, or mankind, that only males shall bear arms in defense of a nation? Or what shall be the status of a child born to a surrogate mother? Or whether one generation must pay

"affirmative action" penance for the gross injustices of another? What god did that?

Suppose women are "different" in that their intuitions are more advanced than those of men. Who loses if woman's intuition is put to use separating the liars from the truth-tellers who come to the witness stand?

Unfair Stereotypes

How have we swallowed for 191 years the clichés and stereotypes that "women are this," "women are that"? We label Rosalynn Carter "the steel magnolia" and search our dictionaries for hard words to describe Margaret Thatcher, Golda Meir, Indira Gandhi or Bella Abzug, even as we go about pretending that nature prepared women to be only mothers and Mother Teresas.

Racism and sexism are still alive in America to the extent that whenever a black, a woman, an Hispanic is named to an important job, millions of people will leap to the conclusion that the appointee is an inferior who "got the job because he is black," or "because she is a woman," etc. Well, let them prove that Mrs. O'Connor learned less at Stanford than Rehnquist! The lady from Arizona may be more conservative than a lot of Americans would wish, but my male intuition says that President Reagan has made a choice that is good for the nation.