

O'CONNOR

Not Only A Person For All Seasons But A Person For All Reasons



Ellen Goodman
The Boston Globe

Boston

You might have called it an eye-opening week.

First President Reagan, a man notoriously myopic toward women, actually found one to nominate for the Supreme Court. Sandra O'Connor was not only a woman, he said, she was a "person for all seasons."

Then we watched as controversy over this person brewed between the extreme right and the merely right. To see Barry Goldwater representing the moderate middle was enough to clarify anyone's vision.

The coalition of groups alternately labeled "pro-family" or "moral majority" disapproves of Sandra O'Connor. They maintain that her voting record as majority leader in the Arizona Senate was not pure enough to pass the test of the Republican Party Platform.

That platform, you may recall, demanded judges who "respect traditional family values and the sanctity of innocent human life." But anti-

abortion groups, the Moral Majority Inc., and others criticized Judge O'Connor as suspiciously pro-abortion and pro-ERA.

This attitude was enough to put Goldwater's famous jaw out of joint. "I'm getting a little tired of people in this country raising hell because they don't happen to subscribe to every thought that person has," he said. "You could offer the Lord's name for some of these positions and you'd find some of these outfits objecting ..."

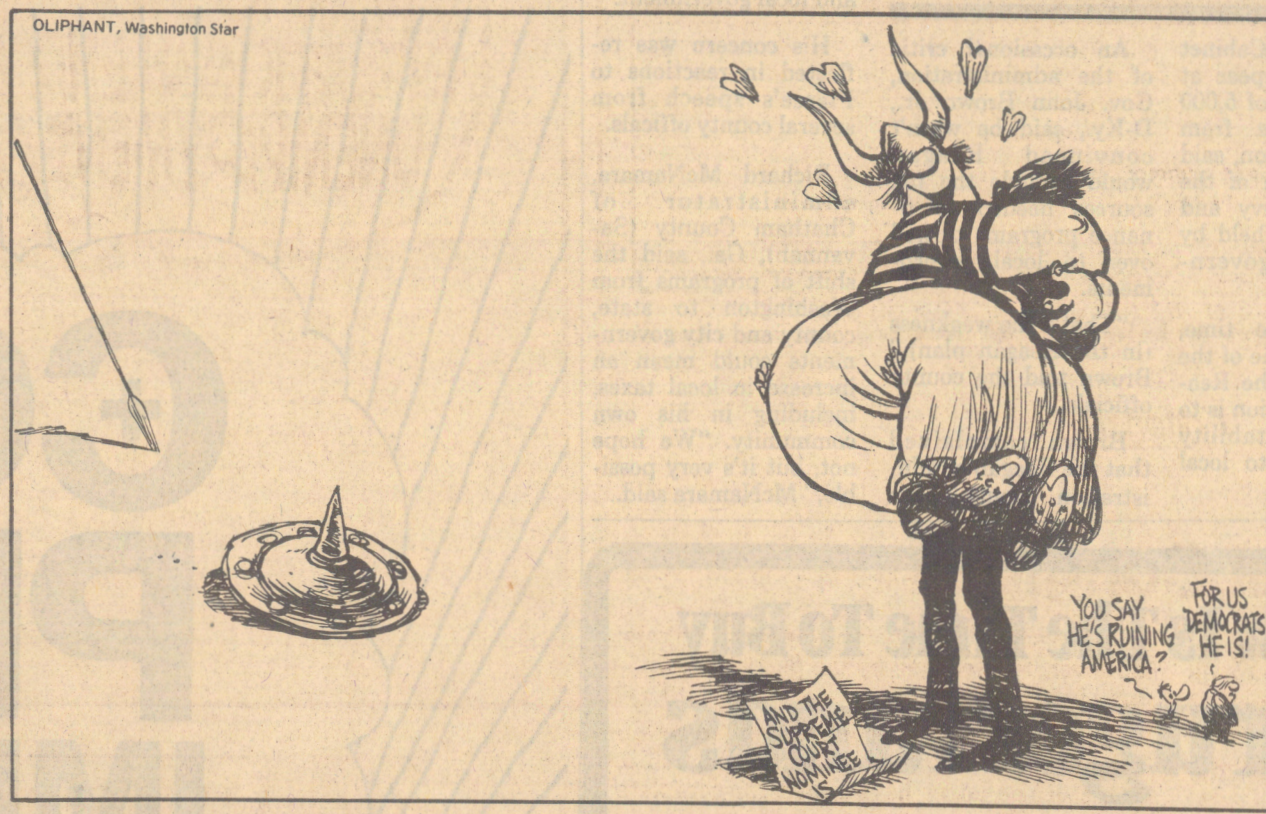
In any case, it was quite a stroke for Reagan, in the midst of all the budget cuts, to find an appointment criticized as too "liberal."

Meanwhile, Judge O'Connor's real record turned out to be about as middle-of-the-road as you could walk. It offers little cause for exhilaration or hysteria on either side.

Those who are against abortion notice that O'Connor voted against prohibiting the use of tax funds for abortion, and also voted against a bill urging Congress to pass the so-called Human Life Amendment.

But those who are in favor of keeping abortion legal, notice that O'Connor seems to have personally assured the president that she is against abortion.

Those opposed to the Equal Rights Amendment point out that O'Connor was one of those who introduced the



amendment into the Arizona Legislature in 1972. Those in favor of the ERA point out that she backed off this support.

As a judge of a state Appeals Court, O'Connor has not ruled on any of these hot social issues. Indeed her lack of record, the fact that she is

neither an advocate nor an activist in any cause, is a definite advantage in terms of her confirmation.

So O'Connor is not only a person for all seasons but for all reasons.

To begin with, she helps Reagan with his "woman problem." Women were his weakest supporters at the

polls and they are still weakening. Sandra O'Connor can help stop this collapse because she is a woman and a woman with moderate social views.

But she is a safe choice because of her conservative legal views. As someone opposed to an activist judicial role, she is unlikely to use

the bench for social change.

At the same time, her appointment solves Reagan's other "problem." The president made a commitment to the far right, to people who would replace the Constitution with the Bible according to Falwell, and return to the most traditional view of men and women. But he also had a commitment to appoint the most qualified woman he could find to the Supreme Court.

Talk about your double binds. It is virtually impossible to find a highly qualified woman who would be ultra-conservative on social issues. A woman jurist by definition is in a non-traditional role. A woman lawyer of experience and intelligence has inevitably become aware of inequality.

As a young graduate of Stanford Law School, Sandra O'Connor, for example, was refused a position in every major law firm in Southern California except one. That one offered her a job as a secretary. She remembers.

So what we have here on the way to confirmation hearings is this person; Sandra Day O'Connor, as much of a conservative as you can find in a qualified woman, and as much of a feminist as you can find in a conservative.

By gum and by grudging, Reagan's done it again.

Reagan Has Shattered His Coalition With His Supreme Court Nomination



Patrick Buchanan
Chicago Tribune
N.Y. News

Washington

The comparison between Ronald Reagan, coalition builder, and FDR, made in this space many times, may be in need of review.

With its handling of the Sandra O'Connor affair, the White House has given every indication it does not understand, or does not care, about nurturing the coalition Reagan put together over a dozen years, which put him in the White House.

White House aides — not for attribution, of course — are using the identical mocking terms to describe the alienated conservatives that the press used about them until around Nov. 4, 1980.

Have they forgotten why Ronald Reagan — not George Bush — was nominated and elected?

As Barry Goldwater demonstrated in that impossible Republican year, 1964, the party nomination is worth, automatically, 40 percent of the national vote. The key to the White House is to find the formula for adding the crucial 10 percent — the decisive swing vote — without jeopardizing the Republican-conservative base.

After some years of experimentation, Reagan mastered the formula, brilliantly, and astonished this politically purblind city with the magni-

tude of his triumph. They still don't quite comprehend what happened.

Stated simply, the formula was to weld to his new economic conservatism a touch of nationalism (Panama Canal) and social traditionalism which provides him with political reach into Democratic precincts of the South and the Northern cities, among folks who voted for John Kennedy and Lyndon Johnson and who have, historically, distrusted the GOP as the Party of the Fleetwoods.

Washington snickered when Mr. Reagan told that Baptist convention he questioned the theory of evolution; millions understood him to say, "I'm one of you — not one of them."

As this city's most perceptive political analyst, Kevin Phillips, writes in his *American Political Report* — even as Mrs. O'Connor arrived on the scene — there

appeared in the 1970s a "second wave" of social issues.

"Of these issues, right-to-life is the pivot, with Right-to-Life and New Right leaders even likening their moral and political position to that of anti-slavery forces in the years before the Civil War. Nor is that parallel shattered by survey evidence that support for an absolute right-to-life position or constitutional amendment prohibiting abortion is limited to 20-35 percent of the population ... Remember that abolitionist sentiment probably commanded less national support back in 1860."

To appreciate the intensity of reaction to the O'Connor nomination, the White House might ruminate on what the response would have been among the Republican abolitionists of the Civil War era had President Lincoln nominated a pro-

slavery justice to the Supreme Court, a justice certain to affirm the Dred Scott decision.

Yet, the other evening, in a magnificent party at the foot of the Capitol, almost every congressional Republican leader and White House aide to whom this writer spoke — maybe a dozen — dismissed the O'Connor controversy as an insignificant and passing contretemps.

After all, said one, Mrs. O'Connor is "personally opposed" to abortion — the identical position taken by Sen. Edward Kennedy.

Within hours of the nomination, a projected damage assessment:

The president's governing coalition is shattered, divided. The Right-to-Life movement which gave three to six Republican senators their margin of victory in 1980 — and the party the Senate — is thoroughly

alienated. Conservative and New Right organizations, within the "Kingston Group" — The Directory of the Right — have held an emergency meeting, unanimously voting to pull out all stops to block Mrs. O'Connor. The focus on the tax and budget packages has been shifted. And the president's most bitter opponents — celebrating the consternation — are lavishing praise on his nominee. This is smart politics?

Up until last week, the president was leading a broad, united alliance along to triumph after triumph — his enemies scattered and disheartened. Then, for reasons inexplicable, the White House called in the artillery on its own front-line units, who, outraged, have mutinied and are bitterly fraying their officers.

For what?

Administration Will Have To Make New Concessions To Get New Right Back In Line



Kevin Phillips
King Features

Washington

The ruckus touched off between the Reagan White House and the new right by the U.S. Supreme Court nomination of Arizona Court of Appeals Judge Sandra Day O'Connor is a tempest in a teapot. Even so, it's a sign of basic tensions that could play a decisive role in the politics of the early 1980s.

There will be no great fight. Mrs. O'Connor embodies all of the Republican virtues — affluence, tennis, the

presidency of the Junior League of Phoenix, a husband who belongs to the World Affairs Council of Phoenix and serves as president of the Phoenix-Scottsdale United Way. Judge O'Connor herself is also a former majority leader of the Arizona State Senate, and she made the Republican State Committee's mid-June list of nine possible 1982 GOP gubernatorial nominees.

Democrats have already breathed a sigh of relief: The Reagan revolution does not extend to the Supreme Court, where establishment criteria still prevail.

The new right is angry, though, predicating its anger on Mrs. O'Connor's alleged softness on the abortion and Equal Rights Amendment issues. Tactically at least, they have a point. Although the New Right doesn't have a prayer of defeating

Mrs. O'Connor's nomination, she is so clearly not one of them, so clearly an establishment Republican, that if they don't skirmish on the nomination, they signal weakness — and they are too skilled a group of politicians to do that.

So what they will do is "Mau-Mau" the issue: Yell a lot, make a lot of noise, shake their fists, brandish a few weapons, but not mount a knock-down, drag-out fight. This Mau-Mauing should make clear to the administration that the new right feels aggrieved, and that new and additional concessions are going to be necessary to get it back into line.

The greater problem the White House faces is that while they can straddle issues like abortion in 1981, the point will come where they have to take a stand. New right and right-to-life forces are both implacable,

both minimally interested in the larger economic interests of the national Republican coalition.

The potential for divisiveness is substantial. On one hand, there are the new right groups, the Religious Roundtable, the Moral Majority, the National Right-to-Life Committee, and all the rest. On their key religious and moral issues, they command the support of perhaps 30-40 percent of the country. They are a minority, not a majority. But they gave Ronald Reagan and a half dozen Republican Senate victors pivotal support in 1980, which makes them a minority with great strategic leverage.

This troubles Reagan strategists. By and large, they don't like the new right, and they wish they could build the GOP coalition elsewhere. But if wishes were votes, beggars would be

presidents, and the truth is that for over 12 years, from 1968 on, the national Republican Party has pursued a basically successful underlying strategy of seeking its marginal gains and constituencies in the South, the West and the blue-collar (Catholic) North.

Such a strategy effectively requires that the White House embrace social conservatism — on issues from abortion to school prayer to tuition tax credits for children attending private schools. Links have been forged, commitments made, pledges given. The electoral cost of reversing field would be enormous. Whole crucial constituency support patterns would be threatened.

For the better part of two decades, the losers in this process have also been the old Yankee Republican vote of the rural Northeast, plus the "Ivy

League" GOP establishment and silk-stocking suburbia. These constituencies tend to be moderate-to-liberal on social issues, deploring the Moral Majority and favoring a relatively easy view of abortion. Slowly but surely, they're being driven out of an increasingly Sun Belt and new right-colored Republican Party. (Parenthetically, counties and precincts where this vote was concentrated gave independent candidate John Anderson 10-20 percent of the vote in 1980, often reducing Ronald Reagan to the levels Barry Goldwater won in 1964.)

Within a year or two, as the 1984 election approaches, the White House will presumably once again be offending these electorates as it embraces new right positions, and that's why the new right opposition to Judge O'Connor is likely to be mostly Mau-Mau stuff.

Ohman On O'Connor

