



Supreme Court nominee Sandra Day O'Connor arrives on Capitol Hill to begin confirmation hearings before the Senate Judiciary Committee. With her are committee Chairman Strom Thurmond, R-S.C., left, and Attorney General William French Smith.

### Judge O'Connor Closes In On Confirmation

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the questioning; that her experience as a state legislator and state court judge made her especially sensitive to the role of the states in the federal system; that lawmaking was the job of legislators and not judges; and that state courts could provide adequate forums for protecting constitutional rights.

The 51-year-old judge, who had to pass anti-abortion pickets to reach the hearing room, also quoted from a marriage ceremony she had written in which she referred to the family as "mankind's basic unit of society, the hope of the world and the strength of our country."

Anti-abortion groups are trying to defeat the nomination on the ground that O'Connor's voting record when she served in the Arizona Senate was not sufficiently anti-abortion. In the first few minutes of questioning yesterday, Thurmond asked her for her views on abortion and an explanation of the four state Senate votes that her opponents have found most objectionable.

"I am opposed to abortion, as a matter of birth control or otherwise," O'Connor said. The subject of abortion, she continued, "is a valid one for legislative action, subject to any constitutional restraint or limitation."

Acknowledging that she had cast a preliminary vote in 1970 in favor of a bill to repeal Arizona's criminal abortion statute, she said that "at that time I believed some change was appropriate" in a law that made it a criminal offense to assist a rape victim in obtaining a "D and C procedure" — a method of early-pregnancy abortion — within hours or days after the assault.

In 1973, she said, she co-sponsored a bill to make birth-control information more widely available. She said the bill did not provide for abortions



The Associated Press

Judge Sandra O'Connor

and that she did not view it as an abortion measure.

In 1974, then-state Sen. O'Connor voted against a resolution calling for an anti-abortion amendment to the U.S. Constitution because, she said, the measure had not received "proper reflection or consideration." In the same year, she voted against an amendment to prohibit abortions in some state hospitals because the measure was a "non-germane rider" to another bill, she said.

O'Connor added that she had supported two bills that became law, one to restrict the use of state funds for abortions for poor women, and one to allow hospital employees not to assist in performing abortions.

If Thurmond hoped to defuse the abortion issue by allowing O'Connor to clarify her record within the first 10 minutes of questioning, he apparently succeeded, with the possible exception of two or three committee members.

One of those, Republican Sen. John East of North Carolina, tried repeatedly late in the day to get the nominee to give her opinion of Roe vs. Wade, the 1973 Supreme Court decision that declared abortion to be a constitutionally protected right. But

she refused to be pinned down, saying she could not prejudge an issue that could well come before the Supreme Court again.

O'Connor also deflected questions about other controversial subjects that might come before the court. Sometimes she answered in generalities that may or may not have contained hints of her own views. At other times, she replied with brief summaries of Supreme Court precedent on the matter, demonstrating a grasp of the case law without endorsing it.

Republican Sen. Charles McC. Mathias Jr. of Maryland asked whether she was "troubled" by the prospect of a "runaway" constitutional convention that might be called for one purpose but then expands its agenda.

"It does pose troubling questions for many people," O'Connor replied.

Mathias then asked what the impact might be if Congress passed any of the bills it is considering to limit federal court jurisdiction.

"I do view the independence of the judiciary as an important aspect of our system of checks and balances," O'Connor replied.

## O'Connor Moves Easily Toward Confirmation

### Court Nominee Tells Committee That Judges Shouldn't Make Laws; She Opposes Abortion

New York Times News Service

WASHINGTON — Judge Sandra Day O'Connor yesterday moved easily toward confirmation as an associate justice of the U.S. Supreme Court, emphasizing before a generally appreciative Senate Judiciary Committee her belief that "the proper role of the judiciary is one of interpreting and applying the law, not making it."

The first of three scheduled days of confirmation hearings contained few surprises. The members of the committee asked the Arizona Court of Appeals judge questions she seemed to have expected, and she provided answers the senators seemed pleased to hear. Members of the committee, including its chairman, Republican Sen. Strom Thurmond of South Carolina, indicated that confirmation was a virtual certainty.

But if the hearing lacked doubt as to outcome, it did not lack drama or a sense that history was being made by the imminent confirmation of the first woman Supreme Court justice in the court's 191-year history.

"Better 190 years late than never," Republican Sen. Robert Dole of Kansas told the nominee, adding: "You are among friends."

"As the first woman to be nominated as a Supreme Court justice, I am particularly honored," O'Connor told the committee in her opening statement. "But I happily share the honor with millions of American women of yesterday and today whose abilities and conduct have given me this opportunity for service."

O'Connor's opening statement, which followed an hour of comments by members of the committee, set the tone for much of what followed.

She outlined the theme to which she would return frequently during

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### Reagan Offers Begin Stronger Strategic Ties

From The San Diego Union's News Services

WASHINGTON — President Reagan, seeking to allay Israeli concerns about U.S. arms deals with its Arab foes, offered yesterday to establish new strategic ties with the Jewish state.

"We know Israelis live in constant peril," he told visiting Israeli Prime Minister Menachem Begin.

Begin told reporters after meeting with Mr. Reagan and Secretary of State Alexander Haig that the practical effect of the President's offer would be an alliance between the two nations. Still, he said, it would fall short of a mutual defense pact — something Begin has long sought.

While there would be no formal

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UPI photo

Sandra O'Connor and Senate Judiciary Committee Chairman Strom Thurmond.

# No strings, O'Connor says of appointment

WASHINGTON (AP) — Sandra Day O'Connor, in the second round of Senate committee questioning on her Supreme Court nomination, said today she personally opposes mandatory school busing and favors the death penalty.

In a tense exchange with Sen. Charles E. Grassley, R-Iowa, she also asserted that President Reagan had not asked for any commitments in exchange for the nomination.

"I was not asked to make any commitments . . . about what I would do or how I would resolve any issue to come before the court," she told the Senate Judiciary Committee.

The conservative Grassley twice

asked her to say that she had not been asked for any commitments.

O'Connor said she feels school busing to achieve integration can be "disruptive" to children, citing her own long treks to school when she was a child.

"I just think that isn't a system that often is terribly beneficial to the child," she said of school busing.

She also noted that during her tenure in the Arizona state Senate she voted for a resolution urging action "at the federal level" that would "terminate the use of forced busing in desegregation cases."

O'Connor also said that while in the Arizona state Senate she had voted in favor of a death penalty bill.

"I felt that it was an appropriate vote then, and I have not changed my views," she told Sen. Arlen Specter, R-Pa. She helped draft the bill to respond to the Supreme Court decision striking down the death penalty laws in many states.

The 51-year-old Arizona appeals court judge also strongly defended her refusal to answer substantive questions during her confirmation hearings.

"The nominees have felt reluctant to answer questions on issues that may come before the court," O'Connor said of past nominees to the high court.

On the sensitive issue of abortion, she told Sen. Jeremiah Denton, R-

Ala.:

"For myself it is simply offensive to me. It's something that's repugnant to me and something in which I would not engage."

However, in her exchange with the conservative lawmaker, she emphasized:

"We are obligated to recognize that others have different views."

"I'm over the hill. I'm not going to be pregnant anymore," she said, indicating that that may influence her views.

"Would I personally object to drawing the line at saving the life of the mother? No, I would not. Are there other areas? Possibly," O'Connor said.

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