

OPINIONS

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Phx Gazette

O'Connor:

Is it eight of them against all of her?

By Maxwell Glen
& Cody Shearer
Field Newspaper Syndicate

WASHINGTON — Women across America should take a moment to celebrate the Senate's confirmation of Sandra Day O'Connor to the Supreme Court.

Appointments of women to the federal judiciary aren't likely to be a recurring feature of the Reagan administration.

Though the president has made history by appointing the 51-year-old Arizonan as the first woman to the High Court, he's now under far greater pressure to nominate those of his own persuasion and sex.



Sandra O'Connor: Her appointment to the Supreme Court doesn't let the Reagan administration off the hook.

Among other radical changes in its first nine months, the Reagan administration has reshuffled the way federal judges are selected.

Reagan has muted the importance given to women and minority appointments during the Carter years.

It's almost as if the Reagan staff took literally the new movie "First Monday in October."

Their actions echo the sentiments of actor Walter Matthau who, as a feisty liberal justice, displays his distaste that a woman is on the bench by telling a law clerk, "It's eight of us against all of her."

So far, of the 12 new federal district and circuit judges nominated by Reagan, all are male; none are black or Hispanic.

There are, of course, still about 60 judge-ships to fill nationwide.

But we're not staying up nights waiting for women to get the nod. Here's why:

Traditionally, senators in the majority party have suggested candidates from their states for federal judgeships.

These names are screened by the Justice Department under guidelines issued by the White House.

According to Justice Department insiders, the new administration has changed President Carter's guidelines.

"There's no pressure on senators from the top to submit names of women or minorities for district judgeships," said Kathy Wilson, who chairs the National Women's Political Caucus. "The tourniquet that was applied by the Carter administration is no longer being used."

The president seems interested only in those people who are usually selected for the federal judiciary: prominent lawyers, state-level judges and law professors.

Almost all of these characters are male.

Reagan's preference for experience makes sense. But his administration isn't giving women the chance to gain the experience on which promotions are made.

Not surprisingly, the chief criticism leveled by legal scholars at Mrs. O'Connor is that she "lacks the experience" needed for the Supreme Court.

"Her professional experience to date has not been as extensive or challenging as that of some other persons who might be available for appointment to the Supreme Court," noted the American Bar Association in its endorsement of Mrs. O'Connor.

Similar criticisms were aired by the legal world when President Carter boosted the number of women in the district courts from three to 44 during his tenure.

Nevertheless, 75 percent of district judges are still male, and the ratio is even higher for the Circuit Appeals Courts.

We can't have it both ways, fellas. The path to judicial experience begins with an appointment or elected position.

If we want both qualified and well-rounded judges, we need guidelines that take diversity into consideration.

The second step is for women to take the initiative. Now that they comprise 13 percent of the lawyers in the United States, more women should be seeking local judicial positions.

Without good local talent, senators and the president can be excused for maintaining the male-dominated judiciary in America.

We worry that White House chief of staff James Baker and counselor Edwin Meese, who meet weekly to discuss judicial appointments, believe one woman on the High Court is worth 40 in lower posts.

Yet Sandra O'Connor's confirmation doesn't let the Reagan administration off the hook. Her appointment may be one way to appease women's groups, but it's not enough to build a strong and equitable judiciary.

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Comments On O'Connor

Editor:

Frances R. Haye's letter about Judge Sandra O'Connor's stand on abortion states that "abortion on demand is wrong, or it isn't."

I cannot agree that the issue is so clear-cut or so simple.

For instance when it is a case of a young woman taking drugs, paying no attention to good nutrition rules for pregnancy, and absolutely not wanting the baby, the chances are very slim that that baby will be normal at birth or will ever be wanted as an adoptive child.

Therefore, it will most likely always have to be cared for by government institutions.

Does she want that?

MRS. FRANK P. WALKER
Sun City

Editor:

We Arizona folks are mighty proud of our "native" daughter Sandra O'Connor. She is the epitome of a lady fully capable to don the robes of the Supreme Court with dignity and honor.

RUTH DEMOPLOS
Phoenix

Editor:

The fumings of the senatorial lunatic fringe against Mrs. O'Connor's nomination, and that of the more idiotic gang of so-called witnesses remind me of a paragraph in Robinson & Breasted's history book which I read at high school, 'way back in 1914.

The authors tell of a plumber on a visit to the Parthenon. He was so busy criticizing the faulty drains that he missed entirely the majesty and loftiness of the architecture.

SYLVANUS PETERS
Sun City

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Gazette Photo by Mike Fiorito

BACK IN ARIZONA

Newly appointed U.S. Supreme Court Justice Sandra O'Connor attends memorial services Tuesday at Our Lady Of Perpetual Help church for her mother-in-law, Sally O'Connor. She is followed by husband, John,

and other family members. Judge O'Connor was back in Phoenix from Washington, D.C., where she was confirmed unanimously Monday by the U.S. Senate as the country's next Supreme Court justice.

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UPI Photo

REAGAN PRAISES JUDGES

With Chief Justice Warren Burger and former Arizona Appeals Court Judge Sandra O'Connor at his side, President Reagan speaks to federal district and appellate judges today in the White House Rose Garden. Reagan said freedom depend upon the way judges define the law and

added: "I pledge to do everything in my power to enhance the prestige and quality of the federal bench." After the reception, Reagan held a luncheon for Judge O'Connor, who takes her oath Friday as the first woman on the Supreme Court, and the other high court justices.

Reception Honors O'Connor, Others

WASHINGTON (UPI) — President Reagan hosted a Rose Garden reception today for federal judges and the newest member of the Supreme Court, pledging to do all he can to "enhance the prestige and quality of the federal bench."

Chief Justice Warren Burger and Sandra Day O'Connor, who will be sworn in Friday as the high court's first woman justice, were on hand for the reception.

Judge O'Connor, formerly on the Arizona Court of Appeals bench, was beaming as she and Reagan strode from the Oval Office into the brilliant sunlight that bathed the garden nearby.

Speaking to about 150 judges from federal district and appellate benches, Reagan said he was

thankful for their daily reassurance "that our ideals of liberty and justice are alive and well in the United States."

The president said the ideals of freedom depend on the way judges define the law today.

"I pledge to do everything in my power to enhance the prestige and quality of the federal bench," he said.

"In a society founded on law, we must take all reasonable steps to ensure that the best among us are called on to serve and are able to serve for life," he said.

The president then headed for a luncheon with Judge O'Connor, Burger and other members of the Supreme Court.