

THE VOICE OF THE NORTHWEST SINCE 1863

Move over, Brethren!

The United States Supreme Court, after 191 years and 101 male justices, apparently will join the mainstream of U.S. life with the appointment of Arizona Court of Appeals Judge Sandra Day O'Connor, the high court's first woman justice.

The breaching of the last male bastion in the federal government is as splendid as it is overdue.

What's really surprising is that the nation's first woman justice has the backing of Ronald Reagan, a president whose party last year reversed 40 years of backing for an equal rights amendment. Reagan has been under fire recently for what even supporters admit is a dismal record of appointments: Only 42 women among the 390 appointees that so far have required Senate confirmation.

But, Reagan has a promising prospect. A graduate (along with Justice Rehnquist) of Stanford University Law School, O'Connor is thought a good lawyer, a scholarly writer and a superior jurist. She has an interest in the outdoors and a background in civic and charitable causes.

In his announcement of Judge O'Connor's nomination, President Reagan called her "a person for all seasons." He noted that she possesses "those unique qualities of temperament, fairness and intellectual capacity and devotion to the public good which have characterized the 101 'Brethren' who have preceded her." Reagan chose O'Connor despite pressures from groups who fear her approach to women's rights' issues. On the other hand, women's groups such as the National Women's Political Caucus cheered Judge O'Connor's apparent support for the ERA.

We say "apparent" because Judge O'Connor has not been in the front lines. And, as Supreme Court watchers know, a justice — appointed for life — may or may not decide the important issues as supposed. Did Kennedy guess how many times Justice Byron White would put First Amendment rights second? Did anyone presume Justice Harry Blackmun would write on abortion for the majority?

Assuming clearance by the FBI and confirmation by the Senate, O'Connor, too, may confound the seers. Already she has upset the old-boy network of the Capitol, where sexism dies hard. We see O'Connor's appointment as part of a healthy trend but wonder if the feminists aren't correct when they say that equality waits until a mediocre woman can be appointed.

We echo Reagan's request for swift consideration of Judge O'Connor and trust that, when the court opens its fall session Oct. 5, Justice O'Connor will be seated along with the Brethren. It's a matter for optimism, not that she has come such a long way, but that the nation has.



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YUMA, ARIZ.
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MAR JON

Step on up, O'Connor's show is about to begin

President Reagan's widely praised selection of Arizona Appeals Court Judge Sandra O'Connor for the U.S. Supreme Court promises to largely satisfy liberals and moderates — while perhaps ripping apart the president's coalition of conservative and far-right-wing factions.

It's not that Mrs. O'Connor threatens to join the conservative-abhorred "social engineering" the high court is accused of practicing. In fact, Mrs. O'Connor is described by Sen. Dennis DeConcini, who recommended her to the president, as a jurist who will "interpret the law, not make it."

Translated, that means the Reagan administration is counting on Mrs. O'Connor to avoid judicial decisions such as that which expanded the ruling that the nation's schools should be racially integrated into court-ordered busing.

But the predictions of Mrs. O'Connor's lawmaking restraint are apparently little solace to the likes of Jerry Falwell and his Moral Majority.

The Moral Majority, a collection of religious fundamentalists whose heartfelt prayer is to return Americans to "traditional family values," found a supporter in Reagan. They, in turn, become Reagan supporters.

But the Moral Majority is now screaming foul. Mrs. O'Connor, while an Arizona legislator, supported pro-abortion legislation and is a lukewarm proponent of women's rights.

The president, according to the publishers of the Conservative Digest, not only ignored promoting "traditional family values" in his selection, but also ignored a Republican Party plank honoring "the sanctity of life."

The Moral Majority, the Rev. Falwell announced, and other right-wing groups vow to

fight Mrs. O'Connor's confirmation in the Senate.

Considering the ease with which Reagan has conquered Congress and gotten his social-program-demolishing budget passed, it's hard to imagine that the president has in mind with his appointment a reconciliation with the nation's non-conservatives. He simply doesn't appear to need them. He also didn't need to appoint a woman. His campaign pledge clearly said "one of my first" Supreme Court positions would go to a woman, not necessarily the first.

And with the time he had to make a decision — Reagan is reported to have known months in advance that Supreme Court Justice Potter Stewart was retiring — it's not possible the president did not know Mrs. O'Connor's views.

No, Reagan and his advisers had to see something in Mrs. O'Connor that appealed to their politics, and appealed enough that they're willing to weather the firestorm of condemnation the Moral Majority and others of their ilk are releasing.

Questions on social issues will undoubtedly dominate Mrs. O'Connor's confirmation hearings, and the answers Mrs. O'Connor gives will be enlightening considering she has had little previous opportunity in the Appeals Court to make known her views on a variety of issues. And with the dander of the Moral Majority raised, those hearings could get hairy. After all, the president hasn't batted quite a thousand percent: his nominee for assistant secretary of state for human rights, Ernest Lefever, bombed.

But regardless of the hearings' outcome, the nipping among conservatives is going to be an interesting show.

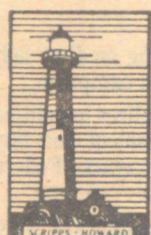
As the Capitol's liberals sit around, licking their Reagan-inflicted wounds, they'll at least be able to enjoy their adversaries' debate of whose right is the right right.

Israel's Labor Party admits
Likud bloc has inside track

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GOP, Dems refuse to suggest
Social Security compromise

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Rocky Mountain News

METRO
EDITION

Forecast:
Cooler, chance of showers
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Reagan appoints woman to nation's highest court

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Arizona Appeals Judge Sandra D. O'Connor