



Washington visit

Sandra O'Connor, U.S. Supreme Court nominee, walks with U.S. Attorney General William French Smith from the Department of Justice in

Washington after a meeting Friday. Judge O'Connor's confirmation hearings will begin next week on Capitol Hill. Stories on A15, B1.

Saturday, September 5, 1981



Jerry Falwell

Moralist will skip hearing

WASHINGTON — Jerry Falwell, leader of the Moral Majority, will not testify Wednesday on the nomination of Sandra Day O'Connor as the first woman Supreme Court justice, his organization said Friday.

Falwell, who opposes abortion, is reserving judgment, said Cal Thomas, his spokesman in Lynchburg, Va.

Once Judge O'Connor's appearance ends, an additional 25 people are scheduled to testify.

The list includes a number of anti-abortion groups, including the National Right to Life Committee.

Among those supporting the nomination will be representatives of the American Bar Association and the National Organization for Women.

From Arizona will come Gov. Bruce Babbitt and other legislators and public officials.

O'Connor Hearings Go Without Falwell

WASHINGTON (AP) — Moral Majority leader Jerry Falwell will not be among several anti-abortionists who will testify next week against Judge Sandra Day O'Connor's nomination to become the first female Supreme Court justice.

Falwell's name was on a list of opposition witnesses released Friday by the Senate Judiciary Committee. But his spokesman in Lynchburg, Va., said Falwell, who opposes abortion, has decided to reserve judgment.

"He has decided not to testify at the O'Connor hearing because it would be perceived in advance that he was opposed to the nomination," Cal Thomas said. "Conceivably, if her answers are satisfactory, Falwell could speak in support of her nomination."

Judge O'Connor, who has been in Washington since Monday, will lead off the hearings next Wednesday before the Judiciary Committee. Another 25 persons have been scheduled to appear either in support or opposition to President Reagan's first high court nominee.

The list includes a number of anti-abortion groups, including the National Right to Life Committee, which oppose Judge O'Connor's nomination because they believe she supports the Supreme Court's 1973 decision legalizing abortion.

Testifying in support of the nomination will be representatives of the American Bar Association, the National Organization for Women, the National Women's Political Caucus, the National Bar Association and the National Association of Women Judges.

From Arizona, where Judge O'Connor is a judge and former legislator, will come Gov. Bruce Babbitt, once a potential political rival, and 10 other public officials.

Judge O'Connor has been preparing for the hearings the past several days by reading briefing books prepared by Justice Department officials, including testimony of previous Supreme Court nominees before the Judiciary Committee.



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One Man's Opinion

Bernie Wynn
Political Editor

Right-wing mudslinging misses Judge O'Connor

Arizona Appeals Judge Sandra O'Connor is no shrinking violet. She's fully able to handle her end of it during U.S. Supreme Court confirmation hearings, which open Wednesday in the Senate.

But the archconservatives will be in Washington in full force to cut her down because she isn't fully in their camp on the abortion issue and the doomed Equal Rights Amendment.

Both are emotional issues. Judge O'Connor, because of her legal training, does not view important issues on an emotional basis. No competent judge does.

Judge O'Connor is a political conservative. In her years in the Arizona Senate, and as the first woman majority leader, she amply demonstrated to my satisfaction that she supports a limited government, free enterprise and the lowest tax rate possible.

But what bothers the Moral Majority is that she's not a zealot like its members, that she believes there are some areas in life where human beings must make moral decisions for themselves.

The *Conservative Digest*, in its August issue, includes two post cards that readers are asked to send to their senators in Washington.

They are headed, "I strongly urge you not to support the Supreme Court nomination of Sandra O'Connor."

The digest's publisher is right-wing extremist Richard Viguerie, the direct-mail fund-raising expert.

"It is clear from her record in the Arizona Senate that she is a supporter of legalized abortion," the post card contends. "Her choice is a violation of the 1980 Republican platform, which pledged the appointment of judges who respect traditional family values and the sanctity of innocent human life."

Virtually the entire magazine is devoted to an anti-O'Connor tirade. Page 6 is devoted to the magazine's version of her voting record in the Senate from 1970-74.

The right wing charges that as a senator, Judge O'Connor:

- Voted in the Senate Judiciary Committee for a bill to permit abortion on demand. (It died in the Rules Committee.)
- Opposed state funds to private schools on the grounds of unconstitutionality.
- Made a floor speech in favor of the Equal Rights

— Wynn, B6

Wynn

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Amendment. (She later lost her enthusiasm for the ERA, but this isn't mentioned.)

• Supported a bill providing "no fault" divorce.

• Co-sponsored a family-planning bill, which included permission for physicians to prescribe contraceptive devices to minors without parental consent. (This was designed to cut down on teen-age pregnancies and the need for abortions.)

• Voted against a House-passed right-to-life memorial asking Congress to outlaw abortions.

• A month later, voted against an appropriations bill empowering the University of Arizona to issue bonds

to expand its football stadium.

• "Gutted" a tough anti-crime bill making prison sentences mandatory for certain crimes without possibility of probation, pardon or parole.

The right wing makes a big issue out of the fact that a number of moderate and liberal Democrats have voiced support for Judge O'Connor's appointment.

The New Right is trying to paint her hostile to traditional family values. That's pure hogwash.

Her life clearly demonstrates that she is a devoted wife, a conscientious mother, an intelligent public servant, a selfless civic leader and a warm human being.

The U.S. Senate will confirm Judge O'Connor because she's highly qualified for the job. All the Moral Majority will achieve is to unmask its bigotry to the whole nation.