



Sen. Dennis DeConcini (left) defends fellow Arizonan Sandra O'Connor's nomination to the Supreme Court on NBC's *Today* show Wednesday against Dr. J.C. Wilkie, head of the National Right to Life Committee. Wilkie said he will ask President Reagan to withdraw Judge O'Connor's nomination to the post.

## You've come a long way, baby, to get Reagan's nod for the highest U.S. bench

Reflecting the thinking of most 19th-century American voters — almost all of whom were male — the Supreme Court ruled in 1873 that Illinois had a perfect right to deny a lawyer's license to a woman.

"Civil law, as well as nature herself, has always recognized a wide difference in the respective spheres and destinies of man and woman," three justices held in an opinion that concurred with the majority decision by Justice Samuel Miller.

"Man is, or should be, woman's protector and defender," the opinion said. "The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life. The constitution of the family organization, which is founded in divine ordinance as well as in the nature of things, indicates the domestic sphere as that which properly belongs to the domain and functions of womanhood."

Now, 108 years and scores of lawsuits later, Arizona Court of Appeals Judge Sandra O'Connor, 51, is in line to become the first woman among the 101 people to reach the high bench.

In announcing that he would nominate Judge O'Connor, President Reagan fulfilled a campaign pledge to name the first woman to the high court, and he won admiring applause from rival politicians for a masterful political stroke as well as a strong judicial choice.

Although senators on both sides of the political fence, such as Arizona Democrat Dennis DeConcini and Republican Barry Goldwater, reacted favorably, Judge O'Connor is not without her detractors.

The political and religious right — most notably the Moral Majority, led by the Rev. Jerry Falwell — immediately denounced the nomination because of Judge O'Connor's support for legislation on abortion and the Equal Rights Amendment as an Arizona state senator.

From the beginning, when he learned that Justice Potter Stewart planned to resign from the court this term, Reagan was determined to appoint a woman if at all possible, aides said.

His decision undercut growing criticism that he had failed to give important jobs to women. Eleanor Smeal, president of the National Organization for Women, praised the nomination as "a major victory."



# THE ARIZONA REPUBLIC

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Where The Spirit Of The Lord Is, There Is Liberty—II Corinthians 3:17

### Editorials

## No Single Issue

SENATE confirmation of Judge Sandra O'Connor to the U.S. Supreme Court should not depend on whether, 10 years ago, she voted for or against a facet of the abortion issue.

She was not acting in a judicial capacity back then, nor is the record clear as to whether one vote was triggered by opposition to a rider or by opposition to the main bill.

In any event, Judge O'Connor reportedly told President Reagan that "she is personally opposed to abortion" and that it was especially abhorrent to her.

What is important, in deciding whether the O'Connor nomination should be confirmed, is whether her Supreme Court decisions would be based on law.

Judging from the record, they will be. Even the most extreme of the anti-abortion groups admits that Judge O'Connor is a strict constitutionalist who acts in accordance with the law and who believes, perhaps owing to her own legislative experience, that the Supreme Court's job is to interpret the law, not to make it.

Justices quite obviously need a wide and

varied background, which is an excellent reason for not using a single issue to decide a person's qualifications.

The pro-life people, best exemplified by Rev. Jerry Falwell and his Moral Majority, have a tendency to focus on the single issue of abortion.

It was this tendency that led Sen. Barry Goldwater, who said he had "supported right-to-life groups all the way down the line," to tell a reporter that "every good Christian ought to kick Jerry Falwell right in the ass."

Such heated hyperbole won't settle many disputes, but it may cause the average citizen to consider the absurdity of single-issue voting blocs.

Regardless of who gets kicked where, there doesn't appear to be much likelihood that the Senate will fail to confirm Judge O'Connor.

Nothing now seems likely to cancel Sandra O'Connor's date with destiny, Oct. 5, 1981, when she will become the first woman to sit on the U.S. Supreme Court.



**HISTORY MAKER** — Sandra O'Connor's Supreme Court nomination sets a precedent for the history books. A7, A10.

**CHUCKLE** — The hardest thing about making a living is that you have to go back again the next day and do it all over again.

**PRAYER** — Lord, we trust you to give us strength and courage. Amen.

**WEATHER** — Partly cloudy, scattered showers. Highs 70s-80s mountains, 100-105 deserts. Lows 50s mountains, 70-80 deserts. E12.

Art	F9	Kids	D8
Astrology	D5	Leisure	F1
Bombeck	D1	Movies	F6
Books	F10	News2	AA1
Bridge	F7	Obituaries	E14
Close-ups	D1	Radio	F9
Crossword	AA5	Scrabble	AA3
Economy	C1	Sports	G1
Editorials	A6	Sun Living	SL1
Fitzpatrick	A2	Travel	H1
Hicks	B1	Want ads	CL1
Hutton	D1	Weather	E12