

must bear the racist label. Mr. Rehnquist is of course on the conservative side of the political spectrum. But I neither saw nor heard anything during my two years with the Department which would in any way suggest that Mr. Rehnquist had any tendency toward racism. Charges to the contrary seem wholly unwarranted.

In my judgment, William Rehnquist will contribute much to the work of the Court and to this country's legal institutions, and I therefore strongly support his nomination.

Very truly yours,

THOMAS E. KAUPER,
Professor of Law.

YALE UNIVERSITY LAW SCHOOL,
New Haven, Conn., November 1, 1971.

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
Senate Office Building,
Washington, D.C.

DEAR SENATOR EASTLAND: I am writing in support of the President's nomination of Mr. William Rehnquist for Associate Justice of the Supreme Court of the United States.

My support is based not merely upon Mr. Rehnquist's professional reputation, which is extremely high, but upon my opportunities to talk with him and to observe him in debate concerning legal matters. There can be no doubt whatever concerning his intellectual qualifications. He possesses a brilliant and analytical mind. More than that, however, Mr. Rehnquist is a deeply thoughtful man with respect for the requirements of intellectual honesty. I am sure, therefore, that in the decision of constitutional cases he will be guided not by his personal philosophy but by a commitment to the commands of the Constitution, interpreted in the light of its text and its history. This does not mean that he will be a wooden literalist but rather that he will attempt to discern the meaning of the Constitution in new circumstances by the document's fundamental principles instead of in Court and to this country's legal institutions, and I therefore strongly support accordance with whatever legislative views he might entertain if he were in the Congress rather than upon the Court. This is a difficult task, requiring the utmost in self-discipline and thoughtfulness. I believe that Mr. Rehnquist has those qualities in abundance.

I have seen Mr. Rehnquist engage in debate on highly controversial subjects. Though some persons on both sides of the issue became quite heated, he did not. He remained calm but forceful in the presentation of his views, marshalling his arguments with great skill. That performance was indicative not merely of great professional qualifications, but also of a judicial temperament.

In sum, I support Mr. Rehnquist's nomination warmly and with enthusiasm.

Yours truly,

ROBERT H. BORK,
Professor of Law.

YALE LAW SCHOOL,
New Haven, Conn., November 2, 1971.

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, U.S. Senate,
Washington, D.C.

DEAR SENATOR EASTLAND: I am writing to support the nomination of Mr. William H. Rehnquist as an Associate Justice of the Supreme Court of the United States.

By way of reputation, I know Mr. Rehnquist to be a distinguished lawyer blessed with a brilliant mind. I have also been fortunate enough to have had personal contact with him. He is a reflective, thoughtful individual with a temperament ideally suited to a judicial position. He is intellectually honest and has a highly developed sense of legal craftsmanship.

Mr. Rehnquist is experienced in matters of constitutional law. He will bring to the Court knowledge and a sense of history as well as intellectual power. He understands, and accepts, the fundamental principles of government established

by the Constitution and appreciates the difficult role a court must play as a constitutional arbiter in a democratic society.

It is my anticipation that Mr. Rehnquist, if he is confirmed, will serve with distinction and that history will judge him to be one of our greatest Justices.

Sincerely yours,

RALPH K. WINTER, JR.,
Professor of Law.

THE UNIVERSITY OF CHICAGO,
THE LAW SCHOOL,
Chicago, Ill., November 10, 1971.

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, U.S. Senate,
Washington, D.C.

DEAR SENATOR EASTLAND: I should like to express my warm support for the confirmation of William H. Rehnquist as Associate Justice of the Supreme Court.

Rehnquist was a student of mine at Stanford Law School. He was not only the top student in his class but one of the best students in the School over a number of years. He has remained in my mind as one of the most impressive students I have had in some twenty-two years of teaching.

I am confident that he is a fair-minded and objective man. Any suggestions of racism or prejudice are completely inconsistent with my recollections of him. Although I have had little contact with him in the intervening years, I have confirmed my impressions about both his intellectual quality and his objectivity with members of the Arizona bar whose judgment I respect.

I believe he would be an independent judge and that he would bring to the Court an unusual capacity for understanding and responding to all dimensions of the difficult problems the Supreme Court must confront. In my judgment his appointment would add great strength to the Court.

Sincerely,

PHIL C. NEAL, *Dean.*

ARIZONA STATE UNIVERSITY,
COLLEGE OF LAW,
Tempe, Ariz., November 11, 1971.

HON. JAMES OLIVER EASTLAND,
Chairman, Committee on the Judiciary, U.S. Senate,
Washington, D.C.

DEAR SENATOR EASTLAND: I write to support the nomination of William H. Rehnquist to the Supreme Court of the United States. Neither his political party nor his political philosophy is mine. Nonetheless, he is a lawyer of such skill, intelligence and integrity that I was moved to approach him a year ago about the possibility of an academic career with the faculty of the College of Law of Arizona State University. He felt his commitment at the Department of Justice would not then permit him to consider such an appointment.

The qualities that would, in my judgment, have made him an excellent law professor should make him an excellent Justice of the United States Supreme Court. On that Court, charged with responsibility to serve the interests of all of the people in interpreting the Constitution of the United States and the laws of Congress, I am confident he will serve his country with great distinction.

Sincerely,

WILLARD H. PEDRICK, *Dean.*

The CHAIRMAN. Senator Fannin.

**STATEMENT OF HON. PAUL J. FANNIN, A SENATOR
FROM THE STATE OF ARIZONA**

Senator FANNIN. Thank you.

Mr. Chairman and members of the committee, I am delighted to join with my colleagues, Senator Goldwater and Congressman Rhodes, in presenting to you Mr. William H. Rehnquist who has been nominated to be an Associate Justice of the Supreme Court.