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Article

## Groups Gird For the Battle Over What Can Be Asked

By David Kirkpatrick

With the nomination of Judge John G. Roberts to the United States Supreme Court on Tuesday, advocacy groups on both the left and right geared up to fight over how much or how little he should be required to disclose at Senate hearings, the next stage of the confirmation battle.

Nan Aron, president of the liberal legal group Alliance for Justice, said that because Judge Roberts has spent just two years on the bench, leaving a scant trail of opinions, liberal groups were pushing for the Senate Judiciary Committee to dig hard into his previous work.

In particular, Ms. Aron said, liberal groups were pressing senators to ask questions and demand documents from Judge Roberts's extensive work as a lawyer for Republican administrations, when he argued cases against abortion rights and for prayers at public school ceremonies.

"This is extremely distressing," Ms. Aron said. "We are looking to the Senate to conduct a very thorough and wide-ranging inquiry into his judicial philosophy. There are too many unanswered questions about his views."

Karen Pearl, president of the abortion rights group Planned Parenthood, said her group was also reserving judgment and urging senators to find out more about whether Judge Roberts personally shared the views he argued for the government. "We have grave concerns those might be his beliefs," Ms. Pearl said.

Conservatives, who had pressed the White House to nominate a jurist with a clear track record on their side of major issues, cheered the nomination, mainly because of the cases he had argued for the government. But they said it would be inappropriate to ask him detailed questions about those cases or how he might rule.

"I think it is going to be hard for the left to fight him," said Paul Weyrich, chairman of the Free Congress Foundation. Recalling Justice Ruth Bader Ginsburg's refusal to answer questions in her confirmation hearings about cases she filed as a lawyer arguing for abortion rights, Mr. Weyrich said, "If he just refuses to answer the way Ruth Bader Ginsburg did, I don't think they have anything they can complain about."

"I think this is a tremendous pick," said Jay Sekulow, chief counsel of the Christian conservative American Center for Law and Justice, who said he had known Mr. Roberts for 17 years as a friend and a colleague.

Tony Perkins, president of the Family Research Council, a conservative Christian group that has organized a telecast called "Justice Sunday" next month to rally support for confirmation, said Mr. Roberts had argued 39 cases before the Supreme Court. "Very few people have argued that many cases, and he has been on the right side of the issues," Mr. Perkins said.

Mr. Sekulow said, "John is a man of tremendous integrity -- he doesn't argue just to argue." He noted that he had filed briefs alongside Mr. Roberts in many cases.

A spokeswoman for Progress for America, which has pledged to spend \$18 million supporting the president's nominee, said Tuesday night that the group was already editing a national television commercial intended to present a positive image of Mr. Roberts to the public. Gary Marx, executive director of the Judicial Confirmation Network, which seeks to build grass-roots support in the home states of pivotal senators, said the group was beginning a campaign on Wednesday to call on senators for fair and dignified hearings.

Ralph Neas, president of the liberal group People for the American Way, said his group had not yet taken a position on the nominee. But he sent 400,000 e-mail messages on Tuesday night

urging supporters "to call their senators and ask them to withhold their confirmation until the facts are before the Judiciary Committee."

Liberal groups said their biggest complaint about Mr. Roberts on the bench concerned a ruling on an environmental issue. They noted that in a dissenting opinion Judge Roberts had questioned the constitutionality of the Endangered Species Act. Judge Roberts "displayed a flippant attitude towards preventing the extinction of what he called 'a hapless toad that, for reasons of its own, lives its entire life in California,'" Buck Parker, executive director of Earthjustice, said in a statement.