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## Reaction to Kagan's nomination swift, muted

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Reaction to Elena Kagan's Supreme Court nomination was swift but generally muted, as lawmakers, activists, advocates and pundits promised a thorough examination of her views. Though one Republican senator immediately opposed her nomination, the GOP stopped well short of declaring war on the nomination and one GOP lawmaker said a filibuster was unlikely. Still, the reactions suggested the contours of the nomination debate.

### EXPERIENCE

Sen. Charles Grassley, R-Iowa, said that with "no judicial experience, it becomes even more important that we ask thorough questions to determine that Ms. Kagan truly understands the constitutional role of a Supreme Court Justice."

"It strikes me that if a nominee does not have judicial experience, they should have substantial litigation experience," said Sen. Mitch McConnell, R-Ky., noting that the only justice without judicial experience, William Rehnquist, had been in private law practice

for 16 years.

Sen. Amy Klobuchar, D-Minn., a member of the Judiciary Committee that will vote on Kagan's nomination, saw a different comparison. "I think it is healthy for the court to have at least one justice from outside what has been termed the 'judicial monastery,'" she said.

### LACK OF RECORD

Nancy Keenan, president of NARAL Pro-Choice America, expressed some wariness about supporting Kagan, given a lack of information about how she might vote on abortion issues. (The Associated Press reported Monday that as a White House adviser in 1997, Kagan urged then-President Bill Clinton to support a ban on late-term abortions in a political compromise.)

"As I made clear when I supported her confirmation as solicitor general, a temporary political appointment is far different than a lifetime appointment to the Supreme Court," said Sen. Jon Kyl, R-Ariz., a member of the Senate Judiciary Committee.

### HOT BUTTONS

"Kagan's record indicates a troubling support

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for expanding presidential powers," which resulted in torture, illegal detention and profiling, said the Center for Constitutional Rights, a nonprofit legal advocacy group.

"seeming contempt" for the Senate confirmation process and a "lack of impartiality when it comes to those who disagree with her position."

Kagan "spit in the eye of America's armed forces," said the Committee for Justice, by banning recruiters from Harvard Law in opposition to the military's "don't ask, don't tell" policy on gays.

## NEWS SERVICES

### GENDER BALANCE

Senate Majority Leader Harry Reid, D-Nev., said the prospect of having three female justices on the Supreme Court for the first time is "a historic occurrence that is long overdue."

### ELITISM

GOP leaders were quick to criticize Kagan as an out-of-touch elitist, someone who has "spent her entire professional career in Harvard Square, Hyde Park and the D.C. Beltway," as Sen. John Cornyn, R-Texas, put it.

### THE NO VOTE

Sen. James Inhofe, R-Okla., said flatly that he would oppose Kagan. He said she had shown

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