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Rehnquist's Backers Say Critics Have Begun a Senate Filibuster

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WASHINGTON, Dec. 7—Critics of William H. Rehnquist vowed today that they would talk until their arguments caught the Senate's attention, and his supporters charged that a filibuster had begun.

The strategy and concerns of both sides became apparent on the first full day of debate on the nomination of Mr. Rehnquist to the Supreme Court. Critics of the nominee droned through long speeches before a vacant Senate chamber, and supporters kept themselves largely in the background.

Mr. Rehnquist's opponents conceded that they had not yet been able to impress the public or the Senate with their fears that Mr. Rehnquist was dangerously insensitive to individual freedoms and civil rights.

"We just have to keep hammering away at this until some of this gets through," said Senator Birch Bayh of Indiana, who is leading the floor fight against confirmation.

Mr. Bayh delivered a one and one-half-hour speech that included a recitation of the pledge of allegiance to the flag. Later, speaking to reporters, he said that Mr. Rehnquist had a "Neanderthal philosophy" that would threaten constitutional freedoms. But he said the war in Asia and other events had distracted attention from his beliefs.

Senator Bayh, a Democrat, denied any intention of staging a filibuster but said he would like to put the vote off until the next session of Congress if this would produce a thorough airing of the issues.

Meanwhile, it became apparent that the Republican

leadership had decided on a policy of nonconfrontation with Mr. Rehnquist's critics, while accusing them of needless obstructionism and delay.

Republican Senators stayed off the floor or remained silent, declining to take issue with charges made by the opponents who spoke today—Senators Bayh, Philip A. Hart of Michigan, John V. Tunney of California and George McGovern of South Dakota, all Democrats, and one Republican, Edward W. Brooke of Massachusetts.

All of them made much of the publication last weekend by Newsweek magazine of a memorandum allegedly written by Mr. Rehnquist when he was a 28-year-old law clerk for Supreme Court Justice Robert H. Jackson. The memo argued that the "separate but equal" doctrine underlying racial segregation was "right and should be reaffirmed."

The Justice Department continued today to refuse to say anything about the memorandum or to concede or deny that it had been written by Mr. Rehnquist.

Senator Scott told reporters that a comment about the memo would be forthcoming from supporters of Mr. Rehnquist. Beyond that, he would only hint that it might have been written in response to a request by Justice Jackson for a statement of the arguments in support of segregation.

Senator Scott said that Senator Bayh was attempting a one-man filibuster, and he said he had a closure petition ready for his signature whenever he concluded that the necessary two-thirds of the senators would vote to cut off debate.