

The Supreme Court Changes

Liberation News Service

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WASHINGTON, D.C. (LNS)—If Americans ever believed there was an Olympus within their borders, the location had to be the chambers of the United States Supreme Court.

“I’ll take it all the way to the Supreme Court” has long been the sputtered refrain of the miffed and abused. Changes in personnel at the Supreme Court amount to a changing of the gods for Middle America.

The Court is like a slowly turning 12-compartment revolving door. One man gets old and leaves. A younger old man takes his place. The new man stays for a long time.

G. Harold Carswell, 50 years old, will probably be around for a long time. The whole country knows about his 1948 pledge never to abandon the cause of white supremacy. Fewer people know the details of his part in the incorporation of a segregated private golf club, his record of rulings against black civil rights activists. Fewer still know what he did to women by ruling that an employer could summarily deny a job to women with pre-school children.

But as Carswell’s ascent to the Supreme Court begins to look like a fait accompli, a 71-year-old man, appointed to the Court over 30 years ago by Franklin D. Roosevelt, is beginning to sound really interesting.

In a book scheduled for publication Feb. 19, Justice William O. Douglas says he’s about ready to opt for revolution. In *Points of Rebellion*, the new book, Douglas attacks the Pentagon, the FBI, the CIA, former Presidents Truman and Johnson, government and corporate bureaucracy, and the racism of police, entrepreneurs, and educators.

“Where grievances pile up high,” he writes, “and most of the elected spokesmen represent the Establishment, violence may be the only effective response.”

“George III was the symbol against which our Founders made a revolution now considered bright and glorious...We must realize that today’s Establishment is the new George III. Whether it will continue to adhere to his tactics we do not know. If it does, the redress, honored in tradition, is also revolution.”

Inveighing against elaborate anti-communist security procedures regulating employment, and promising that dissent against American militarism will not be stilled, he charges that “The Pentagon has a fantastic budget that enables it to dream of putting down the much-needed revolution which will arise in Peru, in the Philippines, and in other benighted countries.”

“At the international level,” writes Douglas, “we have become virtually paranoid. Indeed a black silence of fear possesses the nation...Truman nurtured that fear, Johnson promoted it, preaching the doctrine that the people of the world who want what we have had, unless suppressed, will take it from us.”

And domestically, he is horrified by “the upside down welfare state” where “railroads, airlines, shipping—these are all subsidized; and those companies’ doors are not kicked down by the police at night.” Meanwhile, he sees no way of robbing from the state the ability “to conduct midnight raids without the search warrants needed before even a poor man’s home may be entered by the police.”

He hears the “powers-that-be faintly echo Adolf Hitler,” who said (1932): “The streets of our country are in turmoil. The universities are filled with students rebelling and rioting...We need law and order.” And Justice Douglas

can't help but grant that the political opponents of the state have the right to defend themselves and to resist any attempts to crush them.

“American protestors need not be submissive. A speaker who resists arrest is acting as a free man. The police do not have carte blanche to interfere with his freedom.”

Douglas is a real fluke, a liberal revolutionary in 1970 America. His book says nothing about how he intends to deal with the reality of Carswell. But Douglas is 71. And Carswell is only 50.



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