

## A JUSTICE DISGRACES THE SUPREME COURT

Opponents of Judge G. Harrold Carswell's appointment to the Supreme court have found nothing in his record to support charges of financial irregularity or racism, but they say he is a cipher intellectually. When liberals who defended former Chief Justice Earl Warren impute lack of intellectual distinction to another judge it is a rather feeble attempt to be funny.

The same liberals who clamor pharisaically for the appointment of learned jurists in the tradition of Holmes, Cardozo, and Brandeis are silent in the face of accumulating evidence that Justice William O. Douglas is gaga. This is the most charitable explanation that can be offered for his "ethical insensitivity," to use a standard liberal term for conflicts of interest, and his encouragement of the most dangerous revolutionary and criminal elements of our society.

Justice Douglas has just written a book titled "Points of Rebellion," to be published Feb. 19 by Random House, in which he argues that violent revolution may be "the only effective response" to what he calls "oppression by the establishment." He compares the so-called establishment to George III and warns that if it continues its "oppression" the redress will be another American revolution, "honored in tradition." Then he goes further, charging that "the powers-that-be faintly echo Adolf Hitler," whom he quotes as saying in 1932: "The streets of our country are in turmoil. The universities are filled with students rebelling and rioting. . . We need law and order."

Denouncing the Pentagon, the FBI, the CIA, government and corporate bureaucracies, employers, educators, and especially the police, he tells dissenters they "need not be submissive." He says "a speaker who resists arrest is acting as a free man."

He charges that police methods employed in all totalitarian countries are now commonplace in the United States. "Every phone in every federal or state agency is suspect," he writes. "Every embassy phone is an open transmitter. Certain hotels in Washington have allotments of rooms that are wired for sound and even contain two-way mirrors, so that the occupants can be taped or filmed." And the whole country, he asserts, is enthralled in "a black silence of fear."

Whatever the psychiatrists might say about Justice Douglas' symptoms, he obviously has become irresponsible and incompetent to continue as a member of the United States Supreme court. His wildly irrational remarks off the bench will be exploited by the gun slingers of the Black Panther party, Communists, student revolutionaries, and other terrorists to justify increasing violence intended to bring down the system.

Justice Douglas is eligible for retirement. If he refuses, the House judiciary committee should initiate impeachment proceedings. Under the Constitution, United States judges hold office not for life but "during good behavior," and Congress has the power of removal for misbehavior. In one impeachment case, the precedent was established that it is not necessary to prove "high crimes" or "misdemeanors." A man may be removed from the bench simply because he is not fit to be a judge.

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