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# Brewster Holds To Doubts on Black's Trials

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Yale University President Kingman Brewster Jr., faced with student demonstrations and community tensions arising out of Black Panther trials in New Haven, has restated his position doubting that black revolutionaries can obtain a fair trial.

"When blackness and revolution are combined in a criminal defendant in 1970, the prospect of his receiving objective treatment seems to me to warrant skepticism," Brewster said. "The chance of fairness seems to me essentially problematical at the moment because of politically prodded backlash against both blacks and radicals."

Brewster's comments came in a personal letter responding to criticism voiced by Judge Herbert McDonald of the Connecticut Superior Court. Judge McDonald, a Yale alumnus, was sharply critical of Brewster's remarks to the American Newspaper Publishers Association in New York last week.

## 'Increasingly Difficult'

McDonald said Brewster's skeptical comments about the ability of black revolutionaries to obtain a fair trial anywhere in the United States "made it increasingly difficult" to conduct the current case in New Haven.

Others joined in the criticism. Edward L. Marcus, the majority leader of the Connecticut Senate, told Brewster in a letter that he "questioned the competency" of the university president. Marcus, who is seeking the Democratic nomination to the U.S. Senate, called for a national poll of Yale alumni and students on whether to remove Brewster.

Marcus added that the state-

ments of Brewster and other university officials "have served to inflame community tensions and to encourage mob action."

## Stands His Ground

In his letter to Judge McDonald, Brewster stood by his earlier remarks.

"Of course I did not intend to disparage the legal system," he said, "or those who administer it—whether from the bench or as officers of the court. On the contrary, I believe the history of this nation has, in its proudest moments, been marked by a devotion to justice. There has been a continuing improvement in our understanding of the safeguards which are necessary to assure a fair criminal trial. This improvement will go on."

"But our history has also

shown, often in dramatic cases, that radical minorities and unpopular radicals have found it difficult to obtain an unbiased jury of their peers and a hearing free of extraneous passion and prejudice. Of course it is everyone's hope that such prejudice and the reasons for it will also eventually be overcome."

But, he said, to pretend that the realities he mentioned are not a problem, or to conclude that it is cynical to take notice of them, "seems to me wrong."

He also said:

"We badly need more willingness to admit the weaknesses of our institutions and a resolve to deal with these weaknesses."

Brewster, who had gained a reputation as being perhaps the staunchest supporter of the student protest movements among university officials, concluded by saying:

"Only if we are quite candid will we deserve and command the respect of the very large number of the young critics and skeptics who are quick to detect smugness, cant and hypocrisy. If they come to feel that realistic comment is taboo, then it will be hard to enlist them in common constructive action."