

6 of Panel's 13 Members Dissent

Violence Unit Hits Civil Disobedience

12/9/69
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The national violence commission has indicted civil disobedience, from civil rights sit-ins to draft card burning, as an underlying cause of disorders.

By a 7-to-6 margin, the divided commission concluded that the tactics of civil disobedience, even if nonviolent themselves, produce an "erosion of the law" that is dangerous for the future of the country.

"For several years," the commission majority said in a statement issued yesterday, "our youth have been exposed to dramatic demonstrations of disdain for law by persons from whom exemplary conduct was to be expected.

"Segregationist governors had disobeyed court orders and proclaimed their defiance of judicial institutions; civil rights leaders had openly disobeyed court injunctions and urged their followers to do likewise; striking teachers' union members had contemptuously ignored judicial decrees.

See VIOLENCE, A4, Col. 3



United Press International

Violence panel dissenters: Milton Eisenhower, left, and Judge A. Leon Higginbotham.

Civil Disobedience By Violence Panli

VIOLENCE, From A1

It was not surprising that college students destroyed scientific equipment and research data, interfered with the rights of others by occupying laboratories and classrooms, and in several instances temporarily closed their colleges," the commission majority said.

However, the question sharply divided the 13-member commission. A six-member minority, including chairman Milton B. Eisenhower, endorsed a staff-prepared statement condemning "violent or coercive" tactics of civil disobedience but declined to go along with the majority's broader and stronger statement.

Several of the dissenters argued in separate statements that, without the civil disobedience tactics employed in the last decade by leaders such as the late Martin Luther King, segregationist laws in the South might not have fallen. They also defended an individual's moral right to resist a law in good conscience so long as he is nonviolent and prepared to accept the law's punishment for his disobedience.

Chaos Feared

The majority said the "good conscience" could lead to national chaos.

"If, for example, the civil libertarian in good conscience becomes a disobeyer of law," the majority said, "the segregationist is endowed with the same conscience or vice versa . . . Is each group free to disregard due process and to violate laws considered objection-

able? If personal or group selectivity of laws to be obeyed is to be the yardstick, we shall face nationwide disobedience of many laws and thus anarchy."

The majority signers were Congressmen Hale Boggs (D-La.) and William M. McCulloch (R-Ohio), Sen. Roman Hruska (R-Neb.), lawyers Leon Jaworski of Houston and Albert E. Jenner Jr. of Chicago, philosopher Eric Hoffer and Judge Ernest W. McFarland of Arizona.

The dissenters were Eisenhower, Sen. Philip A. Hart (D-Mich.), Terence Cardinal Cooke of New York, Dr. W. Walter Menninger of the Menninger Clinic, U.S. District Judge A. Leon Higginbotham of Philadelphia and former Ambassador Patricia R. Harris.

Eisenhower emphasized that the 13 members agree in their condemnation of violent protest. He added that philosophers have disagreed for centuries on the more difficult question of nonviolent civil disobedience—how far can the individual go in protesting what he considers an unjust law or government policy?

Legal Challenges

The majority argued that protest groups should rely on legal challenges pursued through the regular judicial processes, not massive disobedience of the law, but Higginbotham and Mrs. Harris, both Negroes, issued sharply worded critiques of the "gradualism" approach to change.

"Those who adopted the majority statement," said Mrs. Harris, "have never belonged to a group required to sit in