

Thousands of demonstrators will assemble in Washington today to protest continuation of the Vietnam war. How much effect their march will have on Administration military policy is impossible to predict, but a vanguard group made up of "Vietnam Veterans Against the War" already has accomplished one welcome reversal of Administration policy in an area important to the right of peaceful protest.

For reasons still poorly explained, the Justice Department decided to turn the veterans' orderly encampment on the Mall into a Federal case. First it obtained an injunction—based on a technical infraction of National Park Service regulations—to prohibit the veterans from sleeping "in, on or under" bedrolls and shelter halves (as they had done in service in Vietnam). Next a hundred veterans were arrested on the steps of the Supreme Court—which had affirmed the injunction through Chief Justice Burger—on the ground that their presence there constituted a technical breach of the law forbidding obstruction of the administration of justice.

Through its pursuit of these technical violations by nonviolent protesters—some so nonviolent that they were protesting in wheelchairs—the Justice Department gave a political tone to law enforcement. Worse still, it made the whole process ludicrous by marching all the way to the highest court for an injunction, seeing it flouted and then asking that it be dissolved when a backlash of sympathy developed for the veterans.

United States District Judge George L. Hart Jr.—a Republican appointed by President Eisenhower—called these maundering maneuvers a mockery of justice. "This court," he said, "feels that one equal, coordinate branch of Government—the judiciary—has been dangerously and improperly used by one equal, coordinate branch of Government—the executive—represented by the Department of Justice in this case."

The right to speak up, to protest, to dissent against the Administration's war policy—or any other policies—is protected by constitutional safeguards of speech and assembly. This is a moment for debate, reason and justice without harassment. The demonstrators today should be allowed to have their say—even if it is not heard or heeded by the Administration.