

POWELL DEPLORES SOCIAL CRITICISM

Says 'Destructive' Attacks
Are Eroding Authority

By FRED P. GRAHAM

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SAN FRANCISCO, Aug. 13—Associate Justice Lewis F. Powell Jr. warned today that criticism these days of religion, free enterprise and other elements of society was eroding the moral authority of American institutions.

In his first major speech to the American Bar Association since he became a member of the Supreme Court last January, Justice Powell, a former president of the association, also expressed fear that "excessively tolerant" views toward sexual morality and personal honor were becoming widespread.

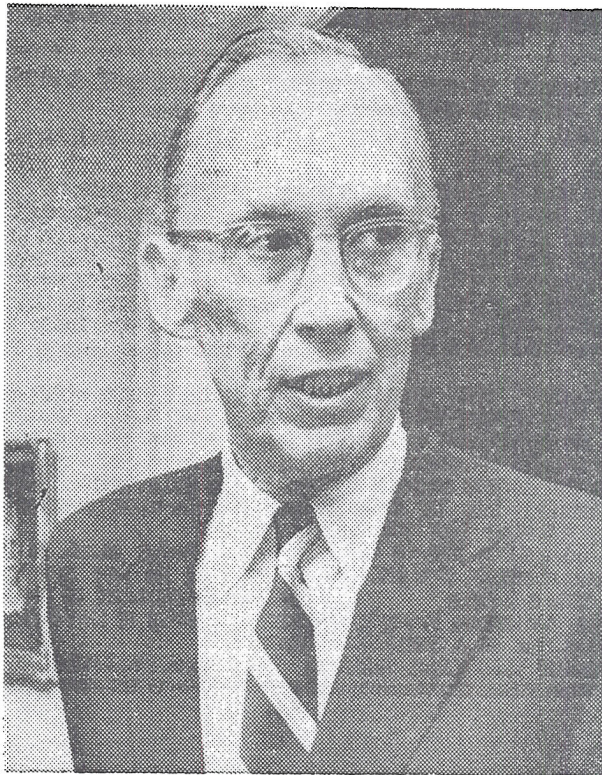
Speaking at a prayer breakfast on the eve of the official opening of the annual A.B.A. convention tomorrow, he conceded that his message was "negative" and that there was also reason to be hopeful for the future.

But the 64-year-old Justice's expressions of concern about social criticism and changing social mores were his strongest statements on these subjects since he joined the Supreme Court.

As is customary with off-the-bench statements by Justices, he did not mention current legal controversies, but his views could prove crucial in the upcoming Supreme Court term, when the Justices will consider a wide range of obscenity and other First Amendment cases.

Justice Powell said he was not questioning the value of dissent, but he wished for "a somewhat better balance and for a higher level of criticism." He said that persons would be slower to criticize the criminal justice system and the treatment of racial minorities if they would study how far the nation had come in these fields in its history.

He said the moral authority of the home, church, school



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Justice Lewis F. Powell Jr., who addressed the American Bar Association meeting in San Francisco.

and community were being undercut by an increasingly easy attitude toward "sexual morality, use of drugs and obedience of laws."

Justice Powell singled out as examples the sale of term papers to college students, and a recent newspaper article about some parents who let their liberated offspring share their bedrooms with friends of the opposite sex.

Justice Powell's speech was one of approximately 700 appearances by speakers and penal members planned for the convention and affiliated meetings here. With 7,500 lawyers registered for the meetings, the schedule contained what is believed to be an association record of one speaker for every 10 conventioners.

The list of speakers is headed by Chief Justice Warren E. Burger, who will deliver his third annual "state of the judiciary" address tomorrow morning.

Also tomorrow, a news con-

ference has been scheduled for an appearance by former Attorney General Ramsey Clark, who is coming here from a controversial trip to North Vietnam, where he was quoted as making critical remarks about American bombing of that country.

The Justice Department's chief criminal law official, Henry E. Petersen, threw his weight today behind what he termed a "strong movement" to change the Supreme Court's doctrine that rules out the use of illegally seized evidence.

Mr. Petersen, the Assistant Attorney General in charge of the Criminal Division, said the exclusionary rule, laid down by the Supreme Court in 1914, had failed to deter the police from making unconstitutional searches.

He asserted that "a rule which frees the guilty only harms society upon whom the guilty will again be free to prey." Mr. Petersen did not say how the Supreme Court's rule might be changed.