

Douglas: Points of Rebellion

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Points of Rebellion. BY WILLIAM O. DOUGLAS. New York: Random House, 1970. Pp. 97. \$4.95.

*We must realize that today's Establishment is the new George III, whether it will continue to adhere to his tactics, we do not know. If it does, the redress, honored in tradition, is also revolution.*¹

The above are not the words of a "new left" revolutionary or a militant student activist, but are written by a man who has been a member of the United States Supreme Court since 1939. In a brief, ninety-seven page book, the foremost judicial activist of the current Supreme Court reflects on the social and political activism of the past decade. In so doing, he sounds a warning that the current policy of repression of dissent will inevitably result in the destruction of our democratic institutions.

The author devotes the first part of *Points of Rebellion* to a discussion of the theory of dissent, its extent and the historical scope of its expression. Douglas contends that "Establishments" historically have repressed dissent, and that the liberal exercise of first amendment freedoms has long been a course of peril. He theorizes that over the past thirty-five years a fear of the "international communist conspiracy" has prompted this country to jettison its freedoms and, consequently, has produced a demand for conformity of not only expression, but thought as well. This demand for conformity is closely linked to the growth of the corporate state, which can exist only by the total subjugation of its servants, with economic sanctions being taken against those who fail to comply. The recurrent theme of the work is that this stifling demand for uniformity collides with the activism of our society; the only alternatives being repression or revolution.

Justice Douglas states that in the past, repression of first amendment freedoms has been accomplished by techniques such as security hearings and loyalty oaths, and that over twenty million persons have been affected by such repression since 1947. Recently, these repressive means of maintaining adherence to the "Establishment" norms have been replaced by relatively more sophisticated methods, such as psychological testing, polygraphing, and electronic surveillance. These devices have leveled the creative potential of our people.

The second section of the book deals with the causal factors of dissent which are separated into the general areas of peace, racism, ecology, poverty, and political alienation. These underlying issues have not been resolved, because the government has concerned itself with the problems of an affluent few rather than the impoverished many. This trend is evidenced by the emergence of strong lobbies and special interest groups who receive the fawning attentions of government, while the ordinary citizen is ignored, mistreated, and eventually frustrated and alienated.

In the final section, Justice Douglas attempts to offer alternatives to repression or revolution by proposing a massive restructuring of our society. The goals of such a revamping would be, chiefly, the creation of a

1. DOUGLAS, POINTS OF REBELLION 95 (1970).

public sector of the economy to fulfill the needs of the unemployed, and, also, the creation of a credible food program which would serve primarily to feed the poor, rather than to benefit large land owners. Justice Douglas feels that the racial problem is fundamentally an economic problem which would be eliminated by raising the economic standard of the poor. To finance this poverty program, Justice Douglas proposes a seventy-five per cent decrease in military spending.

The great political-scientific value of *Points of Rebellion* lies not in its delineation of problems which are all-too-well known to our society, but in its examination of the prospective dialogue between the "Establishment," with its pressure to conform, and the activist, with his desire for change. Initial reaction to the book has been less than full acceptance by the "Establishment," as evidenced by a threatened impeachment proceeding. Several members of the executive branch have expressed their disapproval. The response of the legal community has been, perhaps, best typified by an article written by Frank Greenberg, President of the Chicago Bar Association, wherein he states in reference to *Points of Rebellion*, "[I]t is neither idle nor irresponsible to suggest that we may be forced to the extremely uncomfortable necessity of repressing forms of speech that are the functional equivalent of violence."² Such statements can not but validate Justice Douglas' analysis that the major response of the "Establishment" to dissent in our country has been one of repression of first amendment freedoms.

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2. Greenberg, President's Page, 51 Chi. B. Rec. 262, 264-65 (1970).

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