

Letters

Crime in a Society Governed by Laws

To the Editor:

David Brown's suggestion (letter Dec. 7) that "it is time we started erring on the side of repression" in dealing with the problem of crime is a classic example of a cure far worse than the very real disease which it addresses.

While Mr. Brown may believe that "a few miscarriages of justice" are "a small price" to pay for lowering the crime rate, there are excellent reasons why the criminal justice system in this country has been founded on the opposite assumption: that it is far better for guilty people to go free than for innocent ones to be convicted.

This fundamental premise reflects a truth which was as clear in 1789 as it is today: that the brutality and violence of individual crimes and criminals, destructive as they are, pale into insignificance beside the degradation of the human spirit and social fabric which occurs when violence and brutality become the routine tools of the state's criminal justice apparatus.

Innumerable foreign examples show how easy it is for a government to declare that the extraordinary number or nature of crimes in its particular

country justifies the imposition of draconian solutions, and how inevitably the resulting campaign of institutionalized violence breeds terror, counterterror and the destruction of the very values which were sought to be saved.

I doubt that in fact "today the average policeman needs a lawyer to protect him when he makes an arrest," but I am sure that the founders of this country knew what they were doing when, in order to insure that the police would be servants of the citizens and not the other way around, they created a government of laws and not of men.

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