

**Famous Last Words Dept.**

The Vietnam war will never be placed on the back burner as long as I am in the Senate.

—Democratic Leader Mansfield Sept. 16 just before he threw in the sponge on an end-the-war date and the draft.

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## The Fear That Fuels The Arms Race

The United States is like a man with a brood of hungry, brawling children who insists on keeping an elephant as a house pet. The pet is the Pentagon, and the annual discussion of its huge needs has just begun again in the Senate, as usual with far too little public attention. It looks as though total spending for military purposes this fiscal year will again be about \$80 billion, or as much as at the peak of the Vietnam war. Half that amount spent every year for ten years could go a long way toward cleaning up this country, its prisons, its pollution, its schools, its slums. Even the much smaller "peace dividend" from the winding down of the Vietnam war would help at a time when we're stingily shaving 7 cents a day off the meagre school lunches for poor children.

### The Peace Dividend Is Gone

But the peace dividend, too, has disappeared in the Pentagon's hungry maw. The "incremental" cost of the Vietnam war, the conservative way the military figure it, will be down from its \$24 billion peak to \$8 billion this fiscal year, or a saving of \$16 billion. The army will be reduced a million men by the end of the fiscal year, a saving of \$10 billion. Eliminate the overlap and you still have a saving of \$20 to \$22 billion. Deduct \$12 to \$14 billion for military pay raises and inflation—again a liberal estimate—and you still have a net peace dividend of somewhere between \$8 and \$10 billion. That, too, has disappeared in current budget requests.

The arms race grows more costly and insane, but the fight against it is weakening. Fear of more unemployment is the military's strongest ally. Local pressure from both business and labor makes itself strongly felt in the Senate. The first three major votes on the new defense procurement authorization bill were overwhelmingly defeated. From a long range point of view, the most important was Humphrey's motion to put MIRV funds in escrow until we see the outcome of the SALT talks. MIRV is the single most destabilizing, dangerous and expensive new escalation of the arms race. For the past five years the military, with its industrial and scientific allies, has worked to make MIRV a fait accompli; to limit any agreement on strategic weapons to the number of missiles, allowing a qualitative race to put more and "better" warheads on each missile. Humphrey would have put a stop to any more MIRVing by embargoing this year's funds. Nixon "does not hesitate," he told the Senate, "to take \$12 billion in funds appropriated by Congress for hospitals, sewers, food" and put them in escrow. But arms funds are sacred. The motion was beaten Sept. 24, 39 to 12.

McGovern had no better luck the day before. His motion would not have cut this year's budget at all but given the Congress greater leeway when next year's budget comes up. He would have required the President next year to present along with his military budget (1) an alternative budget

### A Mighty Pillar Of Freedom Falls

Every dissenter, like myself, for whom the First Amendment is the breath of life, must feel a deep personal loss in the death of Mr. Justice Black. No man in our history has done more to keep freedom alive in our country and no man on the Supreme Court to bring justice for all closer to reality. We also grieve for the future of the court. The retirement of Mr. Justice Harlan removes a conservative judge of stature, a judicial craftsman of high order, a man capable of going against his own preconceptions, as he did in the California case which wrecked the repressive Smith Act. The men who picked Haynsworth and Carswell can now remake the Court for a long time to come. At best they are likely to give us mediocrities; at their worst, repressionists and white supremacists.

showing what the military establishment would look like if cut to \$60 billion, as suggested in the "Counterbudget" presented by the Urban Coalition and (2) recommendations for job-creating civilian programs to alleviate any hardships caused by the cut in weaponry. "I think that something more useful could be thought up," Fulbright said with admirable understatement at one point in the debate, "than an obsolete weapon." McGovern argued at another point, "military spending is a very poor creator of jobs per dollar spent . . . a given level of spending in high technology area produces many fewer jobs than the same number of dollars would provide in such priority areas as housing and transportation." But no one was so tactless as to mention that arms spending is a form of welfare for the rich; it may be a poor creator of jobs but it is a major producer of profits. McGovern's motion was beaten 46 to 36.

As always the annual debate was preceded by a "gap" scare, and as usual the scare made headlines while the rebuttal didn't rate the shipping pages. Though the U.S. spends almost half the world's arms bill, and about twice as much as the Soviet Union, it is constantly in danger (according to the Joint Chiefs of Staff) of becoming a second-rate power; to hear their melancholy tales, Mexico is liable to retake the Alamo any day now. This year's gap scare was that the Soviets had secretly developed a new swing-wing bomber, and put the U.S. five years behind in strategic bomber development. Proxmire replied in the Senate Sept. 21 that this Soviet plane was discussed by Laird in his annual defense report two years ago, when he said prototypes had already been produced and tested; its inferiority to the FB-111 (already operational in the Strategic Air Command) is discussed in the 1970-71 edition of Jane's *All The World's Aircraft*; it is a medium bomber

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## The Attica Uprising A Problem in Race Relations Not Prison Reform

THE LAW IS BASICALLY CONCERNED with property. In every time and in every society, most of those in prison are poor. Everywhere prisons are an abomination, and always have been, as Victor Hugo, Dickens, Dostoyevsky and Solzhenitsyn remind us. But the uprising at Attica represents not a problem in penology but in race relations. To talk about it in terms of prison reform is to miss the essential point. The coincidence of race and poverty in American society is explosive, for it makes our underclass of blacks, Chicanos and Indians feel that the cards are doubly stacked against them, that they and their children and their children's children are doomed to deterioration, that only a token handful can make it upward. They suffer more from crime than the whites but they see Attica as a racial uprising, and the way it was handled as a form of racial war. How they feel should be a matter of first concern, whether the feeling is justified or not. Unfortunately their feeling is justified. To recognize this is the necessary first step toward reconciliation.

### The Hostages Were Expendable

The specific circumstances were even more deadly than the general situation. Deep in the psyche of Nelson Rockefeller there is a frightened little rich boy; his readiness for nuclear war, whether in the colonies or against Communism; his obsession with fallout shelters; his cold warrior temperament; all are of a piece with his instinctive reaction to Attica. He saw it as revolution, as a menace to the social order; he didn't care what happened to the hostages so long as it was crushed.

From all I have been able to learn, the State troopers went in with murder in their hearts, like a lynch mob in the South "to get them niggers." The lies about the hostages having their throats cut and the sexual atrocities (projecting onto the prisoners exactly what old fashioned lynch mobs so often practiced on their black victims), the readiness of the country to believe those lies, the accident of a brave and honorable coroner who refuted them—all this makes the blacks feel how easily mob action could be whipped up against the ghettos on the basis of just such atrocity propaganda. Coming on top of the killings at Jackson State, the disturbing questions about the Angela Davis case, the revelation that George Jackson was shot in the back, Attica has created a mood of resentment, fear and hatred in the black community which is

### How Billions Go On Being Squandered

Weapon systems now in development will cost at least \$104.6 billion before procurement is completed. . . . The purchase cost of modern weapon systems has increased by many times even within the last few years. . . . Fighter aircraft now being developed for procurement in the mid-1970's will cost five to six times more than comparable aircraft at the beginning of the 1960's. The cost of tanks is increasing over fourfold during the 1965-75 decade. . . . The avionics package in some types of new military aircraft will alone weigh 2 or more tons and cost several million dollars. At over \$1,000 per pound this is about twice as costly as gold.

—Senate Armed Services on the '72 defense budget.

F-14 is not only a largely hopeless, but an unnecessary effort to protect attack carriers because carrier-based sorties are most unlikely to be critical in U.S.-Soviet wars . . . F-14 is gold-plated. The fiscal '72 request is for \$1.038 billion for 48 planes . . . At this rate the cost for the 300 planes desired will be \$6 billion! . . . The effectiveness of the F-14 depends upon the Phoenix missile which . . . is not yet sufficiently tested . . . Besides the ABM, no DOD program more richly deserves cancellation than the F-14.

—Federation of American Scientists Sept. 23

Yet Armed Services approved and the Senate was certain to vote this \$6 billion military boondoggle!

all the more dangerous because repressed.

In this terrible atmosphere even the repeal of the detention camp act, welcome as it was, has made little impression. There is a growing, almost paranoid terror, that some day whites in this country will do to blacks what Germans did to Jews. Whites may hear this with horror; they feel they harbor no such thoughts. But there is a delicate seismograph in the hearts of the oppressed and they may know the oppressor better than he knows himself. The fear is real, and if sick, no sicker than our racialism. Now is the time for the White House to ask the black community along with Chicanos and Indians to make their own report on Attica, to give their representatives access to the prisoners, to help us see it as the underclass of color sees it. Above all this would be the worst possible time to put a white supremacist like Poff on the Court.

### Subpena Of Gravel and His Aide in Pentagon Papers Dispute Attacked in Senate

The tendency, if not the intent, of this effort is to harass the Senator [Gravel] from Alaska, and thereby to silence him and other critics in this body along with those who are outside these halls. This action is of a pattern we have seen recently. The private citizen must fear the Army spies and the Subversive Activities Control Board which will retaliate against Administration critics; the press must fear injunctions and treason charges should it publish facts which are secret only because they are embarrassing; and now Senators and their aides must face subpoenas [like Leonard Rodberg]. Even officials within the Administration are threatened with the insult of the lie-detector if unkind or critical information leaks out.

The Administration is not slow to assert its own privileges, even when they do not exist. They will not produce Army generals to testify about Army surveillance. They will not produce Dr. Kissinger to testify about foreign policy. They will not produce State Department plans which explain our foreign aid policy. They will not tell us what the standards are for putting a citizen into an internal security computer.

The affairs of the executive branch are hidden from the

scrutiny of Congress and the American people. What they do is sacrosanct and immune from criticism. But if a Senator should dare offend those in power by disclosing to the American people information improperly kept secret by the executive branch, then it claims the right to haul him before the grand jury and make him testify. Should this prove the case, the logical next step would be to assert a right to prosecute the Senator for making the speech, on the grounds that it contained stolen information.

When the speech and debate clause is involved in a clash between the executive and the legislative, the history of this legislative immunity is especially important. The immunity was finally gained after Charles I had lost his head. And he lost his head in part at least because he imprisoned members of Parliament who had opposed him in needless and costly overseas wars, even to the extent of presuming to vote to deny him funds for the war.

—Ervin (D. N.C.) in the Senate Sept. 20. The privilege to which he refers is in Art. I, Sec. 6, of the Constitution which gives members of Congress immunity from arrest "for any speech or debate in either house."