

"Settling" the coal strike

Carter prolongs the strife

ON THE MORNING OF MARCH 6, after miners had refused to knuckle under to his settlement of the coal strike, President Carter invoked the compulsory back-to-work provisions of the Taft-Hartley Act. Carter's use of Taft-Hartley was yet another in a series of actions by which the administration has injected itself into this troubling labor dispute. As always, such White House involvement has retarded negotiation of a mutually acceptable agreement. Each step taken by the administration has been followed by speculation by both sides about what further steps would be forthcoming and whose advantage would be served by the next administration move.

On February 24, President Carter announced to the nation a "voluntary settlement" of the then 81-day-old nationwide coal strike. "It was because we believed in the free process of collective bargaining," he boasted, "that I have been so determined to give that process every chance to work. It has worked."

How devoted the President was to the free process of collective bargaining may be gauged by the fact that the bargaining council of the mine union was not even consulted in the final negotiations and had to watch the President on television to learn about the agreement.

Even more important in weighing the President's commitment to free collective bargaining is the process by which the agreement was finally reached. After months of deadlock between union and industry, the White House announced at three o'clock in the afternoon of February 24 that if a settlement was not concluded by nine that night, the President would go on television to proclaim "drastic steps" of government intervention and compulsion in the dispute. It was indicated that Carter would invoke the Taft-Hartley Act, activating a provision forcing the miners back to work for an 80-day period. This would be followed by a temporary three-month seizure of the mines by the federal government. The point of the seizure would have been to impose the government's desired terms of settlement. After that, it would have been politically impossible for the mine operators to rescind these "temporary" terms.

Four hours after this bludgeon was wielded by the President, the mine operators resigned themselves to their fate, and agreed to the terms demanded by the union leadership and the government. "We weren't negotiating with the UMW any longer," one coal industry official pointed out. "We were negotiating with the government." Another coal indus-

try official commented: "Frankly, we were mugged" by the Carter administration.

Carter wielded several weapons in his concerted campaign to bludgeon the coal industry into submission. First was a threat to dissolve the industry-wide bargaining structure, causing the mine operators to bargain by region or even by single mine—a destabilizing action which coal industry officials warned would "bring chaos and ruin to us all." Second, the Carter administration orchestrated a large number of pressure phone calls to leading coal executives from state governors as well as corporate heads in other industries. Third, the administration engineered a number of what the industry termed "threats" from various state regulatory officials, warning silkily that companies failing to sign the agreement might experience sudden difficulties and delays in obtaining important government permits. Fourth, Carter summoned to the White House the heads of five major coal companies for a last-minute pressure-cooker meeting with him, Mondale, and Labor Secretary Ray Marshall.

That "freedom" means compulsion in President Carter's Orwellian lexicon is seen by the words he used just after hailing the mine settlement—which he described as better than the "drastic steps that I was prepared to take this evening if the negotiating process had failed." He then proceeded to show that the miners as well as the operators were being whipped into shape by government coercion. Urging the mine workers to ratify the agreement signed by their leaders, Carter warned that if it "is not approved without delay, time will have run out for all of us and I will have to take the drastic and unsatisfactory legal action which I would have announced tonight."

But union members proved to be fully as unhappy as the coal operators about the "voluntary" pact imposed upon both groups by the Carter administration. Now that the miners have rejected the pact, the administration must finally employ its much brandished weapons. A supine Congress would undoubtedly rush through a law authorizing federal seizure of the mines. But the miners can be expected to defy the Taft-Hartley Act, for they have done so with impunity three times in the past. And well they might, for after all, what else is forced labor but slavery, even if it lasts for only 80 days? If the miners defy the government for the fourth time, what then? Will the President send troops into the coal miners' homes and drag them back to work? The Pentagon has a plan, Operation Gardenplot, ready for such a contingency. Or will Carter, as the revered Harry Truman threatened to do with railroad strikers in 1946, draft the miners into the army and put them back to work under military discipline?

Free bargaining between labor and management is the only way to avoid erosion of corporate independence, imposition of forced work, or military occupation of the coal fields. Similarly, free bargaining is the only way to avoid prolonged labor disputes, such as this one, in which each party hopes to benefit by anticipating the next move of the political authorities. The Carter administration's hypocrisy in this strike, and the tendency of its efforts to prolong the strife, underline the importance of genuine free bargaining.

Tilting toward Somalia

WHEN THE LOCAL AMHARA RULERS who created Ethiopia and the European colonial powers carved up the Horn of Africa in the course of conquest, the Somali-speaking peoples were divided up among areas in what are now Somalia and portions of Kenya, Djibouti, and Ethiopia. Since April 1977, the ethnic Somalis, with support since July 1977 from Somalia's armed forces, have stepped up their fight for independence from Ethiopia.

This Somali revolt has been complicated by aid to Ethiopia from Libya, Israel, Cuba, North and South Korea, East and West Germany, and the Soviet Union. Lesser amounts of aid to the Somalis have come from Egypt, Iran, and Saudi Arabia.

The United States has on several occasions condemned the support that Somalia's troops have given to their rebel Somali brethren in the Ogaden region of Ethiopia. Like present and past rulers of Ethiopia, the United States seems to want the colonial boundary treaty of 1897 between Ethiopia and Italy to be the last word on the Somali-Ethiopian border.

More importantly, the American public has been told frequently—now almost daily—that global peace is threatened by growing Cuban and Russian aid to Ethiopia. Yet, in the recent past, the American presence in Ethiopia—in combined numbers of civilian advisers and uniformed troops—has been, at times, as large or larger than the current Russian and Cuban presence.

In a February 24 White House briefing for reporters, National Security Adviser Zbigniew Brzezinski stressed that the United States is trying—as part of its coordination of policy with African countries like Nigeria—to accomplish two missions with its pronouncements on the Horn of Africa. It is seeking to decrease Soviet and Cuban presence in Ethiopia, while backing those rulers of African states who wish to preserve the colonial boundaries.

In an effort to preserve some American influence in Ethiopia, which broke ties with the United States in April 1977, Washington encouraged Israel to provide extensive aid to the Ethiopian government. On February 17 Carter sent Deputy Assistant to the President for National Security David L. Aaron as his personal envoy to Addis Ababa. The United States has begun work on choosing a person to fill the post, vacant since May 1976, of American ambassador to Ethiopia. Congress has also approved \$10 million of relief aid to Ethiopia, and the Carter administration also cleared delivery of \$700,000 worth of delayed nonlethal weaponry to Ethiopia.

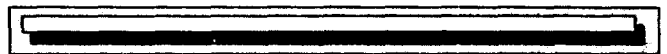
Nonetheless, this may be the extent of American aid to Ethiopia. Brzezinski's approach of tilting toward the Somalis and linking the war to détente appears to have been adopted. Carter, Vance, and Brzezinski have each made a Rubicon of the imaginary line in the desert that constitutes the colonial

boundary between Ethiopia and Somalia. The United States is pledged to back Somalia—at least with arms shipments—if the fighting spills over the border into Somalia. (Iran announced in December that it would not “stand idly by” if Ethiopia crossed the border. Sadat has said that he would not exclude the possibility that Egypt would send troops to aid Somalia in the face of an invasion.) Carter gave such a border crossing global dimensions when he said that the United States would “consider it a very serious breach of peace, endangering even worldwide peace.”

Since March, Carter and Brzezinski have been proclaiming a linkage between SALT and the Horn of Africa—a linkage which they claimed had spontaneously arisen in the minds of the American people. (As early as February, Vance implied that events in the Horn were indirectly linked to Soviet-American talks on force levels in the Indian Ocean.) Despite the administration's protestations, this is a revival of an old, and undesirable, Kissinger tactic.

The *Wall Street Journal* suggests editorially that events in the Horn demonstrate that “we had better keep our powder dry,” develop a capacity to project American power in the region, and put more money into the military budget.

We suggest that events demonstrate that the Carter administration does not have the self-restraint to stay out of the Horn, is getting the United States more deeply involved every day, and is looking nervously for the most opportune time at which to exert American power and influence.



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1700 Montgomery Street, San Francisco CA 94111 (415) 433-4319

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THE THERAPEUTIC STATE

THOMAS SZASZ

The psychiatrist as accomplice

SINCE WORLD WAR II PSYCHIATRY has had an exceedingly good press, especially in the United States. A combination of physician and priest, the psychiatrist, it seemed, could do no wrong. He dealt with the most "difficult" patients and even if his methods were sometimes "heroic," his aim was always "therapeutic."

In the last few years, especially when looking at Russian psychiatry, the press has discarded its rose-colored glasses. The fact that, in the United States, psychiatrists not only do the same things their colleagues in Russia do, but, in addition, systematically act to exonerate individuals who have killed other, innocent individuals, seems so far to have escaped the attention of civil libertarians and journalists.

There are countless ways in which psychiatry may be "abused." With respect to incarceration, psychiatry may be abused in two ways: by inculcating the innocent and by exculpating the guilty. For example, when a "mentally healthy" dissident is diagnosed as schizophrenic and committed to a mental hospital in Russia, we have an instance of the psychiatric inculcation of an innocent person as permanently insane. Such acts are now condemned by Western intellectuals and journalists as the psychiatric abuses of a totalitarian government. When, on the other hand, a so-called mad killer is diagnosed as suffering from some form of mental illness and is acquitted by reason of insanity in America, we have an instance of the psychiatric exculpation of a person as temporarily insane. Such acts are

THOMAS SZASZ, a contributing editor, writes a monthly column for *INQUIRY*. His most recent book is *The Myth of Psychotherapy*.

now praised by Western intellectuals and journalists as the scientific applications of humane psychiatry. In my opinion these two sets of acts are symmetrical: In the one, the psychiatrist acts as an accessory to what—morally speaking—is a crime by the state; in the other, he acts as an accessory to what—morally speaking—is a crime by an individual. Moreover, since killing an innocent person is a graver offense than imprisoning him, the American psychiatrist who helps to acquit a killer as not guilty by reason of insanity should be regarded as having committed a graver "psychiatric abuse" than his Russian colleague who helps to imprison an innocent person as a schizophrenic.

The death of Randolph Evans and the subsequent trial of his killer illustrate a typically American psychiatric abuse. Its professional acceptance and popular approval illustrate that Americans love their own "abuses" of psychiatry (which, of course, they regard as its "proper uses") at least as much as the Russians love theirs.

Randolph Evans was a black youth

WHY WAS EVANS KILLED?
Why was Torsney acquitted? The shooting took place shortly before midnight, when Officer Torsney and his partner answered a radio report of an armed man in an East New York housing development where young Evans lived with his family. As the policemen left the building, Torsney was approached by the boy and five others. According to the *New York Times*, "Young Evans paused to speak to Officer Torsney, who pulled his gun from his holster and shot the boy in the head. He died several hours later."

Although Torsney claimed that he acted in self-defense, his legal defense was that "he was insane because of an epileptic psychomotor seizure suffered at the time of the crime." The 32-year-old policeman had no record of any previous epileptic attacks. Until the homicide, according to police personnel files, Torsney "had never fired his gun, had an unblemished record, and had no signs of emotional handicap." On the witness stand, the policeman testified that he had shot Evans "after he saw the boy reach into his waistband for what appeared to be a gun." No gun was found and none was seen by witnesses.

To maintain a defense of insanity, the accused needs a psychiatrist to support the claimed defense by means of

Courtroom psychiatrists who seek to exonerate killers are, morally speaking, accomplices to the taking of an innocent life.

who lived in Brooklyn. On Thanksgiving Day in 1976, when he was 15 years old, he was shot and killed by a white policeman named Robert H. Torsney. Officer Torsney was charged with murder while on duty. He pleaded insanity. On December 1, 1977, an all-white jury acquitted Torsney as not guilty by reason of insanity. To my knowledge, no reporter, no politician, no civil libertarian, domestic or foreign, has denounced the Torsney verdict as another instance of the American abuse of psychiatry.

expert testimony. Torsney had such a psychiatrist in the person of Dr. Daniel Schwartz, chief of forensic psychiatry at Kings County Medical Center (who had earlier testified that David Berkowitz, otherwise known as the Son of Sam, was schizophrenic and was psychiatrically unfit to stand trial). Dr. Schwartz lent his prestige and persuasive powers to the task of convincing the jury to acquit Torsney: Not only did he claim that Torsney suffered from psychomotor epilepsy, but also that the policeman had had an attack at the