

that contained blatant appeals to the backlash.

These were flimsy premises on which to compromise a lifetime of public service. The charges dealing with the distribution of Percy's pamphlets were not made against Douglas but against the Democratic organization. The only "documentation" produced was copies of the "Negro brochure" that Douglas had already made public and two others that had not been seen before. At the hearing, Percy's representative introduced no legal brief, no list of judicial precedents; he did not even bring a copy of the laws presumably violated. It was enough that Percy's accusations had been spread across the state; the truth would surely be long in catching up.

IN RETROSPECT, the broadest significance of the Illinois senatorial election in 1966 is not so much the defeat of Douglas or the election of Percy but the emergence of race as the central question of national politics. Probably it has been there for some time and was simply obscured by our preoccupation with its dominance in the South and the uniqueness of the 1964 election. Now, for the first time, it has moved onto the center of the stage. The other compelling problems—education, unemployment, poverty, the revitalization of our cities—have already lost some of their political urgency. Worse, they are increasingly measured by the way they affect racial matters.

To be sure, both political parties will persist in professing that this explosive issue is marginal rather than central. And it would be pleasant to believe that the backlash erupted in Illinois because of peculiar circumstances and would again be submerged in less dangerous concerns. More likely, however, we have seen only the beginning of it. Other states in the North and West, even those with small Negro populations, have begun to feel it. The issue, symbolized by open occupancy, is going to hover over Congress for the next session and give its own twist to the next Presidential campaign. We would be wise to use our political resourcefulness not to finesse the problem but to resolve it, for we probably have less time than we think.



Pakistan Feels The Pains of Division

MARVIN H. ZIM

ONE of history's most abnormal births was that of Pakistan. Most countries are self-contained, their borders determined by rivers, oceans, mountain ranges, or perhaps a politician's straightedge ruler. But Pakistan is not one entity but two, and unlike such multiple-part nations as Japan and Indonesia, Pakistan's pieces are not islands linked in an archipelago. They are chunks of the partitioned Indian subcontinent, separated by nearly a thousand miles of hostile Indian territory—the two chunks where Muslims happened to be in a majority before partition in 1947.

That is a tenuous basis for nationhood, and thoughtful Pakistanis always have wondered whether their young country could remain united. Yet, in the face of a larger, more powerful India, Pakistanis have rarely voiced their deep doubts. It remained for events and an opportunistic politician to bring them to the surface.

The inevitable occurred last spring when Sheik Mujibor Rahman, the president of East Pakistan's Awami League, the province's most power-

ful political party, launched a campaign to take authority over East Pakistan away from the country's central government, which has always been in West Pakistan. The League, in a six-point proposal, called for complete autonomy in all matters except foreign policy and defense. East Pakistan was to have its own form of parliamentary democracy, its own currency unit, its own foreign-trade account, and its own militia.

Having drafted the League's proposal, Mujibor set out to sell it to the East Pakistanis. A gifted orator with ambitions to be East Pakistan's first Prime Minister, Mujibor centered his plea on economics, charging with a good measure of truth that West Pakistan was treating East Pakistan like a colony, draining off its foreign-exchange earnings for investment in the West. "Brothers," he cried to a packed house in Dacca Stadium, "do you know the streets of Karachi are paved with gold? Do you want to take back that gold? Then raise your hands and join with me." The crowd did so, to the accompaniment of boisterous cheers.

President Ayub Khan tolerated Mujibor for a while, calling him and his top lieutenants "a few leaders with very limited political following." But the following kept growing. Two other political parties endorsed the autonomy drive. Leading newspaper editors lined up behind it, and so did much of East Pakistan's educated elite. Finally Ayub cracked down and had Mujibor and twenty of his most dedicated followers thrown in jail. During a subsequent one-day strike to protest the arrest of the Awami League leaders, eleven persons were killed when they clashed with police and nearly a thousand were arrested.

Today the autonomy movement sputters along without its leaders. It is engaging in educational campaigns promoting its six points, but it is too timid to try anything more daring. Mujibor is on trial in Dacca for sedition and it is regarded as a foregone conclusion that he will be convicted and given at least a two-year sentence.

Though nearly dormant after its brief fling, the autonomy movement could erupt again at almost any time, since the suppression of the movement has only served to solidify its base. Most East Pakistanis are poor and illiterate farmers who are apolitical. They will not participate in the fight for or against the autonomy movement but will simply adjust to the result. The fraction of the population that is educated and politically involved will ultimately settle the issue, and there seems little doubt that this crucial group backs autonomy. Some of them talk of following Rhodesia's example with a unilateral declaration of independence. But that is an impossibility, since men appointed by Ayub control East Pakistan's government. Others quietly smolder, nursing their feeling of persecution.

THE autonomy movement has great potential because East and West Pakistan are far apart not just geographically but also in their ways of life. East Pakistan is essentially oriental, lushly tropical, hot and humid. West Pakistan is unmistakably Middle Eastern, desolate, rugged and obdurate. The Bengalis of East Pakistan tend to be short and slight, somewhat resembling Ma-

layans, while West Pakistan's Punjabis, Pathans, and Sindhis are taller, more robust, and lighter-skinned. The East and West Pakistanis also differ gastronomically, sartorially, and architecturally. The staple of the East Pakistani diet is rice, while in West Pakistan it is wheat. East Pakistanis wear the longhi, a simple sheet wrapped around the waist, while West Pakistanis wear the warm, baggy, and typically Arab shalwar pants. An East Pakistani's home, made of thatch and bamboo, is on his fields, but West Pakistani farmers huddle together in mud villages.

Morals also differ: prostitution is illegal in most cities in West Pakistan but legal in the East. In the field of music, Punjabis and Pathans



revel in foot-pounding, arm-waving dances, while Bengalis prefer slow and subtle melodies.

The most fundamental difference is language. Urdu, Punjabi, and Sindhi are dominant in West Pakistan; these have enough similarities so that the people of the West are able to communicate with each other, no matter which tongue they learned at home. East Pakistanis speak Bengali, which has a script and vocabulary wholly different from the languages of West Pakistan. The language gulf limits communication between the two sections to those educated few who speak English. It prohibits any mass migration from one section to the other and even precludes the ordinary mingling

that might eventually be expected to create a larger sense of nationhood. Instead, it creates resentments. For instance, Pakistan's national anthem is an Urdu verse that few East Pakistanis know or care to know.

The mutual feeling of strangeness and the inability to communicate have inevitably bred an intolerance that manifests itself in emotional stereotyping. To the Punjabis of the West, all Bengalis are lazy and devious; Bengalis complain that Punjabis rarely bathe and are boneheaded. The Punjabis, who dominate Pakistan's civil service, have systematically short-changed the people of the East. Pakistan's first two Five-Year Plans clearly favored the West, allocating to it fifty per cent more in development resources. From 1955 to 1965, West Pakistan drew \$3.1 billion in public investments as opposed to only \$2.1 billion for the East. Yet the East has fifty-five per cent of Pakistan's population and its jute fields are the principal source of Pakistan's foreign exchange, accounting for at least sixty per cent of Pakistan's exports.

With Punjabis holding about seventy per cent of the civil-service jobs, businessmen in the West have received more expeditious treatment on requests for licenses and bank loans simply because they and the government officials have a common cultural affinity, common jokes, and possibly even common relatives. As a result, private industrial investment in the West has been more than double the investment in East Pakistan; Karachi and Lahore are cities well along on their industrial revolutions, while East Pakistan is still an agricultural backwater.

India, Prestige, and Inertia

Against this resentment and the resulting discontent in the East, there are few backstops. One is the fear of India. Even the most rabid proponents of autonomy sincerely wish to remain part of a larger Pakistan. The Bengalis do not feel secure in the shadow of India without the counterweight of West Pakistan on India's other flank. Bengalis never have been a martial people, and if India so desired, it could overrun this densely populated, incredibly

poor province in a matter of days. Memories of Hindu-Muslim riots are too vivid for East Pakistanis to treat this possibility lightly.

But, as some Bengalis point out, West Pakistan offers no real military protection even today. During the 1965 Indo-Pakistan war, East Pakistan was utterly at India's mercy; it escaped only because India chose to limit the conflict. Pakistan keeps only one of its eleven divisions in the East, and Ayub recently told a group of influential Pakistanis that, East Pakistan's terrain being unsuitable for military operations, he intended to maintain this unbalanced military ratio.

One argument for unity is that a loss of international importance would result from separation. Together, East and West Pakistan make up one of the world's most populous nations (110 million), commanding at least some of the prestige attendant on its numbers. Separated, Pakistan would lose this prestige, and its ability to get foreign aid might also decline. Valid or not, this argument is ignored by the more sophisticated members of the pro-autonomy forces. For tactical reasons, they continue to speak about their movement in terms of simple autonomy, an arrangement by which over-all loyalty to Pakistan would be retained. But in fact they know that the movement has only one end—eventual secession.

The strongest deterrent to autonomy, though, is neither India nor international politics but inertia. As yet, the pro-autonomy group in East Pakistan is too small and lacks the discipline, ruthlessness, and drive to seize and hold political power. And there seems little likelihood that it will develop these characteristics in the immediate future. With Mujibor and other top Awami leaders behind bars, the leadership of the Awami League has fallen into the hands of ineffective amateurs. The League is hiding behind the sari of Amena Begum, a plump and pleasant mother of four, who was recently elevated to the post of secretary general on the theory that Ayub's police would not arrest a woman.

For two months following the successful general strike last June, the League's leaders bickered over

what they should do next to push autonomy. One group wanted to launch a second general strike. Another favored a boycott of West Pakistani goods. Still another favored milder, less provocative steps. The last group finally triumphed, and the League's educational campaign is the result. "Our principal aim is to get our leaders out of jail," Mrs. Amena says.

AYUB's grand strategy for containing the separatist movement is to spur economic growth in the East, at least to the extent that people will begin to lose their disaffection. No doubt it is more than coincidence that a one-third increase in the price of rice has accompanied the rise in popularity of the autonomy movement. Last August, Ayub visited the East for a week and spent much of his time impressing upon government officials the need to spur agricultural production and birth control. "There is no reason why we



cannot feed ourselves," he told a crowd in Sylhet. "We should be growing three crops a year. There is good land and plenty of water." He also called for a holy war "against the population explosion."

Ayub used the traditional arguments to justify Pakistan's onerous geography. "Those who built Pakistan were not fools," he proclaimed at a public rally in Dacca. "They thought that in spite of the distance it might be possible that Pakistan may live together. They built Pakistan because they realized that all our troubles in the subcontinent stemmed from the fact that we were Muslims."

For Ayub, the most disheartening part of his predicament must be the knowledge that he has been more sensitive than his predecessors to the disparities that exist between the two Pakistans and has done much to try to equalize them. His record is even better than that of H. S. Suhrawardy, Mujibor's political mentor and the only East Pakistani ever to serve as Pakistan's Prime Minister. Ayub himself inserted into the 1962 Constitution a clause making it a goal of the government "to ensure that disparities between the provinces . . . are removed in the shortest possible time." He has followed up this promise by allocating a bit more money for East Pakistan in the third Five-Year Plan than for the West. A twenty-year Perspective Plan envisions the elimination of all disparities by 1985.

Of course it is one thing to give the order and quite another to get a bureaucracy to carry it out. Although fifty-two per cent of the 1965 budget was ticketed for East Pakistan, less than forty-five per cent ended up there.

The mood surrounding Ayub's recent visit to East Pakistan pointed up the drift, the ambivalence, and yet the hidden force that currently pervades the autonomy movement. Wherever he went, Ayub was escorted by an armed guard. The President's House in Dacca was guarded day and night by a company of Punjabi and Pathan soldiers. Students at the University of Dacca boldly displayed posters inscribed "Murderer Ayub, Go Back," and "Down with the Ayub Administration." But few students would join a one-day strike called to protest the visit.

Ayub, a powerful and shrewd politician, will probably ride out any storm that develops, but his successors may not be so fortunate. Bengal has seen many political shapes and forms during its long history. It has often been controlled from outside and it has often revolted. It has cast out Moghul emperors as well as British imperialists. United and sustained by the alluvial soil of the Ganges and Brahmaputra Deltas, East Bengal has a true national coherence. It seems inevitable that some day it will become an independent state. That day, however, is not imminent.

Corpus Christi's Squad Car Lawyer

JAMES BIERY

POLICE OFFICERS R. H. Vegara and H. M. Rice followed a trail of blood recently to track down a suspect who had just been wounded while trying to rob a grocer at gunpoint in Corpus Christi, Texas. They pulled up before a house in which he was hiding, and a woman came out. At about the same time, two more patrol cars arrived. Riding in one car was thirty-four-year-old Wayland Pilcher, a professorial-looking lawyer who since August 1 has been the police legal adviser in Corpus Christi, one of a handful of such professionals in the country.

The woman said in Spanish that the suspect was her son and that she wanted him out of the house. Vegara translated her request for Pilcher, who said: "Ask her to tell us in English whether he is a trespasser." The woman answered "Yes." Vegara and Rice then rushed in and arrested him, confident that they were following legal procedures in accordance with Supreme Court rulings that in recent years have placed greater responsibilities on policemen to protect the Constitutional rights of citizens.

The officers took the man to a magistrate, who informed him of his right to refuse to answer questions and to have a lawyer present during questioning. This process followed the 1966 Revised Texas Code of Criminal Procedure and the guidelines established last June by the Supreme Court's decision in *Miranda v. Arizona*. Having already consulted their lawyer, Officers Vegara and Rice knew the case would not be thrown out of court because of illegal entry. The woman had publicly invited them in, and it would be difficult for her to claim (should she later be reconciled with her son) that she had told Vegara, the only Spanish-speaking member of the police party, to stay out.

The care taken by the police in handling this case and the presence

of Pilcher illustrate two effects that the court rulings have had. Some law-enforcement officers have said that *Mapp v. Ohio*, which compels state courts to exclude illegally



seized evidence, and *Miranda*, which guarantees that suspects may have lawyers with them during police questioning, have "handcuffed" the police. Their mirthless joke has been that "It's getting so bad that lawyers practically have to ride around in patrol cars."

But having a lawyer in the patrol car, while novel, is no joke. He not only helps policemen abide by court rulings; he also helps make their work more effective. For the court pronouncements have only emphasized an old problem: although policemen must decide—sometimes in a matter of seconds—how to apply complex rules made by courts and legislatures to human action,

most have neither legal training nor ready access to legal advice.

Only a few months ago, New York was the only city where lawyers were on the force advising policemen. The New York Police Department's Legal Bureau, which now has twenty-one attorneys, was set up in 1910. It is heavily involved with state and local legislation. The bureau's attorneys propose legislation for the police commissioner and read all state legislative proposals to see whether they relate to the police department or its members; 10,918 bills were read in 1965. Bureau lawyers also made 7,132 court appearances in connection with the prosecution of misdemeanor cases in 1965. But the area that is taking more and more time is that of giving legal advice to police officers over the telephone. The bureau gave 24,620 telephone opinions in 1965, usually within fifteen minutes after the query was received. Most callers asked whether a law had been violated and, if so, the proper law to be cited. The bureau performs all these tasks on a personnel budget of \$270,000 a year.

While putting lawyers in patrol cars is still a luxury for the bureau, attorneys are dispatched to the scene in such potentially sticky situations as sit-down protests at foreign missions to the United Nations, where complications could involve civil rights, diplomatic immunity, and a host of other problems.

NOT UNTIL the recent court decisions did other cities feel the need for such a bureau. There had been no attempt to interest police administrators in getting legal advice, nor had trained advisers been available. To help remedy this situation, Northwestern University's Law School inaugurated a police legal-adviser training program two years ago under a five-year \$300,000 grant from the Ford Foundation. Professors Fred Inbau and James Thompson are training law-school graduates like Pilcher for careers as advisers and are holding annual national conferences to focus attention on the consequences of court and legislative action for police.

"Such cases as *Mapp* and *Miranda* have created a revolution in the practices and procedures of local